

Public Places Bylaw 2016 and Policy

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Name: Miss Helen Harrington

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

I would really like someone to do something about the annoying sandwich boards that you have to navigate around on Victoria Street. The block between Bryce and London St is very frustrating. With tables and chairs and sandwich boards, it's ridiculous the amount of navigation you have to do.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't care

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mr Ben Hunter

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

yes, unless this includes charity hawkers standing on street corners harassing people whilst they try to go about their day

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

good to have more consistent application of these spaces and at the start of peak times for all eateries in the city

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

yes, unless this includes charity hawkers standing on street corners harassing people whilst they try to go about their day

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why?
Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mr Lance

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't care

but you should do something to stop the scammers that hover like vultures around central city pretending to work for charities to sign people up to give money to a marketing company

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Don't care

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

No

these idiots are always blocking the footpath. then early evening onwards drunks from these places stand around blocking the footpaths (mostly hood st but also southern Victoria st). so some parts are just not usable.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

but council does not enforce the current law so this would be no point. streets will still be blocked by belligerent drunks and tables move and businesses with the attitude that they owned their section of footpath. just look at hood street

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

When is council going to take action to stop cars blocking footpaths? When reported council do nothing. when council are told what time of day this is happening in an area they say "call us when it happens" it happens every day it is not my job to walk across town to write down rego numbers and call HCC just because their staff are too lazy to do their job (or are they being paid a bribe to turn a blind eye?). They have been told exact time this happens on certain streets, and when they are called they do nothing.

see <https://www.facebook.com/dumdrivers/>

Name: Dr Steve Tiang

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mrs Joan Woodham

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

Providing the traders are similar to the "potato" trailer presently there.

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

Particularly in regards to those trucks that prey on lower socioeconomic suburbs and con people to get into debt.

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mr Sean Farrar

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

there should be a lot more space to allow for coming and going foot traffic.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

By doing this it takes away the rights and freedom of people to do as they please. Buskers do not cause nuisance to public and they are doing what they can to make a dollar in this life, particularly in these hard times of high unemployment and the struggle to attain work.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

9. Do you have any other comments?

In line with Council's aim to protect public health and safety below are some recommendations for the policy.

1.1 - and must be a smokefree environment

1.4.14 - All outdoor dining areas in public spaces/next to footpath, must be smokefree.

3.1.6 - Stalls must not sell items/products that have a negative impact on the health of the public. Products/food must be stated in the permit applications and will be determined on a case by case basis.

3.2.1 (iv) - or display and promote items/products that have a negative impact on the health of the public.

4.4 - Mobile shops must not sell products that have a negative impact on the health of the public. This will be determined on a case by case basis.

Name: Miss Melissa Jones

Organisation (if applicable): N/a

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't care

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Don't care

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

No

Why would you be wanting to encourage people to stay home when you could be promoting outdoor dining and a vibrant city. You push the use of Claudlands and event destinations in Hamilton yet want to restrict the availability of enjoying the outdoors and weather in the summer. This is short sighted and could ultimately result in the loss of business within the CBD which seems to go against everything you're trying to do. As a ratepayer, this idea disappoints me more than anything you've tried to put through in the past. Think about your people and what Hamilton is known for and excels in.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

Good work on trying to restrict people enjoying the outdoors and businesses being able to appeal to a variety of clientele. Again shortsighted and looking for ways to ensure people refrain from the city and stay home.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

Don't agree with the increase in start time but agree with the extension of end time. The city contains apartments and people who live within the boundaries and those that do, deserve to enjoy not being woken up at 7am.

7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

I don't agree with anything you have in the bylaw that restricts the availability of entertainment within the city. The aim of the council is to promote and encourage the central city as a vibrant and inviting place. The bylaw in most promotes the opposite of this and will most likely see the reduction of business and population within the city.

9. Do you have any other comments?

Name: Miss Leonie Sheehan

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

No

I prefer to support existing businesses to enable them to survive in the city.

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mr Harry Marii

Organisation (if applicable): Ucreate Multimedia Limited

Do you wish to speak about your submission at a Council hearing? Yes

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

This allows for foodies to sample variety, so these changes will enable more people to be attracted back into the city to sample what these mobile traders put up for offer...obviously food hygiene is always best practice and to its surrounding be kept

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

Like retail trading hours are set but, when it come to mobile traders be it food or beverage even both....yes the time frame falls into the outside set times of normal trading hours allowing mobile traders to bring fresh offerings to those who start earl

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

Yes, Businesses whom provide outdoor dinning facility with barriers including supervision and wish to do so or can do so is there for the choosing. Giving businesses the opportunity to operate longer to give their customers more time to experience their favourites in all is a positive across the city spectrum.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

Standardising adds clarity for design, construction and usability in all areas not just some...practical and cost effective also an efficient way to use resources.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

No

Flags should be a separate issue from banners...as banners are the same as signs and therefore classed as a sign whereas flags should be exempt because of its status...New Zealand flag or flags under normal circumstances are used in A patriotic term, hon

6. **A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

Buskers do have a functionality within the CBD adding character to the city however, there are buskers and buskers' whom display their trade for all to here but, their are those whom bring suspicion and create confusion and merely aided by begging with no talent. What are the right from the shop owners viewpoint in this situation.

7. **What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

Each proposed changes have their merits in bring change, this quite obvious and trying to find the right balance is not easy however, my making small but positive changes where possible to help Hamilton's economic growth increase is a great start, opened

8. **What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

The flag was the only issue but I have placed a comment for you to consider,

9. **Do you have any other comments?**

The issue of large LED displays being used in Hamilton I would like to talk with someone at the possibility of Hamilton utilizing some spaces to bring this city into the 22 century...why does Auckland Wellington and Christchurch get to have all the fun.

I have been working on a project for such an ocassin and I think it's time Hamilton benefit from it....it will definitely attract people and visitor back to Hamilton but, more importantly, it's wider opportunity for the other regions.

What space or consideration has been set aside to allow LED display units become part of Hamiltin's CBD. I would like to be involved as an advisor even become part of a team in any talks about maybe establishing Hamilton' Council's own Digital Department whereby all affiliated sources can or have access to this service as a means to support local national and international sources.

If you are able to direct me to the person of interest like events and economic development I would gladly like to speak to about the possibility.

Name: Mrs Sue Griffin

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't know

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

I would support the evening change to 1am, but not the morning. I do not want to be woken up by a busker outside my window. Again, remember the central city residents!

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

"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."

This bothers me in that GP is NOT the same as other public places. It has at least 25 residential units in it. You are trying to encourage central city living, which is great, helps reduce crime, increases vitality, but the residents MUST be considered. It is difficult now to deal with people using the stage without permission (apparent) for evening exercise classes with extremely loud music, with skateboarders using GP as a skateboard arena, even though it is against city rules, it is not enforced. I would like to see a list of the differences this would bring about.

9. Do you have any other comments?

Enforce the bylaws you already have, and get rid of the vagrants.

Name: Mr Rogerson

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't know

Ok three traders. But which three? Is it first in first served?
What if their product is poor quality, ie bad coffee or really unhealthy food?

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

Yes! This is progress!
E.g for someone who wants a roadside coffee on the way to work, 8am is too late a start.

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't care

Leave the dam things up all day.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

I think case by case and dispensations need to be allowed for here. What if someone wants to open up an eatery in a really awesome location but the 2metre rule squashes what could be a great outside dining view or experience for punters?

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

That makes it fair for everyone as long as it's not just a way of broadening the HCC revenue net.

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Don't know

The 1am doesn't bother me. I doubt most musicians could handle a 7am rise anyway ;-)

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**
- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**
- 9. Do you have any other comments?**

Name: Ms Shona McClinchy

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

I definitely do not want mobile clothing vans to have extended hours .

I see they have to have a permit but if one is established in a residential area /or bordering a residential area the noise factor could be increased - people yelling out, car doors

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

-

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

Some of the flags/banners are very distracting and have often blown over in heavy winds.

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

Comments:

Buskers - people either love them or hate them let alone if you have a business which is a popular spot. Council wishes buyers to pick up on Inner City Apartment living - how dreadful to wake up and go to bed with someone closeby.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

Standardising the layout of footpath clearways. If the frontage is too narrow to allow outdoor dining it could lead to a reduction in smoking.

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

All this business of signage can sometimes be overboard - what should be required is to have the street number highlighted on every building. At busy intersections it is useful to show which way the street numbers

9. Do you have any other comments?

No

Name: Mr Lincoln Russ

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

I believe the central city should be the councils focus so I agree 100%

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

No

I think outdoor dining is a very important part of the city centre!

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

I think this completely ridiculous!

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't know

I think ALL sorts of signs and flags should be able to be erected!

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

Why such a drastic change?? This is ridiculous! 1 am!! 7am I understand but should stop by midnight as many buskers are poor and we don't need poor people entertaining late at night and taking advantage of drunken fools! Not a good mix!

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

8. **What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why?
Please be as specific as possible.**

9. **Do you have any other comments?**

Name: Mr Ian Bridge

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

Sufficient space should be allowed for the public who use mobility aides such as: wheelchairs, mobility scooters, pushchairs to go about their normal activities must be allowed.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

@ metres is insufficient space to allow two mobility aides such as: wheelchairs, mobility scooters, pushchairs (some twin) to parse in opposite directions, or secondly to stop and view menus or items for sale without impeding others progress. Clearway sh

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

But in both the By Law and Policy there is no requirement or specification for signage to advise the name and address of the owner of the stall or that it is an authorised activity. There should be.

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Don't know

It depends on the day. Religious holidays should be observed.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

I would not like to see this as being overly bureaucratic and costing the ratepayers money. The key issues are health & safety, access egress and sufficient corridor for all users,

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

I think that title of the policy and the bylaw is misleading as both the By-law and Policy seem to only apply to Hamilton's CBD and not to the wider Hamilton city, thus the title of both should reflect the content.

9. Do you have any other comments?

Name: Mr Peter Hallett

Organisation (if applicable): New Zealand Fire Service

Do you wish to speak about your submission at a Council hearing? Yes

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't know

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Don't know

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't know

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't know

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Don't know

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

The New Zealand Fire Service (NZFS) see's little by way of specific mention of the need to keep doorways/exits of buildings clear from tables & chairs, planter boxes, signs, heaters or barriers.

Many, if not all premises impacted by this proposal will have or need to have a NZFS Approved Evacuation Scheme as required by the Fire Safety and Evacuation of Buildings Regulations 2006.

Part One, Section 4 of the Regulations - Owner of Building must maintain means of escape from fire from a building; states:

The owner of a building must maintain the means of escape from fire for the building so as to ensure that:

- (a) they are kept clear of obstacles at all times; and
- (b) their exit doors are not locked, barred, or blocked so as to prevent any of the buildings occupants from leaving the building; and
- (c) their smoke-control and fire stop doors are not kept open otherwise than in a way that complies with the building code; and
- (d) their stairwells and passage ways are not used for storage or accumulation of waste.

Section 4 reasonably self explanatory, you cant have a clear path and unlocked exit doors in the building, if the means of escape is obstructed or blocked on the other side of the door.

Section 5 - Flammable cleaning liquid and flammable material not to be stored near or in means of escape from fire from a building;

Flammable cleaning liquid or flammable material in a building -

- (a) must be stored in non-combustible containers with tight fitting lids; and
- (b) must not be stored near or in means of escape from fire for the building.

ie the NZFS would be concerned if a heating device was being used in the escape path/exit way.

Whilst technically in the building, it maybe under an awning or similar, section 9 Appliances, of the Regulations states:

2 - Any appliance that gives off an open flame or is fuelled by a flammable liquid or gas must not be used in a building unless the appliance is constructed, secured, and protected in a manner that minimises the risk of fire to the building and its contents.

Section 10 - Control of Open Flames, of the Regulations may also be worthy of consideration, but again this applies more to "in the building", but sound principles should still apply to those items under awnings, verandas, beside screens etc, etc.

The NZFS also believes consideration should be given to the HSNO regulations for the likes of food stalls and such that they are not in breach of the quantities of flammable gas as prescribed for use in certain locations.

Name: Mr Jacob Winn

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

Include the option for more mobile traders upon review at regular intervals

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

No

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

- 9. Do you have any other comments?**

Name: Mr Aaron Wong

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

Mobile traders provide an additional amenity to people in the central city, especially during busy times in the city. The limit of three mobile traders is unlikely to adversely affect permanent businesses in the central city.

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

I don't believe this will cause an increased nuisance to local businesses or residents.

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

However in some specific locations it may be necessary to vary this. This should be considered for on a case by case basis and be provisioned for in the policy/bylaw.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

I would perhaps suggest the time being changed to 7am - 11pm on nights Sunday through Wednesday.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

Whatever it is to make hosting events in Garden Place easier.

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

Perhaps allow buskers to occupy a single spot for up to four hours instead of two hours. I think this does not present a nuisance. Generally make busking easier in the city.

9. Do you have any other comments?

Please continue to promote a vibrant and accessible central city.

HAMILTON CITY PUBLIC PLACES BYLAW 2016 AND POLICY – FEEDBACK FORM

SECTION 1 – Your Contact Details

Please print your details clearly

Name : ~~Mr / Mrs / Miss / Ms / Dr~~

G.M. GORICK.

Company / Organisation (if applicable):

Street Number & Name or PO Box:

Suburb

Town/City

Post Code 3200

Phone (day):

Phone (evening):

Email:

All submissions are treated as public documents and will be loaded on to the Council's website with names of submitters included. If you have any questions about making a submission please phone 07 838 6537.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you **do not** tick a box we will assume that you **do not** wish to speak at a hearing

Hearings are anticipated to be held early February 2016. If you indicated that you would like to be heard, we will contact you once hearing dates and times have been finalised.

SECTION 2 – Have Your Say

1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?

Yes ☐ No ☐ Don't know ☒ Don't care ☐

Comments

2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?

Yes ☐ No ☐ Don't know ☒ Don't care ☐

Comments

3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?

Yes ☐ No ☐ Don't know ☒ Don't care ☐

Comments

4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?

Yes ☒ No ☐ Don't know ☐ Don't care ☐

Comments

I use a walking frame (9am & 7 3/4) This is a fixed size and cannot go sideways thru a limited space as can happen when clients move chairs & tables. I cannot get thru.

5. The definition of 'Sign' has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?

Yes ☒ No ☐ Don't know ☐ Don't care ☐

Comments

In a heavy wind I have had "windwands" flapping at me and the signs on a weighted stand can be blown over. Owners need to watch the weather. Both are frightening.

6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?

Yes ☐ No ☐ Don't know ☒ Don't care ☐

Comments

7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

9. Do you have any other comments? **YES.**

Bicycles being ridden on pavements and foot paths. Road, river bank etc.

~~No~~ Few bikes these days have a BELL. I would like to see compulsory bells AND "someone" policing bikes on foot paths.

I ~~have~~ had a near miss turning a corner on my walker. A man, in high vis. vest went at speed up front of me and over the road. If I had been even half a meter further on I ~~could~~ have been badly hurt.

Feedback can be either:

- Submitted online at www.hamilton.govt.nz/haveyoursay
- Posted to the Strategy and Communications Group, Freepost 172189, Hamilton City Council, Private Bag 3010, Hamilton
- Hand delivered to the Hamilton City Council Office in Garden Place

Submissions can be made from Wednesday 2 December until Friday 15 January.

Late submissions will not be accepted.

Thank you for your feedback.

Name: Ms Jacqui Cribb

Organisation (if applicable): Iguana Restaurant and Little George

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

No

As a permanent lease holder /Ratepayer in the central city with two businesses that are both in the hospitality arena. Our investment is already a commitment to longevity to the CBD .Iguana has been part of the Southend for the past 20 years. We have an i

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

As above if they are in the central city we are against the extension of operating times. If they stay out of the Central City we have no issue with the extension time.

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't know

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

How we currently set up the footpath works!! If some are not following correct set up policies talk to the individuals. By standardizing the set up it will also alienate some businesses with the number of tables and chairs due to being on a smaller width footpath than others. Again this seems unfair . And not clever. And for all businesses we have already invested in furniture. Any change to this current plan seems a moot point. If it ain't broke don't fix it.

We all look at ways to improve our marketing and presence.The street adds to the vibrancy of the city with it looking like a place to stop and enjoy.

When you walk through the city I have not seen anyone that has impeded the footpath not to allow two sets of people to easily pass including with push chairs and wheelchairs. Not sure when they refer to it as currently confusing ? What is your evidence on this point?

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

No problem with this change

6. **A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Don't know

7. **What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**
8. **What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**
9. **Do you have any other comments?**

I speak on behalf of the Phoenix Group we have two businesses in the Central City and three in the suburbs of Hamilton.

RUSSELL McVEAGH

PARTNERS

GRAEME QUIGLEY
ALAN PATERSON
FREDERICK WARD
RICHARD McILRAITH
PIP GREENWOOD
DAVID CLARKE
BRENDAN BROWN
MALCOLM CROTTY
JOE WINDMEYER
GUY LETHBRIDGE
JOHN POWELL
ED CROOK
TIM CLARKE
BALTHAZAR MATHESON
SARAH KEENE
SALLY FITZGERALD
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DANIEL JONES
POLLY POPE
ALLISON ARTHUR-YOUNG
CHRISTOPHER CURRAN
DAVID RAUDKIVI
TOM HUNT

CONSULTANTS

PRUDENCE FLACKS
NICOLA PURVIS

23 December 2015

Strategy and Communications Group
Hamilton City Council
Freepost 172189
Private Bag 3010
HAMILTON

By post and email

Dear Sir or Madam

HAMILTON CITY COUNCIL PROPOSED PUBLIC PLACES BYLAW AND POLICY 2016

1. We act for Home Direct Limited.
2. Please find **enclosed** Home Direct Limited's submission on the proposed Public Places Bylaw and Policy 2016.
3. Please let us know if you have any questions.

Yours faithfully
RUSSELL McVEAGH



Allison Arthur-Young | Michael Doesburg
Partner | Solicitor

Direct phone: +64 9 367 8224 | +64 9 367 8327
Direct fax: +64 9 367 8590 | +64 9 367 8459
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michael.doesburg@russellmcveagh.com

SUBMISSION ON PROPOSED HAMILTON PUBLIC PLACES BYLAW AND POLICY 2016

TO: Hamilton District Council ("**Council**")

SUBMISSION ON: Proposed Hamilton Public Places Bylaw and Policy 2016 ("**Proposed Bylaw**" and "**Proposed Policy**")

NAME: Home Direct Limited ("**Home Direct**")

ADDRESS: C/- Home Direct, at the address for service specified below.

1. INTRODUCTION

- 1.1 Home Direct is a private New Zealand company that has been a market leader in the direct selling industry since 1973. Home Direct employs over 250 staff throughout New Zealand, with seven vehicles in operation in the Hamilton City area.
- 1.2 Home Direct's mobile stores provide an important personalised service by retailing goods directly to the community, including to people who are unable to, or choose not to, shop by conventional means. The company's consistent growth and loyal customer base is testament to the value proposition it offers. Customers in Hamilton have embraced Home Direct's supportive, omnichannel approach to retail in the same way customers have in other rural and metropolitan areas of the country.
- 1.3 Home Direct is a responsible operator and is the only mobile shop company that is a member of the Direct Selling Association of New Zealand, which requires members to adhere to a strict Code of Practice. The administration of the Code of Practice ensures that members comply with industry best practice, and provides consumers with a complaints process to remedy any issues caused by members.
- 1.4 Home Direct is also the only mobile shop company that is a member of the Financial Services Federation, a major group of non-bank financial institutions. Members of the Financial Services Federation are required to comply with exacting membership criteria as well as a Code of Conduct and an associated complaints procedure.
- 1.5 Home Direct complies with the Consumer Guarantees Act 1993, the Financial Advisers Act 2008, the Sales of Goods Act 1908 and other relevant consumer legislation. Home Direct is the only mobile retailer found to be fully compliant with the laws enforced by the Commerce Commission, with the latest review taking place in August 2015.

2. SUBMISSION

General submission

- 2.1 Home Direct supports the Council's intention to update the Public Places Bylaw and Policy. In particular, Home Direct generally supports

the Council's pragmatic approach to mobile trading, including the proposal to extend operating hours. Home Direct considers that this will benefit the consumers of Hamilton and will have positive economic effects for Hamilton City and local businesses.

Specific submission

- 2.2 Home Direct sees the potential to improve the Proposed Policy, to ensure that it does not result in unintended consequences or unnecessary regulation.
- 2.3 Clause 4.4(l) of the Proposed Policy relates to a restriction for mobile shops in higher speed areas. It states:

No mobile shop is permitted to operate in a traffic zone where the posted speed limit is greater than 60km per hour.

- 2.4 Home Direct appreciates that the Council may have concerns around road safety with mobile traders in high speed areas, particularly those who sell food and beverage, or which generate additional traffic and are parked for longer periods of time. (For example, vendors who park on the side of the road and require other vehicles to stop, causing traffic issues.) However, Home Direct's operations are only stationary for a short period of time, and are therefore much less likely to cause safety risks.
- 2.5 As such, Home Direct considers that clause 4.4(l) should be amended to provide an exemption for mobile shops like Home Direct, who do not stop for long periods of time and do not cause traffic risks. This will still achieve the intent of the Proposed Policy of providing greater safety to the general public, but without the consequence of limiting Home Direct's operations. A number of Home Direct's customers are located on higher speed roads, as these areas are further away from retail centres.

Relief Sought

- 2.6 Home Direct seeks that the Proposed Bylaw and Proposed Policy are adopted, subject to the following amendments:
- (a) to provide an exemption for mobile shops like Home Direct in relation to the restriction imposed by clause 4.4(l); and
 - (b) such further or other consequential relief as may be necessary to fully give effect to the concerns raised in this submission.

Home Direct wishes to be heard in support of this submission.

**HOME DIRECT LIMITED by its solicitors and authorised agents
Russell McVeagh:**



Signature: Allison Arthur-Young / Michael Doesburg

Date: 23 December 2015

Address for Service: C/- Michael Doesburg
Russell McVeagh
Level 30 Vero Centre
48 Shortland Street
PO Box 8/DX CX10085
AUCKLAND

Phone: (09) 367 8000
Facsimile: (09) 367 8590
Email: michael.doesburg@russellmcveagh.com

Name: Mrs Desiree Ratima

Organisation (if applicable): Creative Waikato

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't know

Assume consultation with affected businesses has been undertaken.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Don't know

Same as above.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't know

As long as these regulations still enable, rather than hinder, arts activity to occur.

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

Evening buskers would add to the vibrancy of the central city.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

9. Do you have any other comments?

We support anything that enables arts activity to occur and doesn't require a lot of regulation i.e., temporary sandwich boards for people who want to advertise a gig/exhibition opening and only require a sign for a few hours.

We'd also support a 'permit free' area for buskers in appropriate places i.e., Embassy Park or the new Victoria on the River carpark site.

TE HUNGA HAUA MAURI MO NGA TANGATA KATOA



Hamilton City Council Draft Public Places Bylaw 2016 and Policy

Submission written by Susan Mellsopp and Gerri Pomeroy

CCS Disability Action
PO Box 272
Waikato Mail Centre
Hamilton

Ph: 07 853 9761

Susan.Mellsopp@ccsdisabilityaction.org.nz

Gerri.pomeroy@ccsdisabilityaction.org.nz

We wish to have amendments made, our reasons are outlined in the submission

Our primary concern is ensuring the safety of people with disabilities as they negotiate the central city area of Hamilton. We wish to make sure effective and appropriate measures are put in place which will facilitate their ability to conduct their daily lives inclusively and ensure their participation in their community.

General Conditions that Apply to Outdoor Dining Permits

1.4.1 – There must be a continuous 2.0 metre wide clearway maintained on all footpaths at all times

This should include patrons who frequently move their chairs into the clearway and provide a hazard for people with disabilities including those who use a wheelchair, walking frames, white cane or a guide dog. The clearway must be monitored to ensure the increasing number of residents who bring their pet dogs into the central city and when stopping for refreshments allow their dogs to sit in the clearway, thereby causing a hazard.

1.4.10 – The boundaries of an outdoor dining area must be clearly defined through use of barriers or other appropriate street furniture from 6pm until the end of the trading day

To ensure the safety of pedestrians we believe it would be appropriate to have barriers in place from the start to the conclusion of the trading day. People with disabilities go out at night and use outdoor dining areas also, their access requirements remain the same at night as during the day.

1.4.11 – Adequate supervision of the outdoor dining area must be maintained from 6pm until the end of the trading day

Adequate supervision of the outdoor dining area and the clearway should occur at all times from the beginning to the conclusion of the trading day.

Schedule 1: Footpath Layouts

4. The vertical height permitted under this policy is a maximum height of 2.2 metres

No minimum height for sun umbrellas and shade awnings is defined in this policy. The New Zealand Transport Association Pedestrian Planning Guide

section 14.3 states a recommended clear minimum height of 2.4 metres with an absolute minimum of 2.1 metres.

When lowered sun umbrellas and shade awnings must not be at a height which would impede access in the 2 metre pedestrian clearway.

<https://www.nzta.govt.nz/assets/resources/pedestrian-planning-guide/docs/chapter-14.pdf>

Schedule One: Footpath Layouts

6. The minimum setback from all street trees, street furniture (such as benches and seats), cycle racks, phone boxes, mobility parking zones and bus stops must be 1 metre.

We propose that no outdoor dining spaces be allowed adjacent to bus stops and mobility parking zones. This would offer unimpeded access to the footpath for people with disabilities, the elderly and women with pushchairs when alighting from a bus or taxi. This would also allow the bus ramp to be lowered for wheelchair users.

Section 5.5.4 of the Pedestrian Planning Guide states that “people with impairments need to be able to use the area safely and comfortably.” In addition, the New Zealand Standard Design for Access and Mobility – Buildings and Associated Facilities (2001) states “ whenever possible public transport drop-off points shall be as close as practicable to accessible routes and to the main entrances of buildings of major public importance.” It also states that a clearway for people with disabilities should be 1200 wide. In **Section 13.2.1 Outdoor Hazards** this document stated that: “for an access-way to be useable by people with disabilities it shall be free from hazards and obstructions.....moveable obstructions like tables and chairs shall be placed and controlled so as to leave a clear route.”

Many people with disabilities, particularly wheelchair users, find it difficult to access the footpath after parking in a mobility car park. This is supported by the results of a mobility parking survey based in the central city undertaken in

2015 by the Hamilton City Council and CCS Disability Action Waikato. Wheelchair users stated that they are frequently required to move further along the road from their vehicle to access a curb cut which will allow them to use the footpath. Modern mobility vehicles often have a side opening door and ramp which allows wheelchair users to access the footpath. If the footpath is inaccessible due to street dining furniture this reduces both accessibility and inclusion.

Conclusion

We believe that everyone should have access to an inclusive community where they can participate independently through good planning design. The ability to patronise shops, cafes and other city based establishments without being impeded on the footpath is essential.

The CCS Disability Action Access Team are available to discuss this submission.

Susan Mellsopp: Information Facilitator, CCS Disability Action Waikato

Gerri Pomeroy: Access Co-Ordinator, CCS Disability Action Waikato

References

<https://www.nzta.govt.nz/assets/resources/pedestrian-planning-guide/docs/chapter-14.pdf>

New Zealand Standard, NZ4121. 2001. *Design for access and mobility – Buildings and associated facilities.*

Name: Dr Penny Pollard

Organisation (if applicable): NA

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

Yet, wouldn't support the sale of alcohol from mobile traders- this would not be in harmony with the proposed aims of the draft policy. There is already an oversupply of alcohol opportunities for the public, in the inner city generally, and within Hami

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

Why has this change been suggested? Rationale? What research has the HCC done?

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

Out outdoor dining barriers and supervision, do need to be safe, well publicized and cater for people with disabilities. There appears to be no emphasis in the proposed document, regarding people who are on walkers, face mobility issues, poor eye site, or ensuring that all suggested changes cater for a range of age groups or health issues. Often people wish to have an early dinner, then go on to a film or a show.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

Inform Hamiltonians of any footpath change- then they know what to expect.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

Comments:

These hours are potentially unsafe for buskers..

- Where to busk- define certain areas only where busking can occur.
- Devise a map of places of recommended approved venues; online.
- Create the guidance help avoid complaints.
- Ensure buskers introduce themselves to nearby businesses, - this will also make complaints much less likely.
- Buskers should let people get past. Not block doorways, the pavement, ATMs or toilets. Develop a busker guide sheet.

Performance points

- e.g. Your performance will have an impact on people nearby. Please be aware of this and be willing to move or adjust your performance if necessary.
- Please don't cause offence or humiliation.

Sound

- The biggest cause of complaints is sound. Sound can travel a long way and go high into the air. Because the people inside can't walk away, please make sure your volume doesn't bother them.
- As a rule - keep your volume just above the level of background street noise and check that it is not distorted.
- Some sounds have a big impact on people. If your act has loud, bass heavy or percussive sounds, please monitor your volume regularly, vary your music and limit your time at each location.
- Keep backing tracks unobtrusive and turn them off when you're not performing.

Equipment

- Make sure no-one could trip over your equipment.
- Never leave equipment unattended.
- Keep it safe! If your act involves anything risky (e.g. fire, knives, high wire, unicycle, diabolo, juggling).
- Please don't cover your face (e.g. by wearing a mask) as this puts people off talking to you if there is a problem.
- If you use fixtures such as furniture, lamp-posts or railings, or you draw on the ground, please get permission beforehand and make sure nothing gets damaged.
- Please keep the pitch clean and tidy-up afterwards.

Collecting money

- Performers can accept donations but the public must never feel obliged to pay.

Form a Hamilton Busker Liaison Team

A team of buskers and events professionals who will help build a strong busking community and resolve any problems before they get serious. They would provide information and advice to buskers! collect feedback and hold regular performer meetings where issues can be raised and questions answered.

7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.

Agree that heritage sites must be preserved.

That markets- stalls do not sell any illicit or harmful substances; only safe food; no criminal / danger/ stolen items etc.

That City property, art, property must not be harmed. That people must not be ha

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

Do not agree with the selling of alcohol by mobile traders; or encouraging later night trading... What security and safety will be present? Local social issues, will be a risk to the public and to traders?

How safe is the inner city now-?

What research has been done to explore night time health and safety concerns?

What new measures will be taken?

A night time economy plan for Hamilton perhaps?

9. Do you have any other comments?

Clearly outline what can not be sold or given away by traders at stalls, markets and by mobile traders.

Spell out what is not allowed- what is important.

Maybe a HCC campaign or awareness for the public- expectations?



SKYCITY Hamilton submission on
Draft Hamilton City Public Places Policy
and Bylaw 2016

13 January 2016

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Hamilton New Zealand
Telephone +64 (0)7 834 4900
Facsimile +64 (0)7 834 4901
www.skycityhamilton.co.nz

1.0 Introduction

Thank you for the opportunity to make a submission on the proposed Hamilton City Public Places Policy and Bylaw. As a leading entertainment business, property owner, and large employer in the heart of the central city, SKYCITY Hamilton would like to comment on a few specific issues that are relevant to our business.

2.0 Mobile Shops

We support initiatives to increase vibrancy within the Hamilton CBD and understand the need to occasionally issue permits to mobile shops to support specific events or to provide services in areas where they currently do not exist, e.g. ice-cream at Ferrybank. However, we oppose mobile shops being granted long-term permits to operate within the CBD as it is likely to have a negative impact on existing businesses.

Clause 4.5 and the associated map are not specific enough as to what types of mobile shops may be issued a permit and where they will be able to operate within the CBD, and it would be unfair and potentially detrimental to businesses like ours, who have invested in the CBD for over thirteen years, to have someone set up a mobile shop close by offering similar products without the same level of investment or commitment. The proposed hours are also too extensive and, with the fantastic range of food and beverage options already available in the CBD, we do not think there is a need to provide any further food options at night.

If this is approved, perhaps there needs to be a condition relating to distance from similar types of businesses and / or the requirement to consult with businesses within a certain distance before permits are issued.

3.0 Busking Conditions

Busking and good quality street entertainment can add vibrancy to the city, particularly during festivals and events. We support the proposal for buskers to require a permit. However, we do not agree that busking should be available until 1am. There are a number of venues already offering entertainment and we think it is better to have people within venues rather than congregating on the streets.


4.0 Hawkers

We agree with condition 5.3.1. that Hawkers should not be permitted anywhere with the CBD area and question whether they should be permitted at all.

5.0 Summary

Thank you for the opportunity to make a submission. We would appreciate consideration of the points raised above, particularly the potential impact of mobile traders on our business and others in the CBD.

Thanks and regards,



Michelle Baillie
General Manager
SKYCITY Hamilton Limited

Name: Peggy Koopman-Boyden

Organisation (if applicable): Hamilton Older Persons Advisory Panel

Do you wish to speak about your submission at a Council hearing? No

1. **A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**
2. **The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**
3. **For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**
4. **A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**
5. **The definition of ‘Sign’ (pg 2 of the draft Policy) has been broadened to include ‘flags’ and ‘banners’ to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**
6. **A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**
7. **What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**
8. **What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**
9. **Do you have any other comments?**

Please note the following is advice from the Hamilton Older Persons Advisory Panel. This is not a submission.

The Older Persons Advisory Panel is generally supportive of the proposed public places bylaw and provides the following feedback:

- The Council needs to be mindful of the growing number of people in Hamilton with a range of mobility needs. The proportion of the population who are aged 65+ will increase significantly in the next 20 years, from 11 per cent of the population in 2013 to 16 per cent in 2031. It will be critical to ensure that public spaces cater to this age group.
- Ensuring that there are clear pathways free of obstructions will enable older people to move through the city with greater ease, and result in reduced falls and accidents.
- The suggested actions also take into consideration the main goals of HCC’s Older Persons Plan, approved by the Council in May 2015. The Plan aims to make Hamilton a desirable place for older people to live, by encouraging greater accessibility, safety and inclusion for older residents. The Public Places Bylaw will address this to some extent.
- The panel would further encourage the Council to consider a greater use of tactiles on roads and footpaths throughout the central city for those who are visually impaired. This is particularly important in shared open spaces such as Garden Place and facility foyers, where there are currently

few tactile surfaces and signs for guidance and to enable safer journeys through the central city. This change would further increase accessibility and safety for not only older residents, but also others with visual impairments and allow them inclusion into the Hamilton community.

- Businesses should be encouraged to provide these as a means of making the central city “age friendly” – a concept used internationally to improve urban spaces for older people.. A city that is accessible for older people and age friendly will also be accessible for people of all ages.

Name: Ms Nicolina Newcombe

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't know

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Don't know

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't know

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Don't know

I support the widest possible clearway.

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't care

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

I am in favour of increasing the hours in which buskers may share their talents with the public, although I would be even more in favour of 24 hour freedom of expression for all people.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.

I am opposed to a permit system for both charitable collection and busking. The proposed Public Places bylaw introduces a permit system for charitable collection. As there is no current permit system I would ask how many incidences of public nuisance or threat to public health and safety have been raised with the council in regards to charitable collection to date. This permit system would sit alongside the current busker's permits, having spoken with three council staff that were all unable to advise me on a price for this permit I wonder how the council will encourage compliance and what sanctions may be enforced against those who are unable or unwilling to purchase a permit. The fees for a mobile vendor are \$10 per month; I trust that the price for charitable collecting and busking will not exceed this cost. I am opposed to any interaction between the city safe team and buskers apart from those which protect our valued artists from receiving harassment.

9. Do you have any other comments?

Name: Mr Alan Sciascia

Organisation (if applicable): Hospitality New Zealand

Do you wish to speak about your submission at a Council hearing? Yes

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

No

See attached submission

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

No

See attached submission

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

No

See attached submission

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

No

See attached submission

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

See attached submission

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

See attached submission

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

See attached submission

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

See attached submission

- 9. Do you have any other comments?**

See attached submission

Hospitality New Zealand Waikato Branch

SUBMISSION ON Draft Public Places Policy – Hamilton City Council January 15 2016

Hospitality NZ is a voluntary trade association representing 3,300 hospitality businesses throughout New Zealand since 1902. As Regional Manager for Hospitality New Zealand, I support and represent eighty-one licensed premises throughout Hamilton City and these businesses employ a total of 1,508 staff. This submission is made on behalf of the Waikato branch of Hospitality New Zealand.

Hospitality is a significant industry and major employer throughout the Hamilton City. The hospitality industry plays an important role in social life. The sale of alcohol is a significant driver of economic activity, more than 70,000 people work in the food and beverage sector nationwide, and hospitality is the third biggest area of spending for tourists.

We appreciate the opportunity make a submission on the Draft Public Places Policy (DPPP). I am committed to working with the Hamilton City council in order to develop a practical and effective PPP. **We would like to speak to our submission.**

CONTACT DETAILS:

Alan Sciascia
Regional Manager
Hospitality New Zealand Waikato Branch
alan.sciascia@hospitalitynz.org.nz
0274 922-475
0800 500-503

Key Issues

As outlined in the Hamilton City Council document

The HCC website provided access to a Fact Sheet and FAQ. These outlined the main changes to the current Policy document. Our submission is based on those sections as outlined in these two documents. We trust the Council will limit any Policy changes to those as listed in these two documents and that any other changes will be minor in nature and impose no measurable change to how businesses operate or how the public enjoy the amenities and facilities available

1. Buskers
 - Section 5 of the DPPP proposes to allow longer hours for permitted buskers to operate within Hamilton City, extending the hours from twelve hours per day to eighteen hours per day (an increase of 50%)
 - We note the new restriction of two continuous hours being allowed at any one location
 - We see no evidence or justification provided by council for the proposed increase in time allowed for buskers to operate within Hamilton City
 - We recommend that current policy hours remain at 12 hours per day, 8:30am to 8:30pm
2. Other Activities on Footpaths
 - Section 6 of the DPPP proposes a new permit be required for premises which intend to use the footpath area for purposes other than those already allowed for elsewhere within the DPPP.
 - The DPPP refers specifically to “entertainment or promotional activities”

- HNZ notes that this appears to be a new inclusion however the available Fact Sheet and FAQ provided no reason or evidence of why any such new permit is necessary
 - We recommend that the Council simply adjust the existing application form to allow the applicant to include details of any additional entertainment or promotional activities they may wish to have occur in the permitted area.
3. Earlier imposition of barriers and supervision
- Section 1.4.10 of the DPPP proposes an earlier time of 6pm for when barriers and supervision must be in place (compared to 9pm in the current policy).
 - We see no evidence or justification as to why these new restrictions are necessary.
 - Liquor Licensing legislation already requires a certified duty manager be appointed at all times alcohol is available for sale
 - We recommend that the current policy restriction of 9pm remains
4. Mobile traders be allowed to operate within the central city
- Section 4 of the DPPP proposes to allow up to three mobile traders to operate within central city
 - The current PPP does not permit any mobile traders to operate within the central city
 - The Council FAQ makes mention that “this could add to the vibrancy it is trying to enhance through the Central City Transformation Plan”.
 - We point out that the seventy six page document available from the HCC website makes no mention of mobile traders.
 - We see no evidence or justification as to how mobile traders can add vibrancy to Hamilton City
 - We question where mobile traders are to be located without impacting on the Central City Transformation Plan ideal to create more parking and not less
 - There is no shortage of food operators within Hamilton City
 - We point out that every licensed premises is required by law to have food available at all times alcohol is sold. Therefore all licensed premises already provide food
 - We point out that all businesses currently operating within Hamilton City have made a considerable financial investment and considerable ongoing financial commitment to create and maintain their customer service facility. Capital outlay is immense and ongoing operating costs are considerable
 - There is no shortage of food supply in Hamilton City. There are plenty of vacant premises available to be let to entrepreneurs prepared to set up an ongoing business should anyone see a gap in the market.
 - We fail to see how the Council can allow a select few mobile traders to effectively cherry-pick trading locations and times but at the cost of established businesses who are already catering very well to public demand
 - We strongly urge Council to allow the current policy to remain whereby mobile traders are excluded from the Central City
5. Increase mobile trading hours
- Section 4.4.VI proposes to increase the hours mobile traders can operate from the current 12.5 hours per day to 18.0 hours per day.
 - We do not object to this proposal providing there is no allowance for mobile traders to be given a clear commercial advantage over established bricks-and-mortar businesses in the Central City
6. Standardise the layout of footpath clearways
- Schedule One proposes to standardise the clearway so as put all operators in all areas on the same constraints
 - The proposal is to have a 2.0 meter clearway on all footpaths at all times plus an additional 0.5 meter clearway at the curb
 - We note the Fact Sheet and FAQ provided no reason or evidence of why any additional restriction is required other than that the current policy is “confusing”
 - We point out that the current policy carries only five different criteria (Victoria Street West, Victoria Street East, Hood Street, Grey Street and Garden Place)
 - These five criteria reflect the different footpaths in those different areas
 - The current policy has been working very well since 2009 and is simple and easy to understand
 - The many existing businesses already operating under the current policy already have a significant financial investment in furniture and the required barriers. Any change in policy will impose a considerable cost on businesses for no apparent gain to anyone.

7. Remove specific criteria for Garden Place
 - The new DPPP has removed the separate restrictions on Garden Place activities which are imposed by the current policy
 - We agree with this proposal.
8. A change to the type of sign requiring a permit
 - Schedule Two has been added to include flags and banners as being a sign requiring a permit
 - We agree with this proposal.

Overview

We believe that the current policy which has been in force since 2009 has worked very well. It is clearly understood by most parties involved (business operators and regulatory authorities) and requires minimal adjustment

Conclusion

We thank Hamilton City Council for the opportunity to submit on the proposed policy. We trust that the Council will favourably consider our submission as outlined above so as to achieve a sensible and effective Public Places Policy which reflects the Council's responsibilities to the community and to local businesses.

Name: Miss Heidi Jordan

Organisation (if applicable): Agenda

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

I do IF permits are required (as suggested) to maintain quality and food safety and limit the number and IF permits exclude parking in the South End hospitality zone.

If food trucks are allowed to park in areas next to permanent food providing business

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

No

I do not support this change as it may raise the costs (supervision, more barriers), restrict activities and change the aesthetic appeal (more barriers) of businesses engaged in outdoor dining in the early evening. I do not understand what this proposal is aiming to achieve by changing the time. I suggest that the activities at businesses that are involved in outdoor DINING between 6-9pm is of low risk to public safety and does not warrant the increased negative impacts.

I want to the council to provide evidence that the effect of this time change will outweigh the negative impacts on the businesses affected.

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Yes

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Yes

Comments:

IF, as stated, buskers continue to require a permit, and are not allowed to use amplification unless specifically permitted for event etc.

IF permit still requires busker to obtain permission from the owner of any business directly impacted by the buskers current activity, and will be required to move on if asked to do so.

Our experience has overwhelmingly been that it is the non-permitted buskers that cause the majority of the nuisance.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**
- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**
- 9. Do you have any other comments?**

Name: Miss Sonia Fursdon

Organisation (if applicable): Waikato SPCA

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Don't care

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Don't care

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Don't care

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Don't care

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Don't care

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

Don't care

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

POLICY 5.4.1 / BYLAW 7.1 Charitable Collections

Waikato SPCA supports the introduction of proposed Policy 5.4.1 / Bylaw 7.1 requiring a person to hold a permit to collect donations for charity.

This helps ensure that only genuine charities are able to

- 8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why? Please be as specific as possible.**

POLICY 7.1 / BYLAW 8.1 - Permit Fees

Waikato SPCA has concerns regarding proposed Policy item 7.1 / Bylaw clause 8.1, whereby the Council may charge fees for permits, including fees to process an application.

The policy/bylaw cover all types of public place permits, including those for commercial activity. The policy/bylaw does not specify whether there would be a charge for application processing or issue of a permit for charitable collecting, but does seem to allow for the possibility should Council choose to.

Waikato SPCA strongly urges Council NOT to charge any fees associated with a permit for charitable collection, because:

- a) any fee would be taking some of a charity's funds away from it's core work / purpose;
- b) the public donate to charities with the intention that it be spent as much as possible on that charity's core purpose, not on administrative costs and overheads such as permit fees;
- c) most charities are increasingly struggling to obtain funding from all sources, and in particular from street collections; permit fees would further diminish the returns from collecting efforts.

Suggested amendments to the policy / and or bylaw might be:

- a) specifically exclude the charging of any permit related fees for charitable collection permits, or
- b) at least exclude charging of permit fees for occasional / one-off collections (e.g. during a charity's annual appeal week), but possibly charge for longer term permits (e.g. those who regularly stake out street corners in the CBD), as more monitoring is likely to be required to ensure they are not creating a public nuisance - as has become the situation in many countries overseas.

BYLAW 7.2

Proposed Bylaw 7.2 states that any permit granted is personal to the person, and is not transferable.

Waikato SPCA's concern is that this would be impractical if it is to be taken to mean that only an individual named on the permit application is personally allowed to collect for a charity. We expect this is not Council's intention, but in case it is not, our reasoning is as follows:

A charitable organisation generally will have a number of volunteers collecting over the period or a day or a week (e.g. during their annual appeal), and the exact person(s) at any given time is subject to change at short notice.

Suggested solution:

In the instance of a permit for charitable collections, a more practical solution is for the permit to be issued in the name of the charitable organisation, or at least in the name of an authorised individual who may be responsible for the volunteers doing the actual collecting, but will not necessarily be the one and only person collecting.

9. Do you have any other comments?

Name: Miss Sonia Fursdon

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing? No

- 1. A change in the policy to allow three mobile traders to operate in the central city is proposed. Do you support this extension of mobile trading into the central city?**

Yes

- 2. The operating times for mobile traders across the city is proposed to change from 8am – 8.30pm, to 6am to 10pm. Do you support this extension in mobile trading operating times?**

Yes

- 3. For businesses that hold an outdoor dining permit, the time that outdoor dining barriers and supervision is proposed to start has changed from 9pm to the earlier time of 6pm. Do you support this change in time?**

Yes

- 4. A standardised 2 metre clearway in the centre of city footpaths is proposed. Currently the clearway width and location varies across the city. Do you support this standardised approach to clearways?**

Don't know

- 5. The definition of 'Sign' (pg 2 of the draft Policy) has been broadened to include 'flags' and 'banners' to ensure there is a consistent approach to all signs erected in public places. Do you agree with this change?**

Yes

- 6. A change of time is proposed to the time of day that buskers are allowed to entertain from 8.30am – 8.30pm, to 7am – 1am the following day. Do you support these changes in busking times?**

No

I think 7am to 1am increases the likelihood of creating a nuisance, in particular to occupants of the many residential tenancies on the edge, (and within hearing range), of public places. And many existing inner city residences have poor acoustic insulation.

I would support a lesser increase in hours, such as to between 8am and 11pm.

- 7. What OTHER aspects of the proposed policy and bylaw DO YOU AGREE with and why? Please be as specific as possible.**

I support BYLAW 7.1 / POLICY 5.4.1 requiring anyone collecting for charity in a public place to have a permit.

Being involved in a number of charities, I believe this will help ensure only genuine charities are collecting, and help to reassure members o

**8. What OTHER aspects of the proposed policy and bylaw DO YOU NOT AGREE with and why?
Please be as specific as possible.**

POLICY 7.1 / BYLAW 8.1 - Permit Fees

I do not believe charitable organisations should have to pay for collecting permit fees.

Charities face increasing competition for the public dollar, and increasing compliance and overhead costs.

The public want and expect their donations to be spent directly on a charity's core purpose/work, not on administrative costs.

Donations from street collections are already on the decline, so charities don't need things like permit fees further eroding what they manage to earn from this income source.

9. Do you have any other comments?

SUBMISSION ON Draft Public Places Policy – Hamilton City Council January 15 2016

The Lawrenson Group is Hamilton's leading hospitality organisation currently leasing 18 tenancies in the central city most of which are currently used to operate nightclubs, bars or restaurants. Many of these businesses have won local and national awards and some are the most high profile and popular bars and restaurants in the city.

The Lawrenson Group has invested more than \$7 million into its central city businesses over the last nine years and currently employs 260 staff. Further investment of millions more is planned over the next five years which will create further variety for customers and opportunities for employees.

Separate to our submissions below, we would like an opportunity to discuss this planned investment with Council to investigate the viability of creating a world class hospitality precinct with cobbled areas, closed roads, fairy lights, more vegetation etc.

We would like to speak to our submission.

CONTACT DETAILS:

John Lawrenson
Chief Executive Officer
021403393
john@lawrensongroup.co.nz

Key Issues

As outlined in the Hamilton City Council document

The HCC website provided access to a Fact Sheet and FAQ. These outlined the main changes to the current Policy document. Our submission is based on those sections as outlined in these two documents. We trust the Council will limit any Policy changes to those as listed in these two documents and that any other changes will be minor in nature and impose no measurable change to how businesses operate or how the public enjoy the amenities and facilities available

1. Buskers

- Section 5 of the DPPP proposes to allow longer hours for permitted buskers to operate within Hamilton City, extending the hours from twelve hours per day to eighteen hours per day (an increase of 50%)
- We note the new restriction of two continuous hours being allowed at any one location
- We see no evidence or justification provided by council for the proposed increase in time allowed for buskers to operate within Hamilton City
- We recommend that current policy hours remain at 12 hours per day, 8:30am to 8:30pm
- Late night buskers attract drunks and people who have been ejected from licenced premises. This can lead to mini "street parties" with drunk and homeless people dancing, blocking the footpath and causing disruption for pedestrians.
- Many buskers are low quality and detract from the amenity of the city rather than add to it. There should be scope for tenants to move buskers from the area around their premises if they feel that the buskers are impacting negatively on their business.

2. Other Activities on Footpaths

- Section 6 of the DPPP proposes a new permit be required for premises which intend to use the footpath area for purposes other than those already allowed for elsewhere within the DPPP.

- The DPPP refers specifically to “entertainment or promotional activities”
 - TLG notes that this appears to be a new inclusion however the available Fact Sheet and FAQ provided no reason or evidence of why any such new permit is necessary
 - We recommend that the Council simply adjust the existing application form to allow the applicant to include details of any additional entertainment or promotional activities they may wish to have occur in the permitted area.
3. Earlier imposition of barriers and supervision
- Section 1.4.10 of the DPPP proposes an earlier time of 6pm for when barriers and supervision must be in place (compared to 9pm in the current policy).
 - We see no evidence or justification as to why these new restrictions are necessary.
 - Liquor Licensing legislation already requires a certified duty manager be appointed at all times alcohol is available for sale
 - We recommend that the current policy restriction of 9pm remains
 - We recommend that the council entertain the notion of allowing footpath furniture until at least 2am and preferably 3am rather than 1am as is currently allowed.
 - The busiest period for nightclubs is between 12am and 2am, which means that for one of these hours, outdoor furniture is permitted and for the other hour, it is not. This doesn’t make any sense
 - Most bars are generally busy on a Saturday night at 1am, which means that when the furniture is brought in, there are often customers still using it. At 1am the staff would be better utilised doing other things like serving customers and checking for intoxication rather than moving furniture.
 - Outdoor furniture is secured behind barriers and is generally well controlled. There are very few issues with patrons using footpath furniture leading up to 1am. In fact this furniture adds to the vibrancy and enjoyment of the central city, not just for drinkers but for late night diners and shisha customers.
 - Visitors to the city are very confused when they are asked to move at 1am and this often causes disagreements and derisive comments about Hamilton and its Council.
4. Mobile traders be allowed to operate within the central city
- Section 4 of the DPPP proposes to allow up to three mobile traders to operate within central city
 - The current PPP does not permit any mobile traders to operate within the central city
 - The Council FAQ makes mention that “this could add to the vibrancy it is trying to enhance through the Central City Transformation Plan”.
 - We point out that the seventy six page document available from the HCC website makes no mention of mobile traders.
 - We see no evidence or justification as to how mobile traders can add vibrancy to Hamilton City
 - We question where mobile traders are to be located without impacting on the Central City Transformation Plan ideal to create more parking and not less
 - We also point out the impact these traders will have to the visibility from the street of any existing business located behind them.
 - There is a shortage of public toilets in the central city. Only one is available in the Southend area and it is regularly out of order. Is it expected that the mobile trader’s customers will just make use of other businesses bathroom facilities?
 - Mobile traders will need a power source, which either means plugging into a supply provided by the ratepayer or using petrol generators, which will be noisy and smelly for customers in neighbouring businesses.
 - We point out that every licensed premises is required by law to have food available at all times alcohol is sold. Therefore all licensed premises already provide food
 - **We point out that all businesses currently operating within Hamilton City have made a considerable financial investment, (sometimes into the millions of dollars) and considerable ongoing financial commitment to create and maintain their customer service facility. Capital outlay is immense and ongoing operating costs are considerable. Many of these businesses are already struggling.**
 - There is no shortage of food operators in Hamilton City. There are plenty of vacant premises available to be let to entrepreneurs prepared to set up an ongoing business should anyone see a gap in the market.

- In Victoria Street alone there are a number of empty premises in the market place, as well as Victoria Street (such as the sites previously occupied by Granite or Cubby Hole), and numerous others that are regularly changing tenants in both Victoria and Hood Streets.
 - Fast food of the type supplied by food carts is already provided by Sal's Pizza, Wong's Chicken, Subway Sandwiches, Beef Eaters and Paasha. In recent years, businesses like Spawn Pizza, Burger Fuel and numerous Kebab shops have failed in Victoria Street. Food carts will only put more pressure on these types of businesses.
 - We fail to see how the Council can allow a select few mobile traders to effectively cherry-pick trading locations and times but at the cost of established businesses who are already catering very well to public demand
 - There seems to be a mistaken belief by council that there is a shortage of food options leading to "long waits" throughout the week, when the reality is there is a period of about 30 minutes between 3am and 3.30am on a Saturday night only where queues can take 5-10 minutes. Otherwise there are no wait periods of any significance at these existing businesses during any other time of the week.
 - If the Council wishes to revitalise the central city then it should be focusing on conditions that encourage investment in existing premises (and the renovation of those premises) to make the city look more appealing 365 days of the year. Not making it more difficult for those businesses by allowing mobile traders to take their customers without otherwise contributing to the area or paying the overheads of a bricks and mortar business.
 - We strongly urge Council to allow the current policy to remain whereby mobile traders are excluded from the Central City and certainly from within the Southend restaurant precinct.
 - **The Lawrenson Group strongly opposes mobile traders in the Southend of Victoria Street and Hood Street precincts and will pursue all available legal remedies at our disposal if this is permitted under the bylaws.**
5. Increase mobile trading hours
- Section 4.4.VI proposes to increase the hours mobile traders can operate from the current 12.5 hours per day to 18.0 hours per day.
 - We do not object to this proposal providing there is no allowance for mobile traders to be allowed to operate in the central city where they will compete with bricks-and-mortar businesses in the Central City.
6. Standardise the layout of footpath clearways
- Schedule One proposes to standardise the clearway so as put all operators in all areas on the same constraints
 - The proposal is to have a 2.0 meter clearway on all footpaths at all times plus an additional 0.5 meter clearway at the curb
 - We note the Fact Sheet and FAQ provided no reason or evidence of why any additional restriction is required other than that the current policy is "confusing"
 - We point out that the current policy carries only five different criteria (Victoria Street West, Victoria Street East, Hood Street, Grey Street and Garden Place)
 - These five criteria reflect the different footpaths in those different areas. Some are much wider than others.
 - The current policy has been working very well since 2009 and is simple and easy to understand
 - While we sympathise with disabled persons using these footpaths, and agree that things should be made as easy for them as it is practical to do so, the Southend and Hood Street footpaths are used almost entirely by restaurant and bar customers, as there is almost no other business or accommodation that would cause people to be in the area. The street layout and usage should reflect the fact it is a hospitality precinct to maximise the vibrancy of the area. Cities with far larger population densities (Melbourne, Lygon Street for example) are not afraid to "clutter" the footpaths in the restaurant areas to create a popular and enticing area for city diners.
 - **The many existing businesses already operating under the current policy already have a significant financial investment in furniture and the required barriers. Any change in policy will impose a considerable cost on businesses for no apparent gain to anyone.**
7. Remove specific criteria for Garden Place
- The new DPPP has removed the separate restrictions on Garden Place activities which are imposed by the current policy
 - We agree with this proposal.

8. A change to the type of sign requiring a permit
 - Schedule Two has been added to include flags and banners as being a sign requiring a permit
 - We agree with this proposal.

Overview

We believe that the current policy which has been in force since 2009 has worked reasonably well. It is clearly understood by most parties involved (business operators and regulatory authorities) and requires minimal adjustment

Conclusion

We thank Hamilton City Council for the opportunity to submit on the proposed policy. We trust that the Council will favourably consider our submission as outlined above so as to achieve a sensible and effective Public Places Policy which reflects the Council's responsibilities to the community and to local businesses.

To : Hamilton City Council

From : Property Council New Zealand

Dated : 15 January 2016

SUBMISSION ON HAMILTON CITY COUNCIL'S PROPOSED PUBLIC PLACES BYLAW 2016 AND POLICY

Background

Property Council New Zealand (Property Council) welcomes the opportunity to submit on the proposed Hamilton City Public Places Bylaw 2016 and Policy.

Property Council is a member-led, not-for-profit organisation representing the country's commercial, industrial, retail property owners, managers, and investors. Our primary goal is the creation of well designed, functional and economically sustainable built environments, which contribute to the economic prosperity of New Zealand as a whole. Furthermore, Property Council supports the implementation of statutory and regulatory frameworks that enhance (and do not inhibit) productivity-driven economic growth and prosperity. To achieve these goals, our advocacy and research focuses on urban strategy, infrastructure, compliance, legislation and capital markets.

Property Council has an interest in this particular policy due to its link with promoting activity and vibrancy in the city that contribute to the economic prosperity, which in turn impacts on the built environment.

1.0 OVERALL VIEWS

- 1.1 Property Council supports ideas to promote activity and vibrancy in the city. We would like to see the Public Places Policy and Bylaw 2016 (proposed bylaw) align with other plans and policy objectives. It should be drafted and considered with consideration of the Central City Transformation Plan, River Plan and District Plan to ensure all aspects of the city are integrated towards a common goal that promotes efficiency and sustainable growth.
- 1.2 With the comment made in 1.1 above, Property Council considers the changes to the policy and bylaw are premature and that rules and regulations are being introduced before knowing what the specific plans and steps are for the other plans particularly relating to the central city. Any changes to policies and bylaws should be to enable specific goals and consider market trends and demands.

Property Council believes that it is the role of Hamilton City Council to develop bylaws and rules that seek to enable businesses to become established, develop and grow. Bylaws must not create rules or red tape that are onerous and costly for businesses, particularly in Hamilton CBD, which is already struggling to attract business.

- 1.3 The proposed bylaw should acknowledge that the central city and suburbs are unique and have different requirements. For example, requests for activity in Garden Place or Hood Street would be different to a suburban street or park.
- 1.4 Garden Place needs to have specific activity guidance due to its importance in impacting on the vision for the city and its potential to bring more people into the central city. Particular care in the management of Garden Place will ensure surrounding properties and businesses are positively impacted by the activities and it influences the attractiveness of doing business in the central city.
- 1.5 Clearway standardisation makes sense as long as there is no disruption or cost to the property owner or business tenanted the property in question. This has the potential to negatively impact retail businesses in particular.
- 1.6 Tenants in the hospitality and retail industry cater to a niche customer base with specific branding to protect and uphold. Busker locations need to be clearly and publically identified to prevent hospitality and retail outlets being negatively impacted.
- 1.7 The proposed bylaw should not ignore the issue of increasing vandalism and nuisance behaviour caused by vagrants, particularly in the CBD. These undesirable actions have a sustained negative impact on the value of buildings, thus leading to discouraging investors when looking at purchasing commercial buildings or leasing in the CBD. Unclean areas and nuisance behaviour also deter consumers from visiting and shopping in the CBD.
- 1.8 The property industry thrives on the demand to relocate and invest in sought after areas. If companies won't move their business to Hamilton's CBD due to its perceived unsafe environment for staff and operations, it will diminish the demand to renovate old building stock or build new buildings to accommodate new business. Without bold leadership and change, the visible lack of vibrant activity will continue to negatively affect the retail and office tenancy rates in the CBD.
- 1.9 While adequate signage, mobile shops and interesting buskers add "flavour" to the CBD, it is ultimately refurbishments and renovations of existing properties in the city

makes Hamilton attractive and welcoming. Property Council urges Hamilton City Council to further consider *enabling* the refurbishment of old building stock. Having a better looking city contributes to people wanting to spend time there.

- 1.10 Property Council supports activity to improve economic prosperity as this impacts on the success of the built environment in terms of tenancy, rent obtained and property values, which leads to the attractiveness to develop or refurbish. The policy and bylaws must have commercial reality to reduce uncertainty for a business to establish. For example, business attraction to the central city will be impeded by the possibility of a competing mobile trader being in close proximity. Why would a business pay premium rates to be situated in the central city when a mobile trader can pay less fees and have access to the same consumers?
- 1.11 Existing businesses need to be looked after in conjunction with attracting new businesses to fill vacant offices and shops. As much as HCC can create policies, rules and regulations, it is people that will attract more people and improve the attractiveness to develop property and set-up business in the central city.
- 1.12 Property Council strongly recommends a newly formed CBD Board to help make amendments to the policy and bylaws that relate to central city public spaces. Together with the Hamilton Central Business Association looking after the retail aspect, policies and bylaws such as these will be well aligned to other relevant policies with the guidance of a CBD Board.

Thomas Gibbons
President, Waikato Branch

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