
REPORT 1
(1215/52/IM)

FEEDBACK ON THE DRAFT TRADING IN PUBLIC PLACES POLICY

1. Purpose of Report

This report asks the Committee to:

- consider feedback from the consultation undertaken on the draft Trading in Public Places Policy
- agree to recommend to Council that it adopts the amended Trading in Public Places Policy, attached as Appendix 2.

2. Executive Summary

Consultation was undertaken on the draft Trading in Public Places Policy between 7 August and 22 September, and oral submissions heard on 12 October 2006.

The Policy covers:

- temporary retail and food stalls
- permanent retail kiosks
- recreational equipment hire
- hawking
- open air markets.

The Strategy and Policy Committee agreed to public consultation on two general options for trading in public places. The first option built upon the status quo and provided for the Council to become more pro-active in identifying areas suitable for public trading. This option was preferred as it allows the Council to look for opportunities where trading activities could enhance an area. When identifying potential locations for trading activities officers would consider criteria including potential impacts on pedestrians, activity levels, safety, established businesses, the functions of the location and its relationship to the rest of the city.

Council also consulted on a proposal whereby trading would be generally permitted in public places throughout the city except scenic reserves. Traders would however have to adhere to certain conditions such as ensuring adequate pedestrian space and adhering to relevant food and hygiene regulations.

The feedback received through consultation provided substantial support for:

- more trading to be permitted in the city.
- the Council to maintain controls over trading activities in public places to ensure appropriate standards and visual amenity are maintained, but without stymieing creativity by being overly prescriptive.
- the Council to be involved in facilitating the development of any craft market to ensure developments are consistent with the Council's vibrant vision for the trading areas of Wellington City.
- on occasion, the Council to pro-actively identify specific locations to promote public trading to enhance the vibrancy and visitor experience of an area. This would be similar to the approach taken in the previous management plans for certain parks, such as Glover Park.

The draft Trading in Public Places Policy has been amended in light of public submissions and further officer analysis. The amended Policy ensures that the Council will be responsive to requests for trading in public places, while at the same time retaining some control over the location and effects of the activity. In addition, the Council may pro-actively identify specific locations where it can actively seek to promote public trading as a desired activity.

It is recommended that the clause requiring Wellington Waterfront Limited to ensure that there is an open air market on the waterfront be deleted from the draft policy. Officers are currently working with Wellington Waterfront Limited on the development of Wellington Markets and the waterfront is one of the options being considered for an open air market as part of this process.

3. Recommendations

It is recommended that the Committee:

1. *Receive the information.*
2. *Note that public consultation has been undertaken on the draft Trading in Public Places Policy.*
3. *Note that 18 submissions were received and are attached as Appendix 3 and oral submissions on the draft Policy were heard by the Strategy and Policy Committee on Thursday 12 October.*
4. *Recommend to Council that it adopt the amended Trading in Public Places Policy, attached as Appendix 2.*
5. *Delegate to the Chief Executive and the Economy Portfolio Leader the authority to make any required amendments.*

4. Background

4.1 Draft Trading in Public Places Policy

The Committee agreed in July 2006 to consult on the draft Trading in Public Places Policy in conjunction with the consultation on the draft Footpath Management Policy.

The draft Trading in Public Places Policy sought to ensure that trading activities in Wellington City would make public places more safe, lively and attractive, without inhibiting the safety and efficiency of pedestrian movement. The draft Policy covered temporary retail and food stalls, permanent retail kiosks, recreational equipment hire, hawking and open air markets.

4.2 General options for consultation

The Strategy and Policy Committee agreed to consult on the following two options.

Option 1 Building on the status quo to become more pro-active in identifying areas suitable for trading in public places

Under this option, the approach taken with the Glover Park Management Plan would be expanded to other areas of the city to enhance their activity levels and vibrancy. Specific areas would be identified where public trading would enhance the character, vibrancy and visitor experience of the area. The Council would permit trading activities in these locations based on consideration against the following conditions:

- safe pedestrian movement is maintained
- established businesses are not negatively affected
- the location works well with the rest of the city
- the location is highly visible and easily accessible
- the location has low activity levels
- there is less than desired public safety in the area
- trading activities would improve the experience of the location in peak use
- trading activities would not negatively impact locations designated as scenic areas or quiet open space.

This was the recommended option.

Option 2 Trading is a permitted activity

Trading would be generally permitted in public places throughout the city, except scenic reserves. Traders would however have to adhere to certain conditions such as ensuring adequate pedestrian space and relevant food and hygiene regulations.

In addition the Committee amended section 6 of the draft Trading in Public Places policy to require Wellington Waterfront Limited to ensure that there is an open air market on the waterfront. Councillors considered the waterfront to be an ideal location

for an open air market and that such a market would add to the amenity value of the area.

5. Discussion

5.1 Consultation process

Consultation on the draft Policy closed on Friday 22 September with oral submissions being heard on Thursday 12 October.

Targeted community groups, organisations and interested individuals were sent copies of the draft policy for comment. The consultation was also advertised on the *Our Wellington* page of the Dominion Post and placed on the Council's website, and meetings were held with the Tawa Community Board, the Wellington Police and the Disability Reference Group.

Those providing feedback via the website or feedback form were given the opportunity to respond to specific questions and to provide additional comments. The questions and options provided are presented as Appendix 1.

5.2 Overall results

Eighteen written submissions were received. Seven of these were from groups and organisations, including resident representatives, trader representatives, Positively Wellington Tourism, and the Royal Foundation for the Blind. The remaining eleven were from individuals, including one experienced street trader. The submissions are attached as Appendix 3. Three submitters requested an oral hearing.

The following section provides a summary of the feedback received and officer response to that feedback.

5.3 Feedback and officer responses

Summaries of the written submissions for each question, and officer responses, are presented below.

Question and options	Number of responses	Suggestions or issues	Officer response
<p>1 Preferred level of trading activity</p> <p>a) Allow more trading, with Council selecting suitable areas. (recommended)</p> <p>b) Allow trading throughout the city provided pedestrian right of way, and health, safety and hygiene standards are maintained.</p> <p>c) Another option (please explain).</p>	<p>(18)</p> <p>9</p> <p>7</p> <p>2</p>	<p>Ten respondents supported more trading, with the Council selecting suitable areas for these activities.</p> <p>Seven respondents were happy for trading in public places throughout the city provided the pedestrian right-of-way, and health, safety and hygiene standards are maintained.</p> <p>One respondent suggested there should be less trading in public places and one wanted trading restricted to markets such as that next to Te Papa.</p> <p>Of the seven organisations, one (the Foundation for the Blind) supported trading throughout the city, with standards, while the other six supported more trading with the Council selecting the areas.</p>	<p>Fifty percent of respondents agreed that more trading should be permitted, with the Council retaining some control over location. Under this approach officers provide permission for public trading once satisfied that certain criteria covering pedestrian right-of-way, health, safety and hygiene standards, visual amenity and appropriateness of location are addressed.</p> <p>Forty percent of respondent sought less control by the Council. Officers consider that it is important to control trading activities in public places to ensure appropriate standards, and visual amenity, are maintained.</p>
<p>2 Suggested city areas for more trading, and suggested trading types.</p>	<p>10</p>	<p>Ten respondents offered suggestions for the location and types of trading preferred.</p> <p>Location Suggestions include: Manners Street, open places around the shopping centres, Railway Station and next to Te Papa, and the proposed Pipitea Precinct. Cuba Street and Glover Park were suggested several times.</p> <p>One proposed consideration of a Cuba Mall/ Left Bank/ Glover Park precinct project for a food court alley/craft market centre.</p> <p>One suggested the waterfront, and fringe areas of sports grounds, provided there is adequate parking.</p> <p>One suggested ‘Anywhere where people are going to be that might want that product or</p>	<p>More than 50% of respondents chose to make suggestions as to where they felt trading should be permitted and / or the types of trading to be allowed. The amended policy encourages the Council to actively identify locations where trading would enhance the vibrancy and visitor experience to promote such activity.</p> <p>The suggestions for goods to be traded were also consistent with the proposed policy.</p>

		<p>service.’</p> <p>Goods to be traded Suggestions include: street stalls for food, buskers and entertainment, crafts, painting, authentic farmer produce, collectibles (excluding used clothing which would compete with charity shops), wholesale produce and flowers, and jewellery.</p> <p>One suggested initially allowing local goods only, to establish a local flavour and reputation.</p> <p>One respondent questioned how the Council could decide where and what to trade if it ‘doesn’t run a business’.</p>	
3 Suggested types of goods to be sold from temporary commercial street stalls	(15)	<p>Three respondents felt Wellington should permit no temporary commercial street stalls at all, while four felt there should be no restrictions on the types of retail goods that can be sold.</p> <p>Eight supported the recommended items types which include handcrafted items, art, produce and flowers. Respondent suggestions for goods included: cloth, women's accessories, takeaway food and beverages. All the respondent organisations selected this option except one, which provided no response to this question.</p> <p>An experienced street trader promoted good communication between all affected parties as being the key to deciding on the goods to be sold.</p>	<p>A majority of respondents supported the policy intent of increased public trading.</p> <p>The remaining respondents were evenly split between an unrestricted approach and having no temporary commercial street stalls at all.</p>
a) No temporary commercial street stalls.	3		
b) Further enhance vibrancy with permits that consider: safety, access, pedestrian movement, established businesses and the wider city. (recommended)	8		
c) Should be no restrictions.	4		
d) Don’t know.	0		
e) Other.	0		
4 Development of a craft market in Wellington City	(17)	<p>All the respondent organisations supported the Council being involved except one, which provided no response to this question.</p> <p>The few respondents that offered comment preferred a demand-driven approach with the Council guiding establishment of the Markets and then letting the marketers run them.</p> <p>One respondent did not consider the Council was an appropriate organisation to intervene on</p>	<p>Feedback strongly supported (71%) the Council being involved in facilitating the development of a craft market. This will ensure developments are consistent with the Council’s vibrant vision for the trading areas of Wellington City.</p>
a) No, this is not an activity for the Council.	5		
b) Yes, the Council should facilitate this. (recommended)	12		

c) Don't know.	0	trading.	
d) Other.	0		
5 Any additional comments.	6	<p>Additional comments were offered by six respondents.</p> <p>One respondent saw benefit in having some trading activities, but was concerned that the overall density of stalls should not create an impression of over-crowding. The respondent supported the policy focus on safe foot traffic and was also concerned about the potential for pedestrians to feel badgered. They sought stringent enforcement to:</p> <ul style="list-style-type: none"> • prevent unlicensed trading • maintain safety and cleanliness when the stalls are closed • manage risk from petty crime and stand-over tactics. <p>Other comments included: a specific stall proposal, an offer of advice and experience, and a suggestion that the city needs a good clean up.</p> <p>The Retailers' Association expressed concern regarding the possible impact of temporary stalls on established businesses, shopping / pedestrian patterns, and traffic flow.</p> <p>Three respondents expressed their appreciation for the proposed policy change and the prospect of seeing more people engaged in trading and shopping.</p>	<p>The respondent concerned about city tidiness proposed trading be highly restricted. The other comments are supportive of the draft policy.</p> <p>Because trading activities in public places has not been a major part of the city's retail mix, some trading licenses may be issued on a trial basis to ensure the activity fits with the primary function of each specified location. It is important to control trading activities to ensure appropriate standards of health, safety, pedestrian priority and visual amenity are maintained.</p> <p>The Retailers' Association concerns are within the proposed scope of the conditions to be considered in approving a permit.</p>

Oral submitters generally reiterated the points they had made in their written submissions. Individual respondents made the following points:

- Temporary retail stalls should attract fees as for other footpath users. Current rules are probably sufficient, but need stronger enforcement.
- High-traffic areas need to be accessible to street traders and fees kept modest. Guidelines should be flexible to encourage street traders.
- An open market on the waterfront has potential to create traffic flow issues.

5.5 Key amendments proposed to the draft policy

The feedback received provided substantial support for the following recommended approaches:

- More trading should be permitted in the city.
- The Council should maintain controls over trading activities in public places to ensure appropriate standards and visual amenity are maintained, but without stymieing creativity by being overly prescriptive.

- The Council should be involved in facilitating the development of any craft market to ensure developments are consistent with the Council's vibrant vision for the trading areas of Wellington City.
- On occasion, the Council could pro-actively identify specific locations to promote public trading to enhance the vibrancy and visitor experience of an area. This would be similar to the approach taken in the previous management plans for certain parks, such as Glover Park.

No submissions were received on the proposed clause requiring that Wellington Waterfront Limited ensure that there is an open air market on the waterfront. It is recommended that this clause be deleted as, through the Wellington Markets work currently being undertaken by the Council, officers are working with Wellington Waterfront Limited and the waterfront is one of the options being considered for an open air market.

5.6 Fees, Monitoring and Enforcement

The Council will monitor trading activities in public places regularly to ensure that traders are complying with their licence conditions and that no unauthorised trading is occurring in public places. Licence fees will be set to ensure that the costs of this policy will be fully recovered.

The Council reserves the right to charge a rent for occupancy of public spaces in addition to the licence fee. Such a rent would be assessed by the value of the location and to ensure that businesses on private property are not unfairly disadvantaged.

The Council will reserve the right to revoke trading licences or leases for non-compliance issues. The standard protocol for non-compliance is as follows:

1. if a trader does not comply with the conditions of this policy, the Council will verbally notify the trader of the issue
2. if the problem persists, the Council will provide a written warning to that trader identifying the issue(s) and required remedy
3. if the business continues to infringe, the Council will consider revoking the trading licence or lease.

Individuals or groups that trade on footpaths or other public spaces without a pavement licence will be asked to remove their material and cease with the trading activity. The Council will issue a written warning to the person. If the infringement persists, the Council will reserve the right to confiscate the stall setup or trading material pursuant to sections 163 and 164 of the Local Government Act, 2002, and under part 1.15.1 of the Wellington Consolidated Bylaw:

Any authorised servant of the Council may pull down, remove or alter any work, material or thing erected or being in contravention of any provision of this bylaw.

The Council may dispose of confiscated property pursuant to section 168 of the Local Government Act, 2002.

6. Conclusion

The Trading in Public Places Policy has been amended following public consultation and further officer analysis. An amended policy is attached as Appendix 2. It is recommended that the Committee agrees to recommend the Trading in Public Places Policy to the Council for adoption.

Contact Officer: *Ken Bowater, Senior Policy Advisor*

Supporting Information

1) Strategic Fit / Strategic Outcome

The policy supports the following Council outcomes:

- *1.4 Safer*
- *1.5 Stronger Sense of Place*
- *2.1 More Liveable*
- *3.2 More Compact*
- *6.6 Safer*

2) LTCCP/Annual Plan reference and long term financial impact

The Policy will be covered from existing budgets.

3) Treaty of Waitangi considerations

No significant Treaty implications.

4) Decision-Making

This is not a significant decision.

5) Consultation

a) General Consultation

Public consultation has been undertaken on the draft policy.

b) Consultation with Maori

Maori have been consulted as part of the general consultation.

6) Legal Implications

No legal advice has been received for this report.

7) Consistency with existing policy

This report makes recommendations which are consistent with the existing Wellington City Council Road Encroachment Policy, Public Places Bylaw and relevant Council strategies.

CONSULTATION QUESTIONS

- 1** The draft Policy recommends that the Council take a more proactive approach in managing trading activities in public places with the objective of enhancing the city. What level of trading activities do you think the Council should allow in public places?

 - a) More trading should be allowed in public places but the Council should select areas that are best suited for these activities.
 - b) Trading activities should be allowed throughout the city as long as the pedestrian right of way is maintained and health, safety and hygiene standards are maintained.
 - c) Another option (please explain).
- 2** If you want to see more trading activities in public places, which areas of the city do you specifically think should have more trading activities? What types of trading would you like to see more of?
- 3** The draft Policy proposes that the types of goods that can be sold from temporary commercial street stalls include handcrafted items, art, produce and flowers. Which types of goods should the Council allow to be sold from commercial street stalls?

 - a) Temporary commercial street stalls should not be permitted.
 - b) I agree with the recommendations in the policy.
 - c) The Council should not put restrictions on the type of retail goods that can be sold from temporary commercial street stalls.
 - d) Don't know
 - e) Other.
- 4** Do you think the Council should be involved in facilitating the development of a craft market in Wellington City?

 - a) No, this is not an activity the Council should be involved with.
 - b) Yes, the Council should facilitate this activity.
 - c) Don't know.
 - d) Other.
- 5** Please provide any additional comments below or attach other comments to your submission.

TRADING IN PUBLIC PLACES POLICY

1. Definitions

The Council	The Wellington City Council or any committee or elected member of the Council or officer authorised to exercise authority of the Council.
Hawker	Trading from a vehicle and only stopping long enough to sell to a customer.
Open Air Market	Any outdoor place, accessible to the public, where goods are offered for sale, which usually consists of several merchandise stalls grouped together.
Public Place	Any road, street, footpath, court, alley, square, pedestrian mall, lane or access-way of a public nature open to or used by the public as of right and every place to which the public have access and every reserve, park, domain, beach, foreshore and recreational ground within the City, subject to the provisions of the Reserves Act 1977.
Recreation Equipment	Any equipment used for recreational purposes such as kayaks, canoes, boats, surf boards, bicycles, roller blades, scooters or segways.
Retail Kiosk	A small, permanent structure used to sell goods such as newspapers, magazines or confectionary items.
Temporary Retail and Food Stalls	Any stand, stall, tent, mobile shop, vehicle, vessel or other setup from which goods and / or food are sold that is open in a temporary nature and removed when not in use.
Trading	The act of selling or trading, or offering to sell or trade, goods or services, with or without use of a vehicle.

2. Introduction

Trading in public places can add to the character, vibrancy, visitor experience and safety of the city. It is important however to control trading activities in public places to ensure appropriate standards of health, safety, pedestrian priority and visual amenity are maintained. It is also important to consider the potential impacts on established businesses when determining where street vending activities can occur.

3. Objectives

The policy is to ensure that the public trading activities in Wellington City make public places more safe, lively and attractive without inhibiting the safety and efficiency of pedestrian movement. The Policy guides:

- the granting of licences for trading in public places
- the types of trading that are allowed
- conditions for
 - health and safety
 - pedestrian access
 - consideration of established businesses.

4. Principles of the Policy

The following principles shall apply when considering trading activities in public places:

- The Council's decision to license and encourage trading in public places is reflective of its strategic vision for the city.
- Pedestrian priority should be enhanced to facilitate more efficient and safe walking routes in Wellington and to encourage more people to walk as their primary transport mode where possible.
- Wellington streetscapes and public places should be vibrant, safe and attractive.
- Wellington public places should provide opportunities for pedestrians to participate in the public environment - leisure, retail, recreation and entertainment.
- Businesses, groups and individuals that are licensed to use public places for trading activities are responsible for managing those activities in accordance with Council guidelines.
- Private trading activities that introduce changes to paving or street furniture (e.g. barriers) for amenity purposes will generally not be permitted.
- Trading activities should add to the city's vibrancy, improve public safety and strengthen the existing function of areas.
- Fees shall be set on a cost-recovery basis. Licence holders should not be unfairly advantaged over established businesses that have rent or rates overheads.

5. Scope of activities

The Trading in Public Places Policy provides guidelines for allowing the following trading activities on streets and public places:

- temporary retail and food stalls
- retail kiosks
- recreational equipment hire
- hawking
- open air markets.

6. Where is trading in public places allowed?

The Council will grant licences against certain guidelines for trading in public places as an activity that will bring life and atmosphere to locations in the city as well as enhance the experience of certain areas. Factors that could be considered when determining locations for street vending activities include whether:

- the location
 - works well with the rest of the city
 - is highly visible
 - is easily accessible
 - has low activity levels and/or less than desired public safety
- trading activities
 - do not disrupt safe and efficient pedestrian flows
 - support or enhance the existing function of the location
 - do not negatively effect locations designated as scenic areas or quiet open space.

The Wellington Waterfront Limited is responsible for approving trading activities along the land designated as the 'Waterfront'.

7. Temporary Retail and Food Stalls, Retail Kiosks and Recreational Equipment Hire

The Council reserves the right to grant licences for temporary retail and food stalls, recreational equipment hire and retail kiosks in public locations throughout the city.

The Council will charge a fee for the licence. Licences are non-transferable and can be revoked at anytime due to non-compliance. The licence must be displayed to the public at all times.

The Council is responsible for identifying and agreeing any potential kiosk locations and designs and the terms of individual leases.

7.1 Type of commercial goods allowed

The type of goods that are allowed at temporary retail and food stalls, and kiosks, include handcrafted items, art, prepared food for consumption by the public, and produce such as fruit, vegetables, and flowers.

The Council wants to reinforce the image of Wellington as a creative capital by supporting vendors that sell art, photography and handcrafted items. The goods for a temporary retail stall must be approved by the Council during the application process. Licences may be revoked if goods are sold that are not consistent with what was approved by the Council.

Recreational equipment hire may also be licensed in public places, contingent on the above guidelines being adhered to.

7.2 Health and Safety Regulations

Temporary stalls selling fresh produce must obtain a certificate of registration under Regulation 4 of the Food Hygiene Regulations 1974. The stall operator must pay the prescribed Council fee for a certificate of registration. Stalls must comply with relevant food safety and hygiene regulations. Stall operators that do not comply with food safety

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and hygiene regulations will have their certificate of registration and their temporary retail stall license revoked.

7.3 Times of operation and licence duration

The times of operation will be stated in the licence as will the duration of the licence. Stall holders that operate outside the times outlined in the licence may have their licence revoked.

7.4 Stall appearance and storage

The Council must approve the appearance of the stall. A photograph or a detailed sketch of the stall must be included in the application for a temporary retail stall. The stall must maintain high standards of appearance at all times. No changes may be made to the stall without prior approval.

The stall operator must be in attendance at all times.

Stalls are generally not permitted to be stored on site overnight and must be removed from the public place when not in use. The Council may revoke the stall licence if the licence holder does not keep the stall appearance tidy and safe to the satisfaction of the Council.

The trading area should be left clean and tidy to the satisfaction of the Council and all rubbish must be properly disposed of. No rubbish should be stored in public view during operating hours. No goods are permitted to be stored outside a kiosk when not in use.

The operator must keep noise to reasonable levels to the satisfaction to the Council.

7.5 Application process

The application for a temporary retail stall licence must include:

- detailed information of the type of goods to be sold (the Council may request to see the goods)
- the proposed days and hours of operations
- a photograph or detailed sketch of the vending stall
- the application fee
- evidence of public liability insurance
- information required for food hygiene and safety registration

8. Hawking

The Council permits hawking outside the Central Business District as defined in the District Plan.

Hawkers selling food must obtain a certificate of registration under Regulation 4 of the Food Hygiene Regulations 1974. Hawkiers selling food must comply with food safety and hygiene regulations. Food-selling hawkiers that do not comply with food safety and hygiene regulations will have their certificate of registration revoked. Hawkiers must pay the prescribed Council fee for a certificate of registration.

Trading from a fixed location is not permitted.

Hawkers must properly dispose of their rubbish. The operator must keep noise to reasonable levels to the satisfaction to the Council.

9. Open Air Markets

The Council may license the establishment of open air markets on public places on a case-by-case basis. Individuals or groups must receive licensed permission from the Council to operate an open air market in a public place. Licence conditions may include:

- identifying the type of goods that can be sold at the market
- ensuring adequate space for pedestrians
- allocating set hours and days for operation
- identifying issues relating to storage.

Any group or individual interested in establishing an open air market on public land should contact the Council.

Stall holders in open air markets, on public or private land, where food is sold, need to obtain a certificate of registration under Regulation 4 of the Food Hygiene Regulations 1974.

10. Fees, Monitoring and Enforcement

Fees will be set in alignment with the Council's revenue and financing policy which requires that the costs of this policy will be fully recovered from licence fees. Licence fees are expected to include the costs of:

- licensing
- monitoring and enforcement
- administration.

The Council reserves the right to charge a rent for occupancy of public spaces in addition to the licence fee. Such a rent would be assessed by the value of the location and to ensure that businesses on private property are not unfairly disadvantaged.

The licence applicant must pay the full licence fee and have all the required permits before the licence will be issued.

The Council will monitor trading activities in public places regularly to ensure that traders are complying with their licence conditions and that no unauthorised trading is occurring in public places.

The Council reserves the right to revoke trading licences or leases for non-compliance issues. The standard protocol for non-compliance is as follows:

1. if a trader does not comply with the conditions of this policy, the Council will verbally notify the trader of the issue
2. if the problem persists, the Council will provide a written warning to that trader identifying the issue(s) and required remedy
3. if the business continues to infringe, the Council will consider revoking the trading licence or lease.

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Individuals or groups that trade on footpaths or other public spaces without a pavement licence will be asked to remove their material and cease with the trading activity. The Council will issue a written warning to the person. If the infringement persists, the Council will reserve the right to confiscate the stall setup or trading material pursuant to sections 163 and 164 of the Local Government Act, 2002, and under part 1.15.1 of the Wellington Consolidated Bylaw: any authorised servant of the Council may pull down, remove or alter any work, material or thing erected or being in contravention of any provision of this bylaw.

The Council may dispose of confiscated property pursuant to section 168 of the Local Government Act, 2002.

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