

## CONDITIONS FOR TOUTING

The Trading in Public Places Bylaw requires a permit to carry out touting. This document sets out permit conditions.

Touting includes, for example, tour operators soliciting business in public places. It also includes hawking and peddling.

Contact us to apply for a touting permit.

### PURPOSE

Street trading adds to Dunedin's character, vibrancy and visitor experience. The Trading in Public Places Bylaw and conditions aim to ensure public places are safe, lively and attractive, while allowing people to move around safely and easily.

### GENERAL

The Dunedin City Council may approve a permit based on but not limited to the following conditions and considerations. Permits may be granted only for property which the Council controls. All permit holders must also comply with relevant legislation and bylaws including the Health and Safety at Work Act and the Dunedin City District Plan (2GP).

### DEFINITIONS

**"Hawker"** means any person who attempts to sell goods or services to any person without:

- Invitation; or
- Request for such service; or
- Prior orders, whether that sale is intended to be conducted on public or private property. This does not include any person who, in response to an invitation to call, conducts a sale of any goods on private property or any person who operates a mobile shop.

**"Peddler"** means a travelling seller of small items.

**"Pedestrian access"** means a minimum width of unobstructed access for pedestrians must be maintained as follows: 3m in the central business district zone of the 2GP and 1.5m in all other areas.

**"Public place"** means an area that is of a public nature, is open to or used by the public, and which is owned, managed, maintained or controlled by the Council. It includes any road, street, footpath, court, alley, lane, park, recreation ground, sports field, reserve, beach, pedestrian mall, cycle track, accessway, squares and car parks. Reserves and beaches are also governed by the Reserves Act and the Reserves and Beaches Bylaw.

**"Touting"** means to solicit business, usually in a direct or persistent way, and to attempt to persuade someone to give something, such as money, for a specific purpose.

## **1. CONDITIONS**

- 1.1. While touting, touters must have their permit on them at all times and must be available for inspection by any Authorised Officer or Police Officer on request.
- 1.2. Touters must ensure pedestrian access is maintained in public places and that they, and their audience, do not block doorways, bus stops, fire escapes, footpaths or roads.
- 1.3. Touters must not operate within 6 m of a road intersection.
- 1.4. To maintain pedestrian access in public places, the following minimum widths of unobstructed area for pedestrian movement must be maintained at all times:
  - 1.4.1. 3 metres in the central business district (CBD) zone of the 2GP; and
  - 1.4.2. 1.5 metres in all other zones.
- 1.5. Touting on private property is allowed only with property owner/tenant's permission.
- 1.6. Touters must not approach people in a way that is likely to make them feel uncomfortable.
- 1.7. Companies may have only two representatives working under one permit at any one time.
- 1.8. All touting of tours and attractions should comply with national regulations and guidelines, have a robust health and safety plan and public liability insurance. Where applicable, transport licences and WOF's are required.
- 1.9. Any costs related to damage, loss or injury caused by the permit holder, or any person working on their behalf, are to be paid by the permit holder.

## **2. RIGHT OF REVIEW**

- 2.1. Any applicant who is dissatisfied with a Council decision made in relation to the applicant under these conditions may appeal the decision under the terms stated in the Trading in Public Places Bylaw.