

AUCKLAND TRANSPORT BOARD DELEGATION TO AUCKLAND COUNCIL IN RELATION TO STREET TRADING AND OTHER ACTIVITIES IN PUBLIC PLACES

The Auckland Transport Board delegates to Auckland Council the power to:

- administer and enforce bylaws made or deemed to have been made by Auckland Transport to the extent that they apply to street trading and other activities in public places, and to signs on, or visible from, the Auckland Transport System;
- set, charge, collect and retain fees of charges as described in section 150 of the Local Government Act 2002 in respect of any matter provided for in an Auckland Transport bylaw, provided that the administration and enforcement of that particular Auckland Transport bylaw has been delegated to Auckland Council;
- set, charge, collect, and retain non-regulatory rental fees being a charge for use of public space in respect of street trading within the Auckland Transport System; and
- pass resolutions or make controls under bylaws made or deemed to have been made by Auckland Transport to the extent that they apply to street trading and other activities in public places, and to signs (except traffic control devices) on, or visible from, the Auckland Transport System.

This delegation excludes Auckland Transport's powers under the Auckland Transport and Auckland Council Signs Bylaw 2022 to pass a resolution to make a control specifying locations and conditions of use of council-controlled public places on or visible from the Auckland transport system for the display of event signs or election signs.

In exercising this delegation Auckland Council staff will seek to ascertain the views of relevant subject matter experts from the staff of Auckland Transport if considered necessary given the likely impact of a decision on the effectiveness of the Auckland transport system or the safety of road users (for example the location of a new cross street banner).

This delegation removes and replaces all previous delegations from Auckland Transport or the Auckland Transport Chief Executive to Auckland Council for matter relating to the administration and enforcement of bylaws made or deemed to have been made by Auckland Transport that apply to street trading and other activities in public places, and to signs on, or visible from, the Auckland Transport System

For the avoidance of doubt the removal and replacement of the previous delegations has no effect on the status of any decisions made under those delegations and where necessary they may be considered to have been made under this delegation.

This delegation takes effect immediately and remains in force until further notice and may be reviewed or revoked by Auckland Transport at any time.

Delegation passed by resolution of the Auckland Transport Board at its meeting of 26 May 2022.