

# Activities in the Road Corridor Bylaw 2022

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## Public Consultation Report

May 2022



## Explanatory note

This consultation was completed following the requirements of Special Consultative Procedure of the Local Government Act, 2002. This report provides description and analysis of public engagement and consultation undertaken for the proposed Activities in the Road Corridor Bylaw 2022. Public engagement was conducted in January and February of 2022.

We kindly thank everyone who gave their time to participate in this consultation. Our aim is to develop a fit for purpose, functional bylaw. This could not be achieved without your experience and insight. If you require further information please contact Strategic Consultations, Auckland Transport.

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### Key documents:

[Draft bylaw text](#)

[Statement of proposal](#)

[Quick guide](#)

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# Executive summary

## The Activities in the Road Corridor bylaw

This new bylaw is designed to replace five expired or expiring bylaws. It covers a range of different topics, with the common feature being their occurrence in the road corridor but not related to 'traditional' travel.

Under Auckland Council's Significance and Engagement Policy, the development of bylaws needs to include consultation in accordance with the Special Consultative Procedure. This means that consultation must be open to the public for four weeks, include an opportunity for hearings and provide detailed information on the proposal (generally in the form of a Statement of Proposal).

## The consultation process

Ahead of public consultation a range of partners and key stakeholders were engaged, including local boards.

A public consultation period was held between 27 January and 27 February 2022, followed by public hearings.

A range of workshops, meetings, focus groups and presentations were made during the process.

49 submissions were received from the online survey, nine longform submissions were received and seven people spoke before the hearing panel. Significant feedback was also received from local boards.

## The outcomes

Several key themes were common in the feedback. These included:

- Provisions being required for fire and emergency access, utility works and services, emergency construction works, and escaped or displaced livestock.
- Clarity being sought on the extent to which the bylaw is intended to apply to utilities.
- Further development or addition of definitions requested in Preliminary provisions.
- 'Droving' and 'crossing' differentiation for livestock movement.
- Road corridor maintenance and management in rural areas clarification.
- Opposition to application fees and fines in relation to livestock movement, grazing, and roadside maintenance.
- Enforcement and improved coordination of temporary traffic management.
- Clarity required for timeframes and approval criteria for applications across all interest groups.
- Corridor access priority is unclear for utilities and construction sector.
- Ensuring bylaw enables safe movement of freight and over-dimension vehicles.

## The amendments and responses

As a result of the feedback a number of changes were made to the Bylaw. These changes focussed on ensuring that the Bylaw prevented the adverse activities that were unwanted, while

not creating an environment where additional burdens were placed on legitimate users of the road corridor who are doing the right thing. Some key changes include:

- Updates to the exemptions for utility providers accessing the road corridor in accordance with the Utilities Access Act 2010, in order for these to operate as intended and avoid placing additional requirements on utility operators undertaking utility works.
- Updates to references to the Code of Practice for Temporary Traffic Management (CoPTTM) to specify relevant sections (for livestock movements) and to account for a potential future replacement standard to be adopted.
- Providing separate requirements for livestock crossings and for livestock droving activities, following feedback that these are quite different in nature.



# Introduction, purpose and background

AT is the road controlling authority for all roads within Auckland's transport system, including the public road network and beaches, but excluding state highways.

AT has a range of bylaws to help ensure the smooth and safe operation of Auckland's transport system. The **Activities in the Road Corridor Bylaw 2022** is designed to consolidate and replace five expired/expiring Auckland Council (AC) and AT bylaws.

The purpose of this document is to outline the process used to engage with partners, stakeholders and the general public, the outcomes of these engagement activities and demonstrate how feedback led to amendments to the Bylaw.

## Bylaw development process and timeline

The following are the key activities and timeframes which shaped the development of the bylaw, including the engagement activities.

Time period	Activities
August 2021	Scoping workshops and project plan development
2 September 2021	ELT approved Bylaw Programme 2021-22 including the Activities in the Road Corridor Bylaw as a focus project
29 September 2021	Presentation to Regulatory Committee
September – November 2021	draft bylaw text developed with the assistance of internal SME and Council family feedback
November 2021	Project information offered to Mana Whenua, Local Boards and Council Advisory Panels and presentations provided where interested. (Local Boards spoken to: Upper Harbour; Mangere-Otahuhu; Whau)
11 November 2021	ELT approved the SOP for Public Consultation to go to DDC and Board
30 November 2021	DDC approved the SOP for Public Consultation to go to Board
9 December 2021	Board approved the SOP for Public Consultation to proceed
17 December 2021	ELT approved engagement plan for Public Consultation
27 January – 27 February 2022	Public consultation period
March – April 2022	Post consultation analysis and review period
28 April 2022	ELT endorsed proposed bylaw for DDC
17 May 2022	DDC endorsed proposed bylaw and recommended it to the AT Board
26 May 2022	AT Board approved bylaw
30 May 2022	Bylaw enacted and released

Detail on the design of the various engagement activities is provided in the following sections.

# Engagement design

Engagement was designed around three distinct groups:

- **Partners** – made up of Auckland Council, Waka Kotahi NZ Transport Agency and Māori (mana whenua)
- **Stakeholders** – made up of key organisations and groups interested in the topic, such as livestock operators and utility providers
- **The community** – all Auckland residents

The process used for each group is outlined below. Outcomes of the engagement for each group is provided in the next section.

## Partners

### Auckland Council

The draft bylaw was developed with input from Auckland Council's regulatory team, and the draft Bylaw was presented to a workshop of the Regulatory Committee on 29 September 2021. At that workshop the Committee requested that Councillor Linda Cooper be part of the hearings panel. This request was approved by the AT Board shortly thereafter. Subsequently Independent Māori Statutory Board (IMSB) member Glenn Wilcox was also added to the hearings panel.

### Māori

Initial engagement letters were sent out in December 2021 to inform mana whenua across the Auckland region of the proposed Bylaw and the approach taken to consolidate the legacy bylaws. Along with these letters, presentations or question and answer sessions were offered. No presentations or question and answer sessions were requested at that time.

The bylaw was released for consultation and engagement in January. AT subsequently reached out for further engagement with mana whenua and as a result the bylaw was included as an item in three Hui in March 2022 (South, Central and Northwest).

During the three Hui, the proposed bylaw was described, including the general approach of the bylaw, the activities it regulates and any changes from previous regulations that were proposed. At each Hui opportunities were provided for mana whenua to ask questions about the provisions of the bylaw and to provide feedback. Mana whenua were also invited to provide written feedback following the Hui.

No written feedback was received subsequent to the Hui, however questions were raised regarding provisions to enable tangihanga, and justification of the stated limit on herd sizes for stock movement.

### Waka Kotahi NZ Transport Agency

In conjunction with standard practice, a letter for the Chief Executive of Waka Kotahi was sent upon the final approval of the bylaw. Waka Kotahi had the opportunity to provide feedback during

the public consultation process, and we received a submission from the organisation.

## Stakeholders

We approached our engagement in a targeted way, aiming to communicate directly with people who had been identified as potentially impacted by the regulatory realignment.

Targeting our engagement to specific and diverse interest groups allowed us to get feedback from people who are on the ground within their industries and could appropriately advise on what was or was not appropriate or workable. We used a selection of different means of contact to reach the identified groups. The following were the key areas targeted for engagement:

- **Network utilities and the construction industry:** Including traffic management, heavy haulage, oversized vehicles, and electric vehicle charging
- **Mobile vending and trading:** buskers, food trucks, and micro-mobility
- **Film production and sports and cultural events:** small- and large-scale film productions, community and major sporting events and festivals
- **Agricultural livestock owners:** including industry associations

For construction and infrastructure related groups, AT is aware of the businesses who engage in these activities throughout the roading network, so contact was direct.

Mobile vending information was held by Auckland Council for busking licencing, and major events. For micro-mobility and street vendors, contact was made directly through public domain indexes. Film Auckland and Screen Auckland were our primary means of contacting production companies and provided their own inputs on the proposal.

Commercial livestock owners and holders across Auckland were sent physical letters through an industry database. Contact with representative groups was made directly from public domain indexes. Further information was sent out on behalf and advertised by key sector contact points: Local Boards, Federated Farmers and NZ Beef+Lamb.

We also contacted local business associations and advocacy groups from across Auckland. This included sector advocacy and accessibility advocates including disability specialists.

The contact database which we compiled of all our target interest groups was an instrumental means of engaging. We sent regular email correspondence to advise of upcoming events and consultation updates. Using the [ATengagement@AT.govt.nz](mailto:ATengagement@AT.govt.nz) mailbox, we could keep in contact and answer queries.

### Focus groups

Four public focus groups were conducted during the consultation period. They were organised by group, as follows: construction, events and film, trading, and livestock. Each was scheduled for an hour, but some ran over. The invitation was open to anyone, and we encouraged those within their respective industries to share their insights.

In these sessions we were able to discuss specific sections of the proposal and gain first-hand



industry feedback. This meant we could talk through the plausibility and functionality of the draft.

We gave a brief presentation to open which explained the context and intention of the bylaw, then followed lines of questions. Some of the questions were the same across all four focus groups, and some were specific to the interest group.

These focus groups were facilitated by AT staff, with the Senior Policy Advisor and relevant subject matter experts (SMEs) to support in answering technical questions. Details of the events were as follows:

#### **1. Construction and Traffic Management**

- February 15, 2022, 10am
- Senior advisor, 3 SMEs
- 8 Attendees
- 1 hour 30 minutes duration

#### **3. Trading**

- February 17, 10am
- Senior advisor
- 5 Attendees
- 1 hour duration

#### **2. Events and Filming**

- February 15, 3pm
- Senior advisor, 2 SMEs
- 9 Attendees
- 1 hour 15 minutes

#### **4. Livestock**

- February 25, 10am
- Senior advisor, 2 SMEs
- 13 Attendees
- 1 hour 30 minutes duration

#### Workshops

Upon request, AT ran unstructured workshops with organisations, both non-governmental and government agencies. In these sessions we discussed any concerns they had and received advice based on their knowledge and experience. Workshops were held as follows:

- Screen Auckland 16 February
- Network Utilities 17 February
- Federated Farmers Executive Meeting 17 February
- Heavy Haulage Association 24 February

Through the AT engagement mailbox, we collected longform submissions from the following stakeholder organisations:

- Chorus
- Vector
- Transpower
- Transporting New Zealand
- Heavy Haulage Association
- NZ Screen Industry representative
- Federated Farmers
- Heart of the City

## The community

A quick guide was developed to assist people in navigating how the bylaw may impact them. Our consultation [‘have your say’ page](#) centralised all information relating to this proposal and consultation. This page had download links for all proposal materials, including the draft bylaw text, links to attend Q and A sessions, registration for focus groups, hearings panel, and to complete the consultation survey.

We also used this page as a space to explain why this change is needed, what it means, and who it could potentially impact. The page gives an overview of the draft bylaw section by section, an explanation of the function and purpose of bylaws in general and explains how this bylaw fits into the suite of bylaws governed by AT.

We held two public online Q and A sessions on the morning of January 27 and evening of February 10, each an hour long. We advertised directly to our compiled database and online through social media and our *Have your say* page. Attendance was low at these events, although those who came were engaged and asked thoughtful, considered questions.

Broad outreach advertising of the consultation was conducted on social media channel Facebook, with a blanket approach across Auckland District. Geotargeted ads for Franklin, Rodney, and Henderson Valley were used to boost awareness in rural areas for engagement with livestock owners. NZ Beef+Lamb also posted on their Facebook page to assist our outreach with the rural community.

We collected submissions online, through a survey organised loosely by interest to targeted groups, but with the opportunity to everyone to answer any or all questions. Survey submissions included feedback from Beca, Traffic Solutions, Kaycee Farms Ltd, Waka Kotahi, NZ Ocean Swim Series, Otahuhu Business Association, Vector Ltd.

A hearings panel was conducted at 10am on March 11, 2022, digitally over MS Teams. We advertised this hearing through our *Have your say* page, within the digital survey, and by direct email correspondence with our contact database.

The hearings panel consisted of AT Board Chair Adrienne Young-Cooper, Deputy Chair Wayne Donnelly, Councillor Linda Cooper, and Glenn Wilcox of the Independent Māori Statutory Board. The panel heard 7 submissions from the public. Key themes from the verbal submissions can be found in the appendix.<sup>1</sup>

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<sup>1</sup> Key themes from hearings panel submissions. p.58

# Findings

## Overview

We collected feedback from January 27 until February 27. Consultation was scheduled to close February 20 but was extended by one week to allow further engagement with rural/ agricultural communities.

In total we collected 10 hours of recorded workshops and focus groups, all of which was transcribed. We received 49 submissions through our online survey, 9 longform submissions directly by email, and heard 7 submissions at the public hearing. All feedback was analysed collectively, coded by theme and in relation to the draft text.

Most of the feedback we received was qualitative. Comprehensive understanding of public concerns came through in conversations and extended text. We collected some polling information alongside the open text submissions, these graphs can be found in the appendix.<sup>2</sup> These poll questions are referenced throughout this section of the report, but as noted, the number of submissions who answered those questions was low.

Full details of the feedback, ATs response, and the amendments we made to the bylaw can be found in the Development and resolutions section.<sup>3</sup> This section of the report provides the themes of discussion through the length of the bylaw draft text, across all feedback sources.

## Structure

The structure of the bylaw has guided the articulation in this report of the responses. The Bylaw structure is as follows:

- Preliminary provisions
- General provisions
- Part 1 – construction works
- Part 2 – street damage
- Part 3 – road surface, airspace and subsoil encroachment
- Part 4 – vehicle crossings
- Part 5 – livestock on roads
- Part 6 – trading, events or filming in the road
- Part 7 – fees and charges
- Part 8 – offences and penalties
- Part 9 – revocation, savings and transitional arrangements

Responses received have been assessed in relation to the structure of the Bylaw and are outlined below.

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<sup>2</sup> Online survey polls. p.59

<sup>3</sup> Feedback and response table. p.34

## Preliminary Provisions

The following terms received suggested amendments, as follows:

- **“Architectural feature”** within the context of airspace asset requires clarity regarding the inclusion of utility structures.
- **“Droving”** and **“crossing”** should be defined as two different activities in stock movement.
- **“Footpath”** should capture shared path hybrids.
- **“Livestock owner”** suggested to read “person undertaking livestock movement within the corridor.”
- **“Micro-mobility”** current definition may be overly defined, restricting its ability to cover a wide and growing range of micro-mobility devices.
- **“Structure”** under a vehicle crossing, where network utilities may be, may require greater clarity to reflect and protect all infrastructure under the road corridor.
- **“Utility operator”** suggestion that definition include agents, contractors, subcontractors to offer protection to those acting on behalf of utility operators.
- **“Vehicle Crossing”** suggestion of adding to interpretations with differentiation between ‘general maintenance’ and activities such as repairing, construction, widening.
- **“Works”** and **“utility works”** is suggested to be separated into two different terms to add clarity and parameters to each activity.

## General Provisions

The clauses in General Provisions received feedback from across all groups and sources in consultation. Most notably, discussion concerned the feasibility of the stated restricted activities and items, the procedure for obtaining approvals, and achieving compliance with the code of conduct for temporary traffic management. Key themes included:

- Improved cross-industry and agency communication
- Feasibility and administrative process for restricted items and activities
- Extent to which General provisions applied to utility providers and their assets
- Finding the correct level of enforcement for temporary traffic management across different applications and factoring in New Zealand Transport Agency review of CoPTTM
- Enabling movement of freight and over dimensional vehicles
- Tree maintenance on freight routes, around utility assets, and in rural areas
- Expected timeframes and success criteria for approval applications
- Provisions for emergency circumstances.

### Improved communication

The need for improved coordination and communication systems was voiced from various parties throughout the consultation. Within General provisions, it was emphasised that improved communication was needed from AT to approval applicants, between parties within traffic management including the surrounding businesses, and in construction activities with utility providers.

### Restricted items and activities

Previously, approval for portable toilets and generators within the road corridor has not been explicit. Under the proposed bylaw regulations, such items will require written approval. Some participants felt the wording in clauses 3 and 4 is currently too vague and open to misinterpretations. Clarity is needed to ensure this provision can address items being abandoned on the road corridor but will still enable industries which use such items and perform these activities in their day-to-day function.

Participants requested more detail on the size threshold for when a generator would require an approval. Such items can range in size from a 'handbag generator >.5m<sup>3</sup>' and a large industrial scale generator.

'Bin' being a restricted item was identified as a point of over regulation. This was also seen as too vague, participants questioned at what size a bin, box, or storage container becomes a restricted item which requires prior written approval.

Participants from focus groups one and two asked how the provisions restricting portable toilets and generators would function when such items are mounted to trailers or have affixed wheels. Similarly with caravans which contain toilet facilities. In these circumstances, confirmation is required on whether applicants require a parking permit or restricted items written approval. The outcome proposed by participants would be to allow film and events to use trailer mounted amenities, provided they are legally parked. This would enable the current approval process to

continue.

Screen Auckland state that applicants include a site plan when submitting for approval. It is known that a unit base usually includes portable toilets, and these facilities are not typically itemised. Under the new bylaw, Screen Auckland seeks clarity on whether they will be required to check placement and grant specific approval to 'restricted items' as an additional step.

Eden park's application process includes submitting site plans to Auckland Unlimited. Under current procedure these plans do not itemise portable toilets, nor do they require specific approval. Placement of portable toilets is not specified in either the event approval process or traffic management plan. As noted above for Film, clarity is required on who will be granting and overseeing restricted items approvals if they fall outside of the current approval process.

#### Enabling freight and over dimension vehicle movement and deliveries, Traffic management

Submissions from Transporting New Zealand and the Heavy Haulage Association reinforced the feedback we heard from the construction industry in focus group one. All parties discussed the practicality of traffic management requirements when loading and unloading vehicles. Often there is no designated loading zone and implementing a full traffic management plan was seen to be excessive or unnecessary.

Concern is shared around enabling the movement of freight goods, both from the perspective of the freighters themselves, recipients of freight in the construction industry on building sites, and endpoint of service household goods delivery. Suggestion was made for this section to be amended to allow for normal commerce to operate within the AT roading system, that the objective should be to prevent impeding traffic flow but enable movement and delivery of freight.

Temporary removal of signage occurs to enable large load passage and is provided for under NZ Government Vehicle Dimension and Mass Rules clause 6.10. Heavy Haulage Association and participants in focus group one state that allowing for this activity is important for construction works, major events, and over-dimensional vehicle movements. It is suggested that allowance for such instances must be incorporated into the bylaw. This is noted to currently occur without a permit, successfully as an operational function.

To assist in enabling the movement of freight and over dimension vehicles, the Heavy Haulage Association has requested the bylaw state a height clearance of overhanging vegetation. They have advocated for alignment with the AT Transport Design Manual: Footpaths and the Public Realm, Clause 4.2.1: that requires vegetation clearance on over-dimensional routes of 6.5m.

#### Utility providers, exemptions, and their assets

We received submissions from utility providers Chorus, Transpower, and Vector. Each had concerns around the bylaw's ability to protect utility assets and function in tandem with active legislation which informs their rights as utility operators.

Transpower request clarity on which sections of the bylaw apply to them. If it is only General provisions, they request this be made explicitly clear. They state that if this clarification was made it would largely resolve all other issues they have identified. Transpower considers AT's discretion on granting approvals appropriate, but states AT must be in accordance with



conditions designated under Electricity Act 1992 and Telecommunications Act 2001. They suggest that ATs rights be clarified by stating limitations imposed by surrounding legislation.

Vector has requested AT consider exemptions for utility operators to enable their operation in the road corridor. This includes both works and construction and traffic management compliance. Further, Vector asks AT to make provisions to enable the Auckland Council tree management programme to be undertaken efficiently and effectively to help protect their assets from branch failures and general growth interference.

Chorus submitted that utility operators already act in accordance with Traffic Management Plans under the New Zealand Utilities Advisory Group (NZUAG) Code. They suggest this Part be amended to not apply to utilities who hold consents issued under NZUAG. This was reinforced by Transpower in their submission, stating that they are unsure how the designated traffic management provisions are intended to apply to utilities, as they already have a compliance code which they are obligated to observe.

### Electric Vehicle (EV) charging cables

Submissions to the online survey and focus group one support AT's regulatory approach to EV charging cables. Cables across the road cause a hazard for micro-mobility, the disabled community, and parents with prams. Votes of support for this clause affirm the importance of enforcement for safety. Further comment was made around ensuring cables are well maintained as they carry high voltages and damage to cables may not be obvious to the lay person.

Further clarification was requested to refine the parameters of this clause. It was stated that the bylaw should specifically state the type, materials, and use of cables which are restricted. Further stating that power cables from the network cross over roads to private properties.

We asked for feedback on this clause in our online survey. Of the 19 people who responded to this question, 13 (68%) stated 'yes' the proposed regulation is appropriate and effective.<sup>4</sup> The four comments from 'yes' submitters voiced that safety is paramount here. Among those who answered 'no' concern was raised around a lack of off-street parking which would require owners of electric vehicles to run cables out to the street for vehicle charging.

### Temporary traffic management

Waka Kotahi New Zealand Transport Agency (Waka Kotahi) is currently in review of their Code of Practice for Temporary Traffic Management. An emphasis on ensuring regulatory alignment with the outcome of this review occurred in focus group one, two, and in discussion with Federated Farmers. There was concern expressed from the rural community that relying on a regulatory standard which is under review may result in further restrictions on farmers.

Initially in consultation, we did not specify that it is section i-5 of CoPTTM which applies to livestock movements. This caused confusion and we responded through a clarification in our collateral, extension of time for feedback submissions, extended timeframes for public engagement activities, and closer discussion with community and industry advisors. We spoke

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<sup>4</sup> Figure 1. p.62

with the Rural Advisory Panel and Federated Farmers and heard from various members of the public, all of which is reported in Part 5.

Requests to include provisions for emergency circumstances occurred from multiple sources in consultation. For livestock this may be escaped stock or extreme weather events requiring unscheduled stock movements. Utilities have communicated that they feel their right to corridor access has been granted in other legislation. Construction sector participants felt that space must be made to accommodate urgent works and repairs when it is not possible to obtain preapprovals.

Focus group three participants raised that better coordination is required for traffic management during large events with micro-mobility vendors. Traffic management plans ought to specify locations where it will be safe and appropriate for micro-mobility devices to be parked in consideration of the influx of pedestrian traffic.

Clause 5.1.c: 'requirement of qualifications for traffic management' received feedback from focus group one and the online survey. Survey submission states that the standard of deliverable should be measured by the quality of the outcome not the qualifications held by the person overseeing it. Focus group one participants had broad discussion around barriers to obtaining the required qualifications and questioned whether those granting the approval would be required to hold the same qualifications.

Focus groups one, two, and four requested more detail on the type of enforcement mechanisms which exist in the bylaw for traffic management plans. Respondents discussed increased monitoring and enforcement of traffic management for major events, and there was support for AT as an enforcement authority in this space.

Other comments around traffic management included a desire for simplified traffic management guidance to enable and empower community led activities such as the Point Chevalier Play Street event (Nov. 2019) and for greater involvement and consideration of the potentially impacted businesses when temporary traffic management is deployed.

#### Correct level of enforcement

In several instances, participants requested a distinction between the bylaw as a regulatory framework, but also an enforcement mechanism. They felt that if permits are required to enable industry to perform operative activities, we must clearly define the limitations and intent as the same regulations will be used to govern domestic non-compliance such as abandoned items on the road and berm.

Transporting New Zealand submitted that ensuring the road corridor is free of obstructions is vital to enable freight movements. In circumstances where the road is obstructed, Transporting NZ feels the 24 hours removal action for intrusive objects on the road is generous. They propose a more granular approach which allows for appropriate and timely assessment and removal of obstructions. For significantly trafficked roads, obstructions should be removed promptly. They have also questioned the appropriateness of the prohibition on permitting dripping from eaves and request explanation for this clause (3.2.c).

#### Applications for approval

Participants voiced that an appropriate approval process must acknowledge and accommodate the diversity of application types, and the volumes and conditions of each according to sector.

- Screen Auckland's timeframe for issuing film permits is 3-5 days to process from application, they state that a large proportion of film permits are only for one day.
- Film permits may last up to 30 consecutive days, for longer shoots, applicants must obtain resource consent. Estimate of around 1,100 processed filming applications per year.
- Major Events timeframe is 6+ weeks. Event lengths vary.
- Community events timeframe is 8-10 weeks for approval, stating they issue upwards of 1,000 permits each year
- Livestock movement varies to include scheduled regular movements, infrequent but consistent, and urgent movements in emergency or weather events.
- Construction approvals vary considerably in length and scope.

There were requests for a streamlined approval process for recurring events such as the Pride parade or the Auckland marathon. This was discussed in focus group two, for events which are the same year on year. A question was raised if there a way AT can further streamline the application and approval process. Feedback from the film industry stressed a need for reassurance that current timeframes for application approvals will not be changing.

In focus group one, a participant stated that timeframes for construction must allow for the dynamic nature of maintenance work. AT must ensure the bylaw is not overregulating to the point it is difficult to keep things practically working.

### Approval criteria

Clarity is sought from Screen Auckland for better communication what AT's criteria will be in assessing an adverse impact on the transport system or the public. They question how they will be able to know what AT deems appropriate when granting approvals. Efficient communication in this space would improve operations for all parties. Clarity is required on who will be the delegated permit granting authority within AT for major events and film production which require the stated restricted items.

Heart of the City have requested that a 'no surprises' approach is taken to the inclusion of surrounding businesses when granting traffic management and construction approvals. Given the impact, they state, which works have on wider business and main street areas, they ask local business associations be included to the list of entities from which approval may be required.

Focus group two participants expressed, for filming applications where accessing specific stated location is integral for objectives of shoot, a desire for greater cooperation with AT in enabling filming to occur. In circumstances where a scouted location has had significant active approvals over previous 3-month period, the impact of single filming permit, which may only be a half or one day, should not be evaluated the same as long-term construction permits.

In the online survey we asked if people felt that AT's proposed ability to refuse to grant approvals at its discretion is practical and appropriate. Of the 20 submitters who answered this question 40% said 'yes', 40% said 'no' and the remainder answered 'somewhat'.<sup>5</sup>

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<sup>5</sup> Figure 2. p.62.

A submitter in support stated that as Road Controlling Authority, AT must control corridor use. Those who answered somewhat felt a more limited approach would be best, restricting AT's authority to protecting the integrity and capacity of the asset. Another stated AT should speak with the relevant permitting body (for example Auckland Unlimited) before declining an application.

Those against, answering 'no', stated that AT must not inhibit businesses and that support should be given to assist businesses in achieving compliance. Another stated that refusal should be on established grounds, not discretion. If refused, applicants should be notified on what is required to achieve approval. Concern was also expressed around the addition of 'red tape' with the potential to extend already lengthy timeframes for approval.

#### Named permit holders

In discussions with Screen Auckland, they felt that one single individual to be the named approval holder is impractical for larger film sets, events and construction sites which may have a rotating roster for site manager. In these circumstances flexibility is required. Further, often an office-based person will be submitting the application, or an agent applying on behalf of a production company. In such events it may be more appropriate to name the company, opposed to a specific person.

#### Environmental concerns

A participant from focus group one expressed concern around exposed aggregate concrete washing process and inevitability of some overspill on the road margin. Exposed concrete is AT's requirement, clarity is sought on this material preference's alignment with the national climate strategy.

#### Berm planting and placemaking

In the online survey a submitter voiced support for restriction of damage and disturbance, however clarity is required on the permissions required around berm planting. They support the draft Berm Planting Guidelines and would like clear guidelines set on which activities can go ahead without the need for prior-approval. Would like to be able to "*have a bit of fun with street furniture without fear of prosecution.*"

## Part 1: Construction

Feedback on this Part of the bylaw came from discussion in focus group one, and through longform submissions. We also asked in our online survey if respondents felt clauses 3, 4, and 5 in General provisions were appropriate for construction and related activities. Of the 20 respondents who answered this question 47% said 'somewhat', 37% said 'yes, and the remainder answered 'no' (16%).<sup>6</sup>

General support for this section was voiced by Transporting New Zealand:

*"Provisions concerning construction and other work in the road corridor offers a reduction in compliance demands by reducing paperwork associated with the approval, while preserving the integrity of protections of people and property when the work is being undertaken... While the administrative burden may be reduced, the control framework of legal agreements still stands, so the changes are probably little more than symbolic. However, any reduction in paperwork is to be applauded."*

### Utility exemptions

Transpower supports the explanatory note which provides exemption for utilities but requests this be more legally robust by amending explanatory note to form part of the Bylaw itself.

Because this exclusion is specifically stated for Part 1, Transpower assumes the remainder of the bylaw will apply to utility operators. Transpower requests clarity on the extent to which this bylaw is applicable to utilities, their assets, and their agents.

### Setting achievable standards for industry compliance

Focus group one participants expressed that obtaining consent from all adjoining landowners (10.1.iii) can be impractical and difficult.

*"If you've ever tried to get landowner permissions for anything, you'll find that some of them are approved relatively easily, some of them will back and forth will try to get concessions from you, and a decent chunk of them will either just not respond at all or deny you because they don't want to. So I can understand the need to notify people if their access is affected and possibly to have some consultation on the when and how but to actually actively get approval from everyone is not really not really something I can see being possible"*

Participants also stated that causing no nuisance (13.3.c) is near impossible when some activities, for example, loose chip seal, are inherently a nuisance. Participant felt it would be more appropriate to word this clause 'minimal possible nuisance'.

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<sup>6</sup> Figure 3. p.63.

### Survey submissions

In the online survey we asked respondents if they think the proposed bylaw is beneficial and improves current practices for construction in the road corridor. Of 18 total, 44% answered 'yes', 33% 'somewhat' and 22% no. Two people who answered 'no' left comments stating that administrative systems are ineffective and there is no enforcement mechanism.<sup>7</sup>

We asked if they see any potential barriers or unnecessary limitations to construction presented by the proposed bylaw. Of 16 total, 'yes' and 'no' tied with 33% and 'somewhat' received 38% of the vote.<sup>8</sup>

### Other comments

- Heart of the City seeks clarity on the extent to which completion documentation is required. They interpret this as applying to all works, including temporary activities such as installing Christmas decorations and murals. These activities do not currently require as-built documentation.
- Focus group one participant expressed that AT must ensure that clause 8 is compatible and aligns with restrictions stated in General Provisions clause 3.1.
- Heavy Haulage Association requested an edit to subclause 8.h.iii: *"Subclause (iii) mentions the transportation or moving of material. The term transportation can refer to on a truck or vehicle, so this should be excluded by changing the terminology to "lifting or moving of material in the airspace".*

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<sup>7</sup> Figure 4. p.63

<sup>8</sup> Figure 5. p.63



## Part 2: Street damage

### Utility Exemptions

Transpower request clarity on the extent to which clauses 16-18 are intended to apply to utility operators (all inclusive) and their works. They request either provisions be made for emergency works which covers pre-works inspections requirements, or AT add the same explanatory note as Part 1, excluding utilities. Further clarity was requested on whether this applied specifically to 'work' or 'building work' – as defined in the Building Act 2004.

On inspection requirements Transpower states: *“Utility works undertaken on roads are generally not building works under the Building Act 2004 (see section 9(ab) of the Building Act 2004), and inspection is dealt with under the Code (see clauses 5.1.2 and 4.7.1 of the Code). We therefore suggest that you clarify that utility works do not require inspection under clauses 16 to 18 the Bylaw.”*

Transpower also feels the warranty period should be deleted as there is no other reference to this within the bylaw. For utility works, warranty repair is dealt with under the Utilities Code of Practice (clause 4.7.2).

### Inspection fees

Heart of the City submitted that fees should only apply as applicable. Determined at time of approval, considering whether the activity is likely to cause damage.

Chorus commented that the previous Bylaw (2015) set out schedule of building works which require street damage deposit charge. New Bylaw does not, this potentially allows room for types of works which attract this charge to expand.

## Part 3: Road surface, airspace, encroachment

### Utility exemptions

Chorus suggest this Part be amended to not apply to utility operators who are operating under the New Zealand Utilities Advisory Group (NZUAG) code. Vector asks AT to ensuring this bylaw enables the Auckland Council enhanced tree management programme undertaken by Treescape and Asplundh. Vector urges AT to provide for trees to be pruned in a way which increases their resilience and limits the risk of branch failure or foliage contact with utility assets.

### Transpower

Transpower is concerned Part 3 has the potential to impact the operation, maintenance, and upgrade of their utility assets. They feel the bylaw is inconsistent with the statutory rights granted under the Electricity Act 1992 and the Telecommunications Act 2001: *“Transpower does not accept Part 3 applying to its utility assets”*.

Transpower would like to see emergency works provisions included in the bylaw and specifically Part 3. There may be circumstances where it is not possible to obtain prior written approval for road encroachment.

They suggest an amendment (to clause 20) which states all applicants submitting for approval must include the consent of utility operators who may be affected in any way by encroachment. Otherwise, AT may be at risk of breaching section 357(2) of Local Government Act 1974.

As noted in Preliminary Provisions, Transpower feels utility structures should be excluded from the definition of airspace assets as they are dealt with under different legislations. Specifically, airspace asset means *“veranda, balcony, awning and any architectural feature that protrudes over the road.”*

Transpower also feels the requirements of clause 23 are not appropriate in relation to the National Grid structures. They state it is unclear who would be responsible for the costs associated. 23(3) also grants AT authority to alter reinstatement conditions, Transpower feels this is also inappropriate. A suggested resolution is the above stated utilities exemption clause.

Their submission states that clause 21 has the potential to interfere with National Grid utility standards/requirements set out in the Electricity Act 1992, such as specified materials around cables. Further, regarding clause 25, Transpower’s assets do not need to be ‘waterproof’, so this requirement is not appropriate for their assets.

Transpower does not believe AT has the authority to require them to undertake maintenance works. Transpower has a programme of work to maintain assets, AT is implying an authority which is contrary to the Electrical Act 1992 which provides for Transpower to construct, maintain, and operate in the road corridor. They state AT is not able to operate Transpower’s assets and is granted sufficient rights in this respect in section 32 and 33 of Electricity Act 1992.

### Maintenance of objects encroaching into the road corridor

Focus group four participants stated that farmers often maintain trees on and near the road corridor. If a permit is required to perform this activity, it is discouraging to continue this service for council. Also, respondents firmly object to a fee being associated with approval process. This theme also reoccurs in Part 6: grazing in the road corridor.

## Part 4: Vehicle crossings

### Key themes:

- Defining the activities associated with works on vehicle crossings
- Crossing repair standard
- Protection of utility assets under the road corridor

Transporting New Zealand voiced support for Part 4, stating they accept the importance of AT's need to maintain strict oversight of vehicle crossing facilities to enable roadway and freight movements and protect vulnerable road users.

### Definitions and obligations

Concern around the definition and responsibilities associated with vehicle crossings emerged across focus group one and four, network utilities workshop, and in submissions from Federated Farmers and utility companies.

Federated Farmers seek clarity on the definition of each activity pertaining to vehicle crossings: maintain, repair, construct, remove, widen. They understand AT aims to differentiate between these activities but would like the parameters of each to be specified. They also request clarity on the definition of vehicle crossing in the interpretations section. Federated Farmers have reviewed other councils work and establish that a rural and residential standard, as applied by Waipa District Council, may be appropriate. This way rural crossings can be more fairly assessed for their purpose.

Federated Farmers explained that their members often have multiple vehicle crossings which they usually self-maintain. They express it is unclear which activities would require AT's approval. Many farmers have emergency gates at the corner of paddocks for quick access. Federated Farmers asks if AT considers the placement of such gates on verges a vehicle crossing. In their submission, Federated Farmers included images of various rural access points and vehicle crossings. This clarified the extent to which these facilities differ from their urban counterpart.

### Crossing repair standard

Focus group one had discussion on clause 28.1: the bylaw requires permission to make any improvement, repair or alteration to a vehicle crossing. They identified a contradiction that clause 28.7 asserts that the landowner is responsible for maintaining vehicle crossing to AT's prescribed standard. They ask whether it is the landowner or AT who is responsible for the ensuring the outcome of repairs or alterations meets the standard, and what the role of contractors is for compliance. Further, they ask if there a minimum threshold for repairs, say a crack or pothole, which does not require written pre-approval from AT?

Transpower is comfortable with standards being applied to new and altered vehicle crossings but

feels the frequency and nature of use should be considered when setting conditions.

Discussion in the utilities workshop and Chorus submission identified that currently utility providers repair vehicle crossings according to the NZUAG code. Utilities group questioned whether this bylaw implies the new repair standard is according to AT, not the national code.

In their submission, Chorus states that the current NZUAG code endorses a reinstatement requirement for surface layer (section 5.6.1.3). If the new AT repair standard forces an improvement to the conditions of the site where utility works may occur, it should be the responsibility of the Corridor Manager to increase the amenity value and cover the net cost to achieve this.

Chorus also identified an inconsistency as 28(1) refers to relocation or vehicle crossing but this is not referenced in 28(2). They ask for clarity on why this has been omitted.

#### Utility structures in the road corridor

Chorus submitted that they are unsure if their infrastructure is a “structure”. They frequently have access points positioned in vehicle crossings and are concerned that any upgrade which occurs must be adequately designed to protect both the infrastructure and the access point. If a vehicle crossing is upgraded to sustain greater volumes and weight, the infrastructure underneath requires upgrade, too.

## Part 5: Livestock on roads

Our consultation activities with the rural community increased progressively as we identified a need for more appropriate ways of engaging. Initially we posted physical letters to registered commercial livestock holders throughout the Auckland region and ran geotargeted Facebook ads. Weeks into consultation, we had still not heard from many members of the rural community, motivating us to extend our consultation period.

Underrepresentation of the farming community ended swiftly when the consultation was picked up by a local paper and an influx of distressed and irritated members of the public came forward. A lack of clarity in our collateral caused significant concern but this was quickly remedied once identified.

We received significant input and feedback from the rural community once contact was made. It was evident that some members of rural communities are concerned about the introduction of region-wide regulation, and there is work to be done ensuring the relationship between AT and these groups is strengthened.

### Key themes

- Standard of regulation
- Alignment with surrounding regulations
- Rural and urban tensions
- Differentiating 'droving' and 'crossing'
- Emergency provisions
- Fees and applications
- Traffic management for livestock movements

In longform submissions, Federated Farmers and a member of the public voiced support for the regulatory approach of maintaining livestock as a permitted activity, flowing onto an approval system. Federated Farmers also states support for the exclusion of beaches and paper roads in this bylaw.

Transporting New Zealand feels sections 29-33 provide sufficiently for the rural community to carry out its role in livestock management, both on and near the road. Emphasis is put on ensuring process simplicity for approvals for both applicants and Council administrators. They suggest that clause 33.3 may be useful in achieving this.

### Standard of regulation

Concern was raised around over-regulation and unfeasibility. Participants in focus group four expressed that the introduction of enforcement to an area and industry which has worked productively for a long time was unnecessary and felt invasive.

Further comments were made seeking clarification on whether this bylaw is reactive or proactive. Participant requested evidence which demonstrates that regulation is required to better manage livestock movements. They ask if this bylaw addresses actual or potential risks.



Survey submission states: *“the other proposals are all enabling business to be provided in a public space, this seems to target and discourage this important business, no farm productivity= no food=no rates”*

### Regulatory alignment

Federated Farmers encourage AT to align on appropriate stock movement regulations with bordering council for consistency. Waikato District Council is currently in review of their Livestock Movement Bylaw 2022 (in deliberations April 2022).

As stated in the Temporary traffic management section, NZTA is in review of CoPTTM. Farmers expressed concern that the bylaw’s reliance on CoPTTM could result in even more restrictions on farmers if the review results in an increased regulatory standard.

Focus group four participants stressed a distinction between Franklin and Rodney, questioning the applicability of a blanket bylaw for both.

*“I guess we have a concern in Rodney that there are only really 2 rural areas in Auckland Council at present – Rodney and Franklin. We’re not the same as Franklin, and really never have been in that respect. Rodney has more than half its population in rural/semi-rural areas, and the situation here is different – I’m sure – from the rest of Auckland. There were originally 2 different bylaws, we wouldn’t see any reason why the need to have a standardised bylaw that applies across the whole of Auckland where most of its urban anyway.”*

### Rural and urban tension

Focus group four participants and online survey submissions both identified that diversity in land use (lifestyle residential and production agriculture) is causing tension in rural spaces. Lifestyle residents complain about “traditional farming practices” (focus group four), and rural community members express contempt towards incoming urbanite residents and regulations.

A focus group four participant requested a breakdown of the origin of complaints filed against farmers, speculating they are probably from new arrivals to the area who are unfamiliar with the realities of production farming. The other side of this argument can be seen in the online survey submissions. A submitter states that they have been greatly inconvenienced by the stock movements of a neighbouring farm and request stricter enforcement.

With the introduction of post-amalgamation bylaws, residents from the rural community ask if this will also result in much needed infrastructure upgrades:

*“Appears with this proposed bylaw, that you [AT] are claiming ownership and responsibility of the Auckland transport network of rural roads in Rodney. Our rural roads. We’d like to see something done about them so you can actually drive along them. Stock can fall into road along it. We have culverts washed out, all sorts of things. Why can we see some real effort put into maintaining what’s there, rather than trying to impose new bylaws and charges and permits onto the ones that are the backbone of the industry*

anyway?”

A survey submitter stated that they feel the bylaw has an urban perspective which is incompatible with rural areas. Another submission reinforces questions around infrastructure:

*“AT should focus on roading and improving rural roads through the already provided targeted rate they have stolen off the rural community and not interfere with the livelihoods of those that pay their wage. Perhaps some of the targeted Rate could be made available to farmers to put in underpass to mitigate such instances.”*

### Droving and crossing

Federated Farmers, focus group four, longform public submission, public hearing all communicated a strong need to differentiate ‘droving’ from ‘crossing’.

Federated Farmers explain:

*“Stock Droving Occurs when livestock are moved along a roadside or down a road to get to another parcel of land, a new farm or to the saleyards in some cases. There generally is not permanent signage like stock crossing but Drovers will manage cars around the livestock as this process happens with the aid of farm vehicles, signage, lights, and cones. Drovers aim to walk their stock calmly to reduce stress and therefore reducing risk of additional excrement and animal flight risk.”*

Stock crossing occurs when stock is moved across a road:

*“Stock Crossing Involves livestock crossing directly across a road for the purpose of moving paddocks or bring stock in for milking. This generally occurs more frequently than droving and infrastructure is well setup to allow for an efficient flow across the road almost as a continuation of a farm race. 5 to 25 meters distance using most frequently one person.”*

All feedback on these activities expressed the need to recognise and regulate crossing and droving as different activities. Furthermore, movement patterns are different for each stock type. Where beef cattle are moved intermittently, dairy farmers may move stock across roads daily.

### Drover requirements

Longform submission and online survey submission both stated they feel no age restriction should be placed on drovers (currently 16 years old), instead they request it specify that the stock drover simply must be competent.

The draft bylaw states that two drovers are required when moving stock. Feedback from Federated Farmers, longform submission, Rural Advisory Board and discussion in focus group four all stated that requiring two drovers is not appropriate or best practice for stock movement. Often sole operators will use dogs to assist, but ultimately the safest way to move stock is with consistency and handlers who know the animals. Adding additional drovers to meet compliance

standards may startle or even stress stock.

A comment in the online survey felt restrictions unfairly target sole operators. They state this may require employing additional staff to meet regulatory standards with no real benefits. This increases costs which will ultimately be transferred to end consumers.

### Escaped livestock provisions

Federated Farmers and focus group four participants raised concern around a lack of provisions for escaped stock, and emergency situations such as severe weather events where stock may be on the road without pre-emptive approval. It is suggested that a clause be added to exempt livestock movement on the road in such exceptional circumstances.

Federated Farmers suggest “movement of livestock within the corridor is permitted for the purpose of returning animals to a farm in the case of escape or similar emergency”.

### Applications and fees

Focus group four discussion and submissions through the online survey strongly voice that they feel fees should not be associated with stock control, droving or crossing.

A focus group four participant commented that farmers are often left responsible for maintaining rural and remote roadsides, including trees hanging over the roads around their properties. They felt that by grazing stock down a roadside, it was helpful to the council, and should not require a fee or application.

*“Many roads in Rodney are obviously gravel. We have about 800km of gravel road that don’t look like they’ll ever be sealed. The upkeep on them is very poor to say the least, and so the roadsides are getting overgrown... by grazing the roadside, it actually keeps the roadside tidy. AT might do a trip every 5-6 months, but only mow about 1m on the very edge of the berm. At least another 3-4m on the sides of these roads that is totally unkept. We are actually doing AT a favour.*

*I think AT might want to bear this in mind when they are trying to impose bylaws on us. For me, I’d give up and walk away and let it turn to rubbish because if I’ve got to apply every time to AT, I won’t be interested.”*

Federated Farmers have requested a breakdown of what farmers will be expected to pay to obtain various types of approvals, they further state:

*“for certain roads clause 31 is necessary to ensure that the activities are correctly managed for road safety. We do however question whether unsealed roads should be exempt due to their low traffic volume, speed, and therefore risk to the community. These unsealed roads also have landowners who are trying to manage roadside weeds through grazing to manage the risk of spreading onto their land.”*

## Horses

When ridden, horses are covered by Road Code legislation. Horses emerged in conversation during this consultation in circumstances where they are on the road corridor but not being ridden, and in club gatherings. If a horse is on the road but not being ridden, they are considered livestock and covered by this bylaw.

## Traffic management for livestock movements

During consultation it became clear that the bylaw's stated requirements for compliance when moving livestock required refinement. The draft bylaw lacked specific reference to section I-5 of CoPTTM, which details stock droving. Our consultation collateral also lacked this specification, which caused confusion and concern among the rural community who we consulted with. Once this issue had been identified we were able to clarify our materials and improve our communication with livestock owners and handlers.

Rural Advisory Panel commented that it may be a hassle and unnecessary to require temporary signage to be placed on road for all stock movements. A suggestion was made in focus group four to install comprehensive road signage for regular stock movement areas to help improve driver awareness. Participant referenced the livestock signage in Tabora Peninsular as an example.

Federated Farmers and participants in focus group four communicated that 30kmph is too fast for vehicles to be traveling past stock on the road. Federated Farmers suggested amendment to clause 32.1.b to read: *"The drover will be required to advise on how to move through the mob if drivers are uncertain"*

This was reinforced in survey submissions who stated that urban drivers do not know how to interact with stock on the road.

## Road protection

Federated Farmers and public submissions both state that requiring road protection for droving is not possible as stock may be walking a matter of meters or kilometres. For stock crossings it is reasonable to use a matt in certain cases and often farmers install washdown facilities at permanent crossing points.

For assessing damage to the road, a threshold must be established to differentiate general accumulative wear and tear, from incidents causing damage.

## livestock excrement

Federated Farmers and focus group four discussions affirmed that farmers should make reasonable effort to use shovels to clear the road of any excrement. A comment of complaint was

submitted through the survey stating that livestock excrement left on berms and roads smells foul.

A participant in focus group four expressed that when local Pony Club events occur, there is often large amounts of horse excrement left on the road. It is advised in the Road Code that riders clean up after horses should they leave waste on the road, although this is not enforced. Participant questions whether enforcement for this circumstance may be included in this bylaw.

### Online survey

Within the survey submissions, both for and against enforcement perspectives were captured. Most prominent, in opposition, submissions expressed a feeling that achieving the regulatory standard proposed by the bylaw would cost them time, money and bring little or no value.

Among 'no' respondent's comments stated a need for AT to support and enable the agricultural sector to be productive. It was felt that added administrative responsibilities and seeking approvals unfairly targeted rural communities, many of which are currently struggling.

Among those who answered 'yes' to the appropriateness of the proposed regulations, were residents of local areas who felt impacted by stock movements near their home. Others in support stated that their current practices meet the regulations, and some voiced that regulation should be further increased.

Other comments from submissions included:

- SPCA be consulted for animal wellbeing input on best practice
- Underpasses improve animal welfare by reducing the amount of time cows spend standing on metal which can cause lameness.
- Fees present further cost without real benefits for rate payers or road users
- Clause 33.2.h states only 'landowners'. What will be the responsibilities and rights for lease holders?
- Focus group four participant requested justification for (clause 32.1.e) size limits on herds during stock movement.

Feeling unnecessarily regulated is a concern among members of the rural community. The regional incorporation means newly region-wide policy is being extended to places which formerly had a localised approach. Additionally, new residents are moving to rural areas who have been socialised to urban residential standards.

Knowing this, and to build this relationship, good communication with the variety of groups which make up the rural community is integral. Special thanks to the members of the rural community from Franklin and Rodney, Federated Farmers, and the Auckland Council Rural Advisory Panel for their patience and involvement in this consultation.

## Part 6: Events, trading, and filming

Heart of the City wishes to confirm that given events and trading are controlled by Auckland Councils administrative authority, this bylaw would not result in separate, additional approvals. This must be a streamlined process where AT's approval is typically coordinated by an Auckland Council agent.

Key themes:

- Micro-mobility licencing
- Footpath clearance restrictions
- Display of approvals
- Achieving correct level of regulation

### Micro-mobility

Focus group three participant observed that clause 35 grants AT responsibility for issuing micro-mobility licencing. Clarity is needed on what the process will include, when it will be activated, and which team in AT will be responsible.

Online survey comment stated that conditions on the locations for distribution of micro-mobility devices requires identification and management. Service standard is required for the collection of discarded or broken devices.

### Footpath clearance restrictions

The footpath clearance requirements stated in clause 36.2.f.iii received feedback from focus group two, Screen Auckland workshop, and film industry submission. The new stated clearance requirement is 1.8m, however many city and city-fringe footpaths are narrow (1-1.2m) and it is impossible to meet the compliance standard. Previous guidance was to allow 1m clearance otherwise a traffic management plan is required. Clarity is required on how to manage the clearance requirement in these circumstances.

Additional questions were raised around clearance requirements under COVID-19 social distancing mandates.

### Display of approvals

Focus group two, Screen Auckland workshop, online survey submissions, and film industry submission all raised the impracticality of displaying physical copies of AT approvals. They feel it is appropriate to display upon request at events and filming locations and question whether digital copies are sufficient.

Micro-mobility vendor who attended focus group three stated that they currently display a scannable code on their devices which links to approvals, and full printed approvals are



displayed on doors to head office.

We asked in the online survey if clause 37 adequately captured current practices (including subclause 2). Of the 15 respondents who answered this question, 60% said 'yes', 27% 'somewhat' and 13% 'no'.<sup>9</sup> A comment from a respondent who answered 'no' stated that displaying TMP as permission is not practical as sometimes sites can be very large. They suggested that AT generate one pager with the granted permission stated as a more reasonable approach.

### Fees and approval criteria

Through the online survey, concern was expressed about the proposed increase in restrictions. Submitters stated that the introduction of application fees and more location restrictions, and restrictions for specific items creates a less friendly environment for events and film.

Further comment was made around whether AT's approval process could acknowledge the variety of event types and sizes, there was concern that the proposed process assumes large-scale events and productions. This could create barriers for smaller community-led events who may struggle to achieve compliance standard.

Before applications are declined, a submitter wrote, concerns should be worked through with the surrounding regulatory bodies to ensure that all mitigations and avenues are worked through prior to a decline. Another submitter requested clarification and detail on what sort of conditions may be imposed with approvals.

### Achieving correct level of regulation

Requests for increased enforcement and less regulation occurred throughout consultation. Those in favour of increased enforcement raised issues with speedway events stating they were unhappy with dust, noise, and fumes that can have health implications for surrounding residents. Another call for increased enforcement referenced drones which frequently fly over private property when they are only legally permitted on the road and public places.

It was felt that increased enforcement, instead of increased regulations would be better able to address undesirable behaviour without imposing on businesses. Calls for less regulation came from business perspectives who were concerned that AT will make it more difficult to function. One submitter requested that street trading be less regulated:

*"Times are hard and the last thing people need trying to make an honest living is AT making trading more difficult."*

This was reinforced by a food truck operator who attended focus group three. They expressed a desire to be able to move and trade freer, such as in the United States.

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<sup>9</sup> Figure 9. p.65.

## Parts 7-9

### Fees

Survey submission asked what type of event would warrant an inspection fee. Clarity is required on fee schedule and 'reasonable administrative cost'. Event and film organisers require an indication of fees so this can be factored into budgets. Federated Farmers requested clarity on the costs associated with approvals for livestock owners.

We asked if respondents felt the proposed methods of enforcement are appropriate and complete. Of 18 total answers, 50% said 'no', 33% 'yes', and 17% 'somewhat'. Those who answered 'no' voiced objection to the introduced fees associated with stock control and criticised the approach as revenue gathering. A respondent who answered 'somewhat' requested more detail on the schedule of potential fees and triggers so these can be accounted for in event and film budgets.

### Utility assets

Transpower feels it would be inappropriate for AT to remove or alter any of their utility assets as stated in clause 41.

# Feedback response and amendments

The following table outlines AT's response to each piece of feedback received, again broken down by Bylaw section. Where feedback has resulted in an amendment to the Bylaw text this is noted in the 'Resolution' column.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>Preliminary Provisions</b>			
2.(3) Interpretation Definition: <b>Airspace asset</b>	Clarity requested regarding utilities structures and whether there is a need to address them separately as excluded from 'airspace asset'	Discussed as part of wider utility exemption conversations, and feedback requested during legal review. As it is now proposed to extend the exemptions for utilities over Part 2 and Part 3 it is not necessary to address them as an exception in Preliminary Provisions.	No change needed as addressed elsewhere.
2.(3) Interpretation Definition: <b>Code</b>	The reference to the Utilities Access Act 2019 should refer to the Utilities Access Act 2010.	Agreed, this was a typographical error.	Updated
2.(3) Interpretation Definition: <b>Footpath</b>	Suggested this should capture shared paths.	Rather than in the definition, as footpath has a particular definition, this is addressed in relevant clauses in the bylaw.	Checked and updated references to footpath in the bylaw to ensure where necessary they also state that they apply to shared paths.
2.(3) Interpretation <b>Livestock owner</b>	Suggested this should read instead as 'person undertaking livestock movement within the corridor'	As there isn't a definition of livestock owner in Preliminary Provisions, this seems to relate more to Part 5. The text in Part 5 states 'drovers and livestock owners' has been reviewed and replace with 'when moving livestock across / along a road, a person must...'	Updated in Part 5 in accordance with suggestion.
2.(3) Interpretation Definition: <b>Micro-mobility</b>	Current definition is overly narrow.	We have instead adopted the definition matching that in the Auckland Council Public Trading Events and Filming Bylaw 2022.	Definition updated and explanatory note added.
2.(3) Interpretation <b>vehicle crossings</b>	'Structure' should be added to the list of interpretations to protect infrastructure.	This relates to detail in Part 4 which requires a person to protect the road corridor when working on a vehicle crossing.	Updated in Part 4 in accordance with suggestion.
2.(3) Interpretation Definition: <b>utility operators</b>	Definition should include agents of utility operators.	This is included in the <b>Code</b> which the definition references, however for clarity it is worth including in the definition explicitly.	Updated definition to clarify that it includes agents for utility operators.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
2.(3) Interpretation Definition: <b>utility works</b>	It was suggested that <b>works</b> and <b>utility works</b> have two fully separate definitions.	The concern was that requirements for AT approval would apply in an unintended way to <b>utility works</b> as they were defined as a subset of <b>works</b> . An alternative has been drafted along with an explanatory note with legal guidance.	Definition of utility works updated and explanatory note added. Change is not identical to the request but provides the clarity sought.
2.(3) Interpretation <b>vehicle crossings</b>	Requested to add to interpretations. Also requested to differentiate urban and rural vehicle crossings.	AT agrees a definition should be added as this was missing in the draft. Urban and rural vehicle crossing standards are already differentiated in AT's vehicle crossing standards so there is no need for further differentiation in the bylaw.	A definition of vehicle crossing has been added, matching that in Auckland Transport's vehicle crossing standards webpage.
<b>General Provisions</b>			
<b>3.(1)(c) Restrictions on activities</b>	Some things restricted by this clause should be permitted, at least with an approval.	This has been discussed internally and agreed that there can always be an exception or a policy change leading to the need to provide an approval in some circumstances.	The phrasing has been amended to explicitly allow for restricted activities to be undertaken if an approval is held.
	Temporary removal of street signage to enable the passage of large loads under NZ Government Vehicle Dimension and Mass Rules Clause 6.10. It is suggested this be explicitly allowed as it currently undertaken without a permit.	While the Bylaw does not intend to override or conflict with other regulations, there are situations where AT needs to be able to intervene (for example if a company failed to restore signage) – approvals can be provided over a recurring time period to minimise the administrative load; this allows appropriate conditions to be in place (eg. time period required to reinstate the sign). On this basis, AT proposes to keep this clause but is happy to discuss approvals and operational matters further with any users.	No change proposed.
	Clarification sought regarding berm planting.	The bylaw does not propose any change to berm planting policy. AT's current policy is that berm planting is not permitted. A review is noted to be underway but is not yet confirmed or implemented.	No change proposed, however the above changes to this clause mean that there is the potential to approve exemptions.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>3.(1)(d)</b> Storage and loading	Should the bylaw permit loading and unloading from oversized vehicles?	An internal discussion was held to clarify the meaning of designated place – it includes anywhere the vehicle can legally park or load (or a place designated in an approval). This is consistent with current procedures and regulations and therefore no change is proposed. AT is happy to continue conversations with users about the expected processes to be followed; it is not intended to introduce anything new.	No change proposed.
<b>3.(2)(a)</b> vegetation overhang	Suggestion to specify vegetation clearance height of 6.5m.	As this clearance height is specified in the AT Transport Design Manual it is not considered necessary to add this detail to the bylaw.	No change proposed
	Requested to include provisions to enable tree management programs to be undertaken effectively (eg. by Auckland Council).	These are enabled by Global Corridor Access Requests (Global CARs) and there are currently no known regulatory barriers to this arrangement continuing.	No change proposed
<b>3.(2)(c)</b> dripping from eaves or other structures	The question was raised as to whether this clause was necessary and what it seeks to regulate.	The clause accounts for scenarios such as water or other matter dripping into areas of the road corridor such as a footpath; these situations have safety and amenity consequences and therefore are appropriate to regulate.	No change proposed.
<b>3.(2)(d)</b> electrical cables for electric vehicle charging	Clarification requested on the parameters of this clause; for example, whether it could be interpreted to apply to power cables for grid power.	AT considers that the clause is specific enough as it states that it applies to cables for the purposes of charging electric vehicles or devices. The purpose of this clause is to regulate against the potential hazard (eg. a trip hazard on a footpath) of a cable crossing from a property to a car parked on-street.	No change proposed.
<b>3.(2)(f)</b> cement mix and waste	Clarification requested on the definition of road margin.	This is a defined term in Preliminary Provisions.	No change requested or proposed.
	A query was raised as to alignment with the national climate strategy	The role of the bylaw is to provide regulations that control or respond to situations that may have an adverse impact. The clause outlines a practical requirement to mitigate the impact of cement mix or waste disposal by minimising the risk of these products entering drains.	No change proposed

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>4. Restrictions on specific items</b>	The question was raised as to whether small generators or storage containers would be included, and whether bins were appropriate to include as a restricted item.	In practice a sensible approach is required; a complaint would not be likely to occur or enforcement undertaken if an item was of a size not easily recognisable as a generator or other restricted item. Adding detailed dimensions for every restricted item may serve to undermine rather than support the intention of the clause.  Bins are included as a restricted item, however this does not apply when placed in accordance with the Auckland Council Waste Management and Minimisation Bylaw 2019; therefore, bins placed appropriately for regular collection are not regulated by this bylaw.	No change proposed
	How does this apply to portable toilets or generators when they are mounted on trailers or have fixed wheels?  Does this apply to caravans?	This is clarified in the next sub-clause as follows: <i>To avoid doubt, sub-clause (1)(b):</i> <i>(a) includes any portable toilet, portable ablutions block, shipping container, storage container, or generator, that is accessed or in use or operating while on a vehicle; and</i> <i>(b) excludes any toilet or ablutions facilities installed within self-contained vehicles such as motorhomes or campervans.</i>  Therefore, these situations are regulated when the item in question is being accessed or operated (but not if they are simply being transported on a trailer without being actively used).  It is not intended to regulate the use of toilets on caravans, therefore to avoid confusion caravans can be added as an exception.	Caravans added to exclusions.
	Queries were raised as to how the approval process will work for items such as portable toilets which are frequently placed for events, filming projects, etc. Currently these are not explicitly restricted and therefore this represents a change.	This has been discussed and support will be provided by Auckland Transport to the teams and persons responsible for issuing these approvals (eg. reviewing and approving site plans for an event).	Support to be provided by Auckland

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
	From an enforcement perspective, it was questioned how the difference between scenarios of varying severity would be managed, for example an object obstructing a highly trafficked road would need to be removed immediately, rather than within 24 hours.	Enforcement is managed in close collaboration between Auckland Transport, Auckland Council and the NZ Police. Urgent removal of objects for safety or obstruction reasons can occur regardless of the Bylaw; the Bylaw allows for a requirement that objects be removed in a reasonable timeframe if they may cause an issue in the future if left in place.	No change proposed.
New: <b>Street naming and numbering on buildings</b>	When the draft bylaw was released, it was not yet clear if street naming, signage and numbering (currently in the Auckland Transport Public Safety Nuisance Bylaw 2013) were to be adopted by a provision in an Auckland Council bylaw instead.	Since the draft bylaw was released, AT have worked closely with Auckland Council on this and other bylaw projects and determined that the Activities in the Road Corridor Bylaw 2022 is the most suitable bylaw for street sign regulations while the display of street numbers on properties is best regulated by Auckland Council.	New clause added (Clause 5 in the final Bylaw).
<b>5. Temporary Traffic Management</b>	It was suggested to include emergency provisions or to allow for these to occur without being in breach of the bylaw.	Emergency actions are not regulated by the Bylaw; in a general sense it is not necessary for the Bylaw to state an exemption for this.	No change proposed
	Operational matters were raised such as co-ordination between large event TTM and micro-mobility vendors, and the level of enforcement and monitoring. Other matters included processes for recurring events and whether these could be streamlined.	While these matters are outside the scope of the Bylaw itself, AT is interested in discussing these matters in another forum with approval holders and industry groups. The Bylaw has been developed in close collaboration with the AT teams who issue and enforce approvals, in order to best support these processes and minimise disruption.	No change proposed.
	Application for utility operators has been raised in relation to various Parts of the bylaw including TTM.	Internal and industry-facing workshops have been held to discuss this and AT have determined that a clause can be added to General Provisions to provide exception to the Bylaw provisions where a utility operator is acting in accordance with the Utilities Act 2010 and the associated Code of Practice.	New clause added (Clause 2(6)) to extend the exemption (previously only over Part 1) to any activity in accordance with the Act and Code.



Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>5.(2) Overdimension vehicles</b>	Submitters expressed that overdimension vehicles loading and unloading is permitted under the Vehicle Dimension and Mass Rule 2016 and therefore this clause was requested to be deleted. Further to the above, it was expressed that if the requirement is in place it should apply to overwidth vehicles, but not to overlength vehicles (unless they are also overwidth).	AT's view is that the clause is appropriate because the requirement for TTM exists on overdimension vehicle permits and these requirements have been negotiated previously. Therefore, the clause does not impose any new requirement but rather creates a regulatory mechanism for an existing requirement.	No change proposed.
<b>6. Discretion to grant approvals</b>	Submitters highlighted that AT's discretion may in some cases be limited by other legislation.	Where other legislation applies, there is no need for this to be stated explicitly in the bylaw as the legislation applies regardless (ie. AT is not able to apply discretion unlawfully). However for explanatory purposes it would be helpful to illustrate the intention of the Bylaw either in a summary section in the Bylaw or on AT's website when the Bylaw is published.	No change proposed, however AT will consider including a high level explanation of intent in a summary section in the Bylaw or on the AT website where the Bylaw is published.
	It was expressed that the parameters for discretion should be clear.	While it is not expected that this discretion will need to be exercised frequently, AT accepts that justification will need to be provided when it is exercised.	No change proposed.
	Operational matters raised regarding approvals included: <ul style="list-style-type: none"> <li>- How priority is applied where approvals might compete with each other</li> <li>- Does the Bylaw create a requirement for additional approvals or lengthen the timeframes to obtain an approval?</li> </ul>	While these matters are outside the scope of the Bylaw itself, AT is interested in discussing these matters in another forum with approval holders and industry groups. The Bylaw has been developed in close collaboration with the AT teams who issue and enforce approvals, in order to best support these processes and minimise disruption. No new types of approval are proposed by the Bylaw, while some processes have been streamlined (see Part 1 Construction)	No change proposed.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>Part 1: Construction</b>			
<b>Exemption for utilities (explanatory note)</b>	The exemption for utilities was discussed in focus groups and it was expressed that the exemption appears to apply to Part 1 only but should apply to the Bylaw as a whole.	AT has discussed this and agrees that where utility operators act in accordance with the Utilities Access Act 2010 (and the requirements of the corresponding Code) the Bylaw is not intended to apply. A new clause has been drafted in Preliminary Provisions to apply this exception across the Bylaw wherever it is applicable, rather than clause by clause.	<p>A new clause has been added (which will be Clause 2(6) in the updated Bylaw):</p> <p>This Bylaw does not apply to:</p> <ul style="list-style-type: none"> <li>(a) A utility operator, to the extent that it is exercising a statutory right to construct or maintain utilities in, on or under a road, or is otherwise accessing the road corridor in accordance with the Utilities Access Act 2010;</li> <li>(b) utilities constructed in, on or under a road by a utility operator pursuant to a statutory power to do so.</li> </ul> <p>Other references to utility operators and utility works have been reviewed to align them with the new clause and avoid duplication.</p>
<b>8. Works within the road (h)(iii) transportation of material</b>	A query was raised as to whether subclause (iii) should specify that it applies to moving material within the airspace.	Clause (h) already specifies that it applies to work in the airspace, so this does not need to be repeated in subclause (iii).	No change proposed.
<b>10. Approval conditions for works in the road</b>  <b>1(a)(ii)</b>	A typographical error was noted with a repetition of 'Auckland Transport'	AT agrees this is an error and can be amended in the updated Bylaw.	The clause has been edited to state: <i>That Auckland Transport accepts (or does not object to) the final design.</i>

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
(1)(a)(iii)	A request was made to require engagement with Business Associations as part of approvals for works.	There are situations where engagement such as this is encouraged and beneficial and this occurs frequently. However, it is not a regulatory requirement and would be an overreach of the bylaw to include such a requirement.	No change proposed.
	The practicality of requiring agreement from adjoining landowners for cessation or reduction of access was questioned.	This requirement is considered by AT to be reasonable and any practical issues can be worked through between AT and the approval holder.	No change proposed.
<b>13. Work standards</b> <b>(2) Notice of commencement</b>	Caution was advised as there are occasions where plans need to change dynamically and 48 hours' notice is not plausible.	As the clause allows for alternative timeframe arrangements, AT considers that such scenarios can be managed under the clause as drafted.	No change proposed.
<b>(3) Damage and nuisance</b>	Causing no nuisance may be implausible for some activities. It was suggested that the clause be rephrased to <i>minimise</i> nuisance.	AT agrees with the suggestion.	Rephrased to include nuisance under the items required to be <i>minimised</i> rather than completely averted.
<b>14. Completion of works</b> <b>(1)(b)</b>	Clarification was sought as the requirements for as-built documentation may be interpreted to apply to works that this isn't currently needed for, for example temporary works.	It is not intended that this clause creates any new requirements. For clarity, the clause has been restructured and the requirements stated to be applicable only to relevant works.	Rephrased to only apply to relevant works.
<b>Part 2: Street Damage</b>			
<b>Part 2 – General comments</b>	The extent to which Part 2 is intended to apply to utility operators was requested to be clarified.	Captured in the utilities exemptions stated earlier (new clause 2(6).	No change proposed.
	The previous bylaw set out a schedule of building works which require street damage deposit charges. As this is not included in the new Bylaw, this potentially allows room for the types of works which attract this charge to expand.	The broad approach of the Bylaw is to require pre- and post-works inspection fees for works; it is considered appropriate to require these for any works which may cause street damage as AT is responsible to maintain street assets.  It is also important to note that Part 2, as a result of the above point regarding utilities, is subject to a general exemption for utility operators undertaking utility works in accordance with the Utilities Access Act 2010.	No change proposed.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>16. Street damage inspection fees</b>	Fees should apply only has applicable, determined at the time of approval based on whether the activity is likely to cause damage.	It is reasonable to expect that some activities may not incur street damage fees based on the nature of the activity.	Added sub-clause such that if an approval states otherwise, street damage fees do not apply.
<b>Part 3: Encroachments</b>			
<b>Part 3 – General comments</b>	The extent to which Part 3 is intended to apply to utility operators was requested to be clarified.	Captured in the utilities exemptions stated earlier (new clause 2(6)).	No change proposed.
	Consideration was requested of tree management programmes undertaken by Auckland Council and its contractors; these programmes are important in protecting utility assets, for example.	These programmes are enabled under Global CARs and the Bylaw does not propose any changes to this arrangement.	No change proposed.
<b>19. Road encroachment</b>	Clarification was requested as to whether the Bylaw proposes any new additional approvals.	No new types of approvals or new processes or steps are proposed by the Bylaw.	No change proposed.
<b>20. Approval for road encroachment</b>	It is suggested to add that applicants submitting for approval must include consent of utility operators who may be affected by the encroachment, to avoid the risk of breaching <a href="#">Local Government Act 1974 357(2)</a>	AT considers that it is not necessary to explicitly state the provision of the LGA; the Bylaw does not supersede the LGA and the requirement for utility operator approval can be managed from an operational standpoint during the approvals process in accordance with subclause (2).	No change proposed.
<b>21. Conditions on approvals for road encroachment</b>	There may be the potential to interfere with requirements in the Electricity Act 2002, such as materials around cables.	As above, the Bylaw does not supersede any government act but rather is one part of the regulatory framework. This clause is considered broad enough that it does not directly interfere with the Act and the detail matters are able to be managed from an operational perspective during the development of approval conditions.	No change proposed.
<b>22. Maintenance of objects encroaching in the road corridor.</b>	Exemptions related to utilities should apply.	Captured in the utilities exemptions stated earlier (new clause 2(6)).	No change proposed.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
	Farmers often maintain trees on and near the road corridor. Is this regulated by this clause?	No; maintenance of trees is more likely to be relevant to General Provisions clause 3(1)(c) that states that trees and other street objects must not be interfered with, and 3(2)(c) that states that vegetation overhanging the road corridor must not do so in a way that causes obstruction.	No change proposed.
<b>23. Temporary removal of a permanently placed object</b>	Exemptions related to utilities should apply.	Captured in the utilities exemptions stated earlier (new clause 2(6)).	No change proposed.
<b>24. Airspace</b>	Utility structures should be excluded from the definition of airspace assets	Captured in the utilities exemptions stated earlier (new clause 2(6)).	No change proposed.
	Query regarding using a crane arm to move materials in the airspace over the road corridor.	This is captured in General Provisions, clause 3(2)(b).	No change proposed.
<b>25. Maintenance of airspace assets</b>	Some utility assets do not need to be waterproof.	Captured in the utilities exemptions stated earlier (new clause 2(6)).	No change proposed.
<b>Part 4: Vehicle Crossings</b>			
<b>General comments – Part 4</b>	Should there be different standards for rural and residential vehicle crossings?	Yes – in 2017 Auckland Transport's <a href="#">Vehicle Crossing Standards</a> were updated. This replaced all previous legacy standards. There are design documents for residential, commercial and rural vehicle crossings.	No change proposed.



Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
	Clarification was sought regarding who is responsible for provision and maintenance of vehicle crossings, particularly in rural environments where a property may have informal gated accesses in addition to primary vehicle crossings.	<p>Auckland Transport's <a href="#">Vehicle Crossing Application</a> page has information about responsibility and maintenance. In short, the landowner is responsible for providing and maintaining a vehicle crossing.</p> <p>See also the Auckland Unitary Plan which sets out the requirement for legal road access to lots and the design standards to be met for resource consents (e.g. width of vehicle crossing at the site boundary).</p> <p>The Land Transport Act (LTA) includes a clause about situations where a vehicle crossing has not been constructed but is considered to be needed: where vehicles may be taken across a footpath or a water channel, the authority can seek to construct a crossing at the expense of the land occupier (or owner). Note that AT would only seek to require a vehicle crossing be constructed at a particular location if an issue was identified and warranted response. <a href="#">Land Transport Act 335</a></p>	No change proposed.
<b>28. Construction of vehicle crossings</b> <b>(1) Requirement for approval</b>	Clarification was sought as the clause seems to require approval for regular repairs and maintenance, but the Bylaw also requires that this maintenance be done (28(7)).	The intention of subclause (1) is to regulate construction of new vehicle crossings, or modifications to or removal of existing crossings. The clause will be edited to better reflect this intention.	The word <i>repair</i> replaced with the word <i>modify</i> as regular maintenance of a vehicle crossing (to maintain its state as originally designed and constructed) does not require approval.
<b>(2) Repair standard</b>	Clarification was sought as to whether it is intended that repairs and maintenance require vehicle crossings to be upgraded to current standards if they were designed to a prior standard.	The intention of subclause (2) is to regulate construction of new vehicle crossings, or modifications to or removal of existing crossings. The clause will be edited to better reflect this intention.	The word <i>repair</i> replaced with the word <i>modify</i> as regular maintenance of a vehicle crossing does not require it to be upgraded to new standards, however modification does.
<b>(2)(b) &amp; (d)</b>	Request to clarify the subclauses to protect structures such as utilities located under the vehicle crossing.	AT agrees that some additional words can aid with the avoidance of doubt that structures including utilities located under the vehicle crossing need to be protected during vehicle crossing construction.	Updated phrasing to encompass structures under the vehicle crossing.

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>Part 5: Livestock</b>			
<b>Part 5- General comments, and Crossing and Droving (Clause 32)</b>	The need to separate crossing and droving and review the requirements was noted.	These have been separated and new clauses proposed for each. The requirements have been reviewed in the context of the specific activity.	Crossing and droving now have separate clauses, and the content of each has been tailored to the activity.
	30km/h is too fast for vehicles to be travelling past stock on the road. Could the clause be amended to state <i>the drover must provide advice to drivers on how to move through or past livestock</i> .	30km/h is stated to be a maximum speed to which traffic should be managed on approach to and through the droving site; the second part of the requirement is that vehicles need to be managed to pass through safely – in some circumstances this may include guiding vehicles to drive slower than 30km/h.	Requirement now limited to droving (not crossing). For avoidance of doubt, the suggested amendment has been added to the new clause for droving.
	The role of the Code of Practice for Temporary Traffic Management (CoPTTM) required clarification.	The correct reference is to CoPTTM Section I-5 which was not clear in the draft Bylaw. This has been changed, and updated to allow for adaptability should CoPTTM Section I-5 be replaced with a new provision as part of the New Zealand Guide to Temporary Traffic Management (NZGTTM) process.	References to CoPTTM updated to state <i>CoPTTM Section I-5 or its replacement</i> .
	Exemptions related to traditional cultural practices were raised as a possibility.	There is precedent for this and AT considers it appropriate to apply.	Exemptions to the requirements for crossing and droving activities for recognised traditional cultural practices have been introduced.
	The number of drovers (one or two) was discussed as for crossing activities two may be excessive or even disruptive to the activity.	AT agrees and has updated the requirements accordingly when drafting separate clauses for crossing and for droving.	Instead of two drovers being required: Crossing – now only one drover required. Droving – now one drover and one other person (who may or may not be a drover) is required.



Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
	It may be a hassle to require temporary signage for all livestock movements.	AT agrees. Crossing is typically a more permanent or frequent situation and therefore requiring signage is reasonable and at regular crossing points this can be permanent. For droving, it should depend on the nature of the activity; this is captured in CoPTTM Section I-5 therefore does not need to be required by a separate Bylaw item.	Crossing – signage required Droving – defer to CoPTTM for droving layout requirements.
	The source or justification of the maximum mob size was requested.	This is defined by NZ Beef and Lamb Safe Work Procedures.	No change proposed.
	When excrement is left by local pony club events, is this regulated by the Bylaw, or can it be?	If horses are ridden or led on the road then they would be regulated under the Traffic Bylaw; if they meet the definition for livestock under this Bylaw then they are required to remove excrement from the road accordingly.	No change proposed.
	In regard to damage to the road or private property, do thresholds need to be established to determine whether damage has occurred or if it is caused by normal wear and tear?	AT would only take enforcement action in circumstances where there has been a clear cause of damage and it is justifiable to spend effort to enforce. Therefore, expected wear and tear is not likely to be responded to under this clause.	No change proposed.
	The use of road protection (eg. matting) is not practical for droving.	AT agrees and in the separation of crossing and droving requirements this has been removed from the requirements for crossing.	Road protection is only required for crossing, not droving.
	Should there be alignment between the Bylaw and bordering council regulations (eg. Waikato District Council on the border of Rodney).	There are strict arrangements in place and no changes to these are proposed – the Bylaw stops at the border. We have included these borders as an appendix in the final version of the bylaw to add clarity. The livestock requirements in the Bylaw are considered aligned with current practice and therefore not likely to result in any significant inconsistency with the approach of other regions. Should inconsistencies be encountered, these are able to be worked through in the approval process.	Auckland border maps have been added as an appendix in the Bylaw to clarify where the Bylaw stops.
	The issue of escaped livestock (and other situations which need to be urgently responded to) was brought up as a potential exemption to the requirements.	While the Bylaw does not seek to regulate escaped livestock or emergency response, for the avoidance of doubt an exemption has been added for the droving and crossing requirements.	Exemption from the crossing and droving requirements has been provided for emergency situations and escaped livestock.



Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
	It was queried whether horses count as livestock if they are not being ridden.	This is outlined in the definition of livestock in Preliminary Provisions.	No change proposed.
<b>30. Drovers</b>	Should the age requirement for drovers (at least 16 years of age) be replaced with a requirement that they are competent?	The requirement is existing as per the Franklin Livestock on Roads Bylaw 2010. Additionally, it would be difficult to define 'competent' from a regulatory perspective. However, the number of drovers required has been altered so that only one is required (plus, for droving activities, one other person who does not need to meet the requirements of being a drover).	No change proposed.
<b>21. Grazing, tethering or locating livestock in the road corridor</b>	Grazing on unsealed roads was expressed to be a mutually beneficial arrangement where overgrowth is managed by livestock and there is minimal safety concern as vehicles travel more slowly on gravel roads and traffic volumes are low.	As not all unsealed roads are necessarily safe for grazing, AT considers it best to treat each case on its merits through an approval process. AT confirms that there is no intention for this approval process to incur a fee, and that an ongoing permit is able to be issued where appropriate to minimise administrative effort.	No change proposed.
<b>33. Approval conditions (2) Use of adjoining land</b>	This clause caused some confusion in interpretation as it applies to the owner of livestock and adjacent land-owners but the purpose or function of the clause is not clear.	AT proposes alternate wording – the purpose of this clause is to consider where livestock may have to pass through another property to get to the road.	Clause redrafted:

Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>Part 6: Trading, Events and Filming</b>			
<b>Overall provisions of Part 6</b>	<p>Discussions were held regarding operational matters including:</p> <ul style="list-style-type: none"> <li>- permit timeframes, fees and volumes</li> <li>- overlap between different approvals occurring at similar times and places and consideration of site sharing</li> <li>- road closure notifications</li> <li>- communication regarding criteria when assessing approval applications</li> <li>- AT taking over responsibility for micro-mobility licensing.</li> <li>- Whether the approval process assumes filming operations are large-scale or whether the process can be more fit for smaller applications as well.</li> </ul>	<p>While these matters are outside the scope of the Bylaw itself, AT is interested in discussing these matters in another forum with approval holders and industry groups.</p> <p>The Bylaw has been developed in close collaboration with the AT teams who issue and enforce approvals, in order to best support these processes and minimise disruption.</p> <p>AT has also been working closely with Auckland Council regarding micro-mobility licenses and updating web information to lead users to the current guidance and forms for application.</p>	No change proposed.
<b>36. Conditions of approval</b>	The footpath width requirement of 1.8m was questioned as some footpaths are narrower than this to begin with.	This clause aligns with that in the Auckland Council bylaw; however, the practical concern is noted. These are conditions that <i>may</i> be applied at AT's discretion so are not always required, but for avoidance of doubt a qualifier can be added to state that where a narrower footpath exists the 1.8m will not need to be met.	A qualifier has been added, to state that the unobstructed footpath width to be maintained is no less than 1.8m <i>or a lesser width where the existing footpath is narrower than 1.8m.</i>



Draft Bylaw provision and clause	Feedback or suggestion received (summary)	Auckland Transport's comments and response	Resolution
<b>37. Display of approval</b>	The practicality of this clause was questioned, particularly with the advent of electronic documentation and the nature of some activities such as micro-mobility schemes where the approval holder is not present on site where the trading occurs. Additionally, often an approval is held by an organisation rather than an individual person.	While the clause was drafted to match that in Auckland Council's bylaw, the feedback is noted and AT has proposed a slight rephrase to acknowledge the practical differences that apply in many situations.	Redrafted to state: <i>a person or organisation must prominently display an approval granted to them (...) or else be able to produce on request a physical or electronic copy of the approval.</i>
<b>Parts 7-9: Enforcement and Transition</b>			
<b>39. AT may prescribe fees and charges</b>	What type of event would warrant an inspection fee? What fees are there for approvals for livestock owners?	Fees are set by resolution in accordance with the Local Government Act 2022 and therefore are not outlined explicitly in the Bylaw. No changes to fees are proposed as part of the Bylaw proposal.  For livestock approvals, as it is anticipated that approvals will only be required in occasional circumstances, AT has agreed at this stage that there will not be a fee for these.	No change proposed.

# Appendices

Appendix A – Local Board feedback

Appendix B – Hearing panel feedback themes

Appendix C – Feedback survey responses (polls)



## Appendix A – Local Board feedback

This table outlines all feedback received from local boards, together with AT responses and amendments to the Bylaw wording where needed. All feedback is included in the main report, but has been specifically responded to for the purpose of this report.

Local Board Feedback	Auckland Transport comments and response	Resolution
<b>Albert-Eden Local Board</b>		
a) support the review and consolidation of the bylaws consolidated as 'Activities in the Road Corridor Bylaw 2022'. b) receive public feedback and note that there was no Albert-Eden localised feedback collected. c) request any new bylaw have adequate resourcing allocated for enforcement. d) support overall improvements in wording and structure as shown in the draft bylaw. e) support reducing the amount of paperwork needed to get an approval to work in the road corridor. f) support the alignment of Auckland Transport with Auckland Council Public Trading, Events and Filming Bylaw 2022. h) note that public space and in some cases parts of road corridors in the AlbertEden Local Board rohe are regularly used for filming permitted by Screen Auckland. i) note that with the large amount of construction to occur in Albert-Eden in the coming decades it is important that the bylaw allows the adverse effects of construction on other road corridor users to be minimised.	These comments are noted and do not require response	NA
g) note that being able to enable play streets, community and local business association-led events like street parties or placemaking is a priority for the local board and the bylaw would assist those outcomes by: i) setting a low permit cost; ii) streamlining the approval process.	Play Streets is not yet an adopted procedure by AT; however, as part of AT's review and submissions on the NZGTTM it has been queried what the approach will be and whether Play Streets will be incorporated. The Bylaw has been edited to allow for replacements to CoPTTM to be adopted in the future.	Aligns with other edits made to the Bylaw in response to submissions.
j) urge Auckland Transport to ensure that the bylaw protects footpath users by ensuring: i) there is no impediment to any footpath or road user; ii) not supporting the use of cable covers by applicants as they have the potential to impede footpath users (especially those with visual impairments, those using wheelchairs and prams) and create clutter.	As the 'road corridor' or 'road' as defined in the Bylaw includes footpaths, it allows for regulation of activities that would impede footpath use.	No change proposed by Bylaw.

Local Board Feedback	Auckland Transport comments and response	Resolution
k) note that while the draft clause on proposal 4 appears suitable, an additional point should be considered for inclusion: i) public display of the approval for road/footpath closure. At present, it is unclear whether the footpath (or road) closures are approved/legal. The contractors should be required to publicly display the Auckland Transport approval on the hoardings / cones.	This is managed via letter drops and advertisements so is considered to be covered by existing processes.	No change proposed to the Bylaw.
l) support the definition of micro-mobility in the proposed bylaw but ensure it can accommodate technological changes in micro-mobility.	The definition has been updated to allow for this, aligning with the Auckland Council Public Trading, Events and Filming Bylaw 2022.	Definition updated.
m) request personal bicycle trailers be allowed where bicycles are allowed under the Bylaw.	The only aspect of this Bylaw that regulates bicycles is micro-mobility, which as above has a definition that can accommodate future broadening of the term if needed. Bicycles as vehicles are more likely to	As above
n) strongly recommend that the bylaw enables berm planting; this would include enabling residents to do lower-level planting as a matter of right, but also, where appropriate, to plant trees that augment the urban ngāhere. o) note that recent changes to planning rules mean it is likely there will be significantly less private space for planting, so meeting the goal of 30 per cent coverage requires optimisation of street space for multiple good outcomes.	Berm planting policy is set outside of the scope of this Bylaw; the Bylaw defers to policy on this matter. As per the consultation feedback, an edit has been made to ensure approval processes are available where necessary to cover exceptions to typical approaches.	No change proposed to Bylaw.
<b>Aotea/Great Barrier Local Board</b>		
[No substantive feedback provided]	NA	NA
<b>Devonport-Takapuna Local Board</b>		
Note that public consultation was held in January and February 2022;	NA	NA
Express strong concern that the public hearing on this bylaw was held on 11 March 2022, prior to the matter being placed on our local board agenda for consideration of our feedback – so the board had no opportunity to speak to its feedback at the hearing.	The channels and processes for Local Board feedback for this Bylaw were determined and communicated in 2021; the processes followed have been focused on gathering comprehensive feedback from industry groups potentially affected by the Bylaw, as well as a broad public consultation period.	No change proposed to Bylaw.
Urge that the bylaw include a clear explanation of what is covered in this bylaw, and what is covered in the Traffic Bylaw, to avoid misunderstanding and confusion;	AT agrees; this will either be included as an opening summary statement within the Bylaw, or alternatively will form part of a revised website outlining all of AT's bylaws and what they cover.	No change proposed to Bylaw; summary or website information to be determined.





Local Board Feedback	Auckland Transport comments and response	Resolution
Recommend that the bylaw include a link to the Auckland Transport and Auckland Council bylaw websites, where people can appreciate the full range of bylaws and view/download them as they wish;	AT is undertaking a review of its bylaw web page; this is likely to include a link to the Auckland Council bylaws web page and will provide a better appreciation of the framework of bylaws and how they relate to other regulations.	No change proposed to Bylaw.
Note that both the cost and the application processes and timeframes for licensing fees and traffic management plans can be prohibitive – and can have the unintended consequence of hampering events and activities which aid economic recovery and success. We urge that these be examined with a view to simplifying the processes and reducing fees and charges, particularly for regular and recurring events;	Noted; the Bylaw outlines what is regulated and what requires an approval; AT accepts that once the Bylaw is in force, the operational processes that lead to approvals are of continued interest.	No change proposed to Bylaw.
Request Auckland Transport provide information to the Devonport- Takapuna Local Board relating to the roles, functions and responsibilities of monitoring the movement over dimensional and overweight loads such as house relocations, especially when damage is caused along the roads that these loads are being moved between Waka Kotahi NZTA and Auckland Transport.	Request noted.	No change proposed to Bylaw.
Request that council provides the necessary funding and resources to ensure the provisions of this bylaw can be enforced;	Noted; on balance the Bylaw is considered to streamline some processes for approvals such that enforcement resources can be more efficiently deployed.	No change proposed to Bylaw.
Request that council urgently seeks the power to issue infringements (fines) in any instances where those powers are not already conferred under applicable legislation.	Noted; while the powers to enforce the Bylaw are conferred by legislation, AT has requested external review of the legal mechanisms of the Bylaw to ensure the appropriate enforcement provisions are in place.	Legal review has been undertaken.
<b>Franklin Local Board</b>		
It is important that any Auckland Bylaw adequately considers the needs of our rural communities. The Franklin Local support the points made by Federated Farmers in their submission.	Submissions have been considered, with several changes made in response including separating the livestock crossing and livestock droving provisions.	NA
Where traffic management plans (TMPs) are required, the bylaw should make it easier for the managers of regular events to be able to re-use previously approved TMPs where there is no significant change to the activity being undertaken. The requirement for a new TMP to be developed lodged and assessed per activity as a matter of course is costly for those delivering activities and inefficient for Auckland Transport. Annual Santa Parades and ANZAC Parades are two examples of such activities.	Noted; AT is in the process of reviewing and submitting on the New Zealand Guide to Temporary Traffic Management and is open to discussion on internal approval processes as they relate to events.	No change proposed to Bylaw.



Local Board Feedback	Auckland Transport comments and response	Resolution
Support the proposal to make the process easier for construction activity, however consider that the proposal does not go far enough to achieving this outcome. Suggest that the bylaw and supporting processes enable greater efficiency and enhance expediency e.g. by creating pre-endorsed practices for types of construction activities and operating under a greater trust-based model.	Noted; AT has engaged with the construction sector as part of consultation on the Bylaw and will continue to seek feedback on these processes once the Bylaw is in place.	No change proposed to Bylaw.
Note that while the event and screen production activity permitting for events in the road corridor is managed by Auckland Council and Auckland Unlimited respectively, that Auckland Transport bylaws should support these activities i.e. support a fast and easy process wherever possible with the level of process complication reflecting level of complication at the site. A “one size fits all applications” approach to compliance does not position Auckland well as an events or film friendly region and Auckland Transport must play its part in this aspiration.	Noted; the Bylaw outlines what is regulated and what requires an approval; AT accepts that once the Bylaw is in force, the operational processes that lead to approvals are of continued interest.	No change proposed to Bylaw.
<b>Henderson-Massey Local Board</b>		
[No substantive feedback provided]	NA	NA
<b>Hibiscus and Bays Local Board</b>		
Endorses the draft Activities in the Road Corridor Bylaw 2022 ahead of it being submitted to the Auckland Transport Board for final approval.	NA	NA
Recommends that where routes are frequently used by vehicles exceeding the maximum dimensions for standard vehicles, such as Orewa Boulevard for house movers, this section of road corridor be adapted for this purpose, with removable signage, durable plantings, as well as other fit for purpose adaptations.	Outside of the scope of the Bylaw; feedback can be passed on to the appropriate teams for review.	NA
Requests that section 16.1.a (on Street Damage) be modified to ensure that any remediation of the road that is necessary to comply with current signage standards.	As per draft clause 18(2) AT has the ability to specify the work that needs to be done.	No change proposed to Bylaw.
Recommends that staff investigate the options for a less costly and intensive graduated system of Traffic Management Plans that allows for smaller events and activations to occur at minimal cost to the organiser.	AT is considering this as part of its review and submissions toward the New Zealand Guide to Temporary Traffic Management and is open to discussion regarding internal processes that may better support communities with TTM requirements.	No change proposed to Bylaw.
Recommends that the conditions in section 36.2.f (on allowing for a continuous accessible path of travel for pedestrians) be brought to more prominence in the list of conditions, as this is the key issue with micro-mobility scooters for hire in the road corridor.	AT considers that by including this as a condition, it has adequate prominence in order to be implemented.	No change proposed to Bylaw.

Local Board Feedback	Auckland Transport comments and response	Resolution
<b>Howick Local Board</b>		
Feedback not received	NA	NA
<b>Kaipātiki Local Board</b>		
Request an addition to the bylaw that for applications for trading, events or filming on unformed roads (paper roads) that are being managed as parkland or open space, that the appropriate local board is consulted as part of Auckland Transport's approval process.	When an application is received this can be considered; this detail does not need to be included in the text of the Bylaw as approval processes are an operational matter and can be adjusted without the need to edit a bylaw.	No change proposed to the Bylaw.
Request that reference is made to the bylaw governing the riding or leading of horses in the road corridor, as we are aware of concern from the horse-riding community that the lack of mention could be taken to mean that it is no longer an allowed activity, when it is actually not a topic covered by the bylaw.	The Bylaw does not need to refer to activities that it does not regulate; instead, Auckland Transport is developing a new Bylaws website, a key purpose of which will be to better inform the public of what topics are covered by which bylaw.	No change proposed by Bylaw; AT to consider this information in website development.
Request that reference is made to the bylaw or legislation covering the process for dealing with the removal of abandoned (or apparently abandoned) vehicles in the road corridor, as this is a topic that comes up repeatedly in the community.	As above, this is outside the scope of this Bylaw however may be relevant for the update to the bylaws website.	No change proposed by Bylaw; AT to consider this information in website development.
<b>Māngere-Ōtāhuhu Local Board</b>		
Support the proposed draft Activities in the Road Corridor Bylaw 2022, which will make it easier for members of the public to find information about regulations, and for Auckland Transport to regulate activities consistently and appropriately including future-proofing as required to the changing needs that involve road corridors	Noted	No change proposed to Bylaw
Note that the local board is disappointed that Auckland Transport is slow to complete its iwi engagement to include the results in this report, as the input of iwi and te ao Māori perspectives and Māori kaitiakitanga are key elements that the local board support when developing local bylaws	Noted; for clarity, Mana Whenua engagement was initiated in late 2021 and further engagement undertaken both during and after the public consultation period, culminating in an extension to feedback timeframes for Iwi to allow maximum opportunity for feedback to be provided and considered.	No change proposed to Bylaw.
Request more clarity when tikanga for tangi, or funerals, occur as these events do involve large numbers of attendees in the Manukau ward, and provisions to manage these gatherings require clarity around traffic management and parking in our road corridors	AT has amended the bylaw (Part 5 Livestock) to allow exemption to the requirements for livestock permits in regard to tikanga and other recognised cultural practices. Parking is a separate matter encompassed by the Traffic Bylaw which will be reviewed beginning later in 2022.	No further change proposed to Bylaw.
Note the recent protest on vaccination mandates and request that a balance can be identified in this bylaw to meet the needs of both protestors and road users who are adhering to the road corridor rules, and minimise any compromise to all road corridor users' safety and wellbeing	Noted; no specific changes requested and these matters are operational in nature.	No change proposed to Bylaw.

Local Board Feedback	Auckland Transport comments and response	Resolution
Support the Franklin and Rodney local boards and local boards with large rural areas, and their input into developing this bylaw to ensure a rural perspective is represented in particular the bylaws, Part 5: Livestock on Roads.	Support noted; feedback from rural areas has been of high priority throughout the consultation and a number of changes have been made to the Bylaw.	NA
<b>Manurewa Local Board</b>		
Request that Auckland Transport consider how the cost of traffic management plans can be reduced for community groups.	AT is considering this as part of its review and submissions toward the New Zealand Guide to Temporary Traffic Management and is open to discussion regarding internal processes that may better support communities with TTM requirements.	No change proposed to Bylaw.
<b>Maungakiekie-Tāmaki Local Board</b>		
Endorsed in principle	NA	NA
<b>Ōrākei Local Board [Summarised as feedback provided in a longform attachment]</b>		
Concerned about levels of compliance	The Bylaw has considered where processes can be streamlined to free up resource for better enforcement. There are also new powers of discretion over approvals to encourage better compliance.	No change proposed to Bylaw.
Harbour pollution is caused by run-off from construction sites in the road reserve.	Concrete mix and waste are proposed to be regulated in the Bylaw by explicitly restricting where these can be disposed of in the road (including stating that they cannot be disposed of in drains).	No change proposed to Bylaw (already addressed in draft Bylaw).
Public disruption and damage can be caused by storage of construction materials and temporary toilets in the road reserve.	These items are controlled by the Bylaw.	No change proposed to Bylaw (already addressed in draft Bylaw).
Recommended that street damage is better defined to also include damage caused by heavy vehicle operators entering / exiting a development site.	This is covered by the existing definition, therefore no update is required to regulate this.	No change proposed to Bylaw.
Supports street damage deposits; would also like to see a bond system for damage to environment and waterways.	Out of scope for AT's bylaw-making powers, which are limited to the Auckland transport system.	No change proposed to Bylaw.
Requests that AT investigate increased level of penalties and faster methods of issuing warnings and fines in order to encourage better compliance, particularly in regard to street damage.	Rather than increase penalties AT proposes to encourage compliance through greater discretion over future approvals based on outcomes of past approvals, as well as streamlined processes to better allocate resource to monitoring and enforcement.	
Supports continued improvement to processes regulating trading, events and filming where co-ordination is required between Council and AT.	Noted.	No change proposed to Bylaw.



Local Board Feedback	Auckland Transport comments and response	Resolution
Supports alignment of this Bylaw with the Auckland Council Public Trading, Events and Filming Bylaw 2022 and requests recognition that local boards may have specific guidelines for events in public places, for example Ōrākei Local Board Tamaki Drive Precinct Event Guidelines.	Noted; AT acknowledges that the Bylaw is part of a framework of regulations and guidelines.	No change proposed to Bylaw.
Supports move to reduce paperwork and speed up approval processes.	Noted; this is understood to be in regard to the proposed discontinuation of the Developer's Agreement by bringing its provisions into the Bylaw, thereby reducing the work needed to approve works.	No change proposed to Bylaw.
Recommends review of the charging regime for Temporary Traffic Management for annualized or other repeated events, allowing for a more pragmatic approach.	Noted; AT is in the process of reviewing and submitting on the New Zealand Guide to Temporary Traffic Management and is open to discussion on internal approval processes as they relate to events.	No change proposed to Bylaw.
Concerned that inadequate work has been done to consider the impacts of micro-mobility devices.	This work is primarily outside of the scope of the Bylaw; the Bylaw simply allows for regulation of micro-mobility schemes as a trading activity (not provided for in previous bylaws) and the detail of how the impacts are managed is held within licence agreements.	No change proposed to Bylaw.
Concerned that shared pathways and cycle paths are not defined in the bylaw.	AT agrees and has incorporated these definitions in the final version of the Bylaw	Definitions added to the Bylaw for shared path and cycle path.
Requests an explanation of why a 'perambulator' under Vehicle definition is excluded as a 'Contrivance with wheels' under the same definition	Definition is as per the Land Transport Act 1998.	No change proposed to Bylaw.
Recommends that adequate resources are provided to compliance and enforcement teams.	Noted.	No change proposed to Bylaw.
<b>Ōtara-Papatoetoe Local Board</b>		
[No substantial feedback noted]	NA	NA
<b>Papakura Local Board</b>		
[No substantial feedback noted]	NA	NA
<b>Puketāpapa Local Board</b>		
Strongly recommend that the bylaw enables berm plantings that are low growing, low maintenance, and provide amenity.	Berm planting policy is set outside of the scope of this Bylaw; the Bylaw defers to policy on this matter. As per the consultation feedback, an edit has been made to ensure approval processes are available where necessary to cover exceptions to typical approaches.	No change proposed to Bylaw.



Local Board Feedback	Auckland Transport comments and response	Resolution
Request that Clause 2e under Part 4 be amended to state that a vehicle crossing that crosses a cycle lane must have a speed bump or similar device installed for exiting vehicles, to ensure the safety of all users, as recommended in the NZTA “High Use Driveway Treatment for cycle paths and shared paths” design note.	Vehicle crossing design parameters are provided outside of the Bylaw; this allows any future amendments to design requirements to be captured by the Bylaw without requiring a revision to the Bylaw itself. <a href="https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/vehicle-crossing-standards/">https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/vehicle-crossing-standards/</a>	No change proposed to Bylaw.
Request that the bylaw allows provision for street to be temporarily closed, as provided for by New Zealand Transport Agency (NZTA) Play Streets guidelines	Play Streets is not yet an adopted procedure by AT; however, as part of AT’s review and submissions on the NZGTTM it has been queried what the approach will be and whether Play Streets will be incorporated. The Bylaw has been edited to allow for replacements to CoPTTM to be adopted in the future.	Aligns with other edits made to the Bylaw in response to submissions.
Request that once the bylaw is enacted Auckland Transport manages an education campaign making road users aware of the expectations of those working in the road corridor and are able to report issues easily	Request noted.	No change proposed to Bylaw.
<b>Rodney Local Board</b>		
[No substantial feedback noted]	NA	NA
<b>Upper Harbour Local Board</b>		
Feedback not received	NA	NA
<b>Waitākere Ranges Local Board</b>		
Request that the bylaw contains a section that when making a decision about a place within the Waitakere Ranges Heritage Area, that regard must be given to the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008	Request noted. An operational matter to be followed during operation of the Bylaw.	No change proposed to Bylaw.
Seek that 3.2a be amended to exclude notable trees or trees originating from within a significant ecological area	This cannot be excluded as there are potential safety impacts for people travelling.	No change proposed to Bylaw.
Consider that street trees mentioned in 28.2a includes trees in the road corridor within the Waitakere Ranges Heritage Area	Street trees include trees in the road corridor by definition, therefore the Bylaw already covers this.	No change proposed to Bylaw.
<b>Waitematā Local Board [Summarised as feedback provided in longform attachment]</b>		
Supportive of regulation of EV charging cables in the road corridor. There should be no impediment to footpath or other road users.	Noted; AT considers that the proposed regulation adequately covers this view.	No change proposed to Bylaw.
In regard to discretionary power of approval, the board considers where discretion is exercised this should be justified.	AT agrees and intends to exercise discretion in rare circumstances where needed to encourage a safe and effective transport system and manage impacts on other road users.	No change proposed to Bylaw.



Local Board Feedback	Auckland Transport comments and response	Resolution
In regard to construction activities and footpath or road closures, it is suggested that approval holders be required to display their approval to demonstrate the legality of the closure.	This is managed via letter drops and advertisements so is considered to be covered by existing processes.	No change proposed to the Bylaw.
Request that the bylaw allows provision for street to be temporarily closed, as provided for by New Zealand Transport Agency (NZTA) Play Streets guidelines	Play Streets is not yet an adopted procedure by AT; however, as part of AT's review and submissions on the NZGTTM it has been queried what the approach will be and whether Play Streets will be incorporated. The Bylaw has been edited to allow for replacements to CoPTTM to be adopted in the future.	Aligns with other edits made to the Bylaw in response to submissions.
Supports changes to CoPTTM that would remove barriers/limitations to approvals.	Noted	No change proposed to Bylaw.
Suggests amendment to the definition of micro-mobility.	The definition has been amended, though the amendment is to align it with that in the Auckland Council Public Trading, Events and Filming Bylaw 2022 in order to have a consistent approach. Compared to the draft Bylaw, the updated definition is more open to future innovations in the micro-mobility space and does not require that all micro-mobility devices are explicitly listed.	Other edits made to Bylaw in response to submissions that address this feedback.
Recommend that the Bylaw enables berm planting.	Berm planting policy is set outside of the scope of this Bylaw; the Bylaw defers to policy on this matter. As per the consultation feedback, an edit has been made to ensure approval processes are available where necessary to cover exceptions to typical approaches.	No change proposed to Bylaw.
<b>Whau Local Board</b>		
[No substantial feedback noted]	NA	NA





## Appendix B – Hearing panel feedback themes

The following are the key themes heard from the presentations given to the hearing panel on the draft Bylaw.

- **Trees** – not want to enable removal of significant trees and wanting to clarify role of tree maintenance in this bylaw
- **Driving vs crossing** – need for differentiated approach
- **Vehicle crossings** – need for clarity on definition and expectations on land owners
- **Unsealed roads** – desire for exemptions from rules on unsealed roads (particularly on berm maintenance)
- **Emergency situations** – need to put in exemption for escaped livestock and for emergency situations where livestock movements just need to happen
- **CoPTTM vs NZGTTM** – need to review what is in the new guide, and also not repeat what is in there... just point to it as being something that must be complied with
- **TMPs** – need to clarify when needed and how to go about it/costs
- **Utility role** – need to define what it is and what role this bylaw will play over and above existing standards for providers
- **Enabling** – need to ensure that the bylaw enables activity as long as it represents good practice
- **Micro-mobility** – need to ensure we are future proofing for new tech and also not allowing inappropriate tech (like mopeds) to slip through
- **Overweight/over-dimension** – don't punish these operators, particularly around damage to trees/signs where this may be necessary and rectification can be acceptable
- **Loading zones** – not listed as the only place loading can occur
- **Feeding stock on road** – needs to be enabled (example of goat feeding on weeds on side of road) as mutually beneficial
- **Less detailed** – remove any detail that is replicated from other sources – just point to it.



## Appendix C – Feedback survey responses (polls)

The following are the results of the survey polls placed on the AT website as part of the consultation. Due to the low response rate and rich level of detail received from the written submissions, forums, meetings, workshops and other engagement activities the usefulness of these survey results was lessened.

Figure 1. Do you feel the proposed regulation General Provisions 3.2.D appropriate and effective?

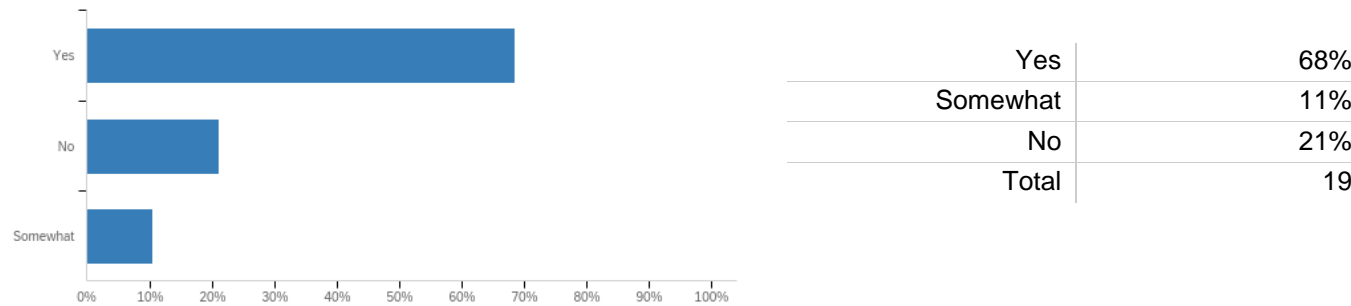


Figure 2. For activities such as construction, events, and filming which may require Temporary Traffic Management (TMP), do you feel that AT's proposed ability to refuse to grant approvals at its discretion is practical and appropriate?

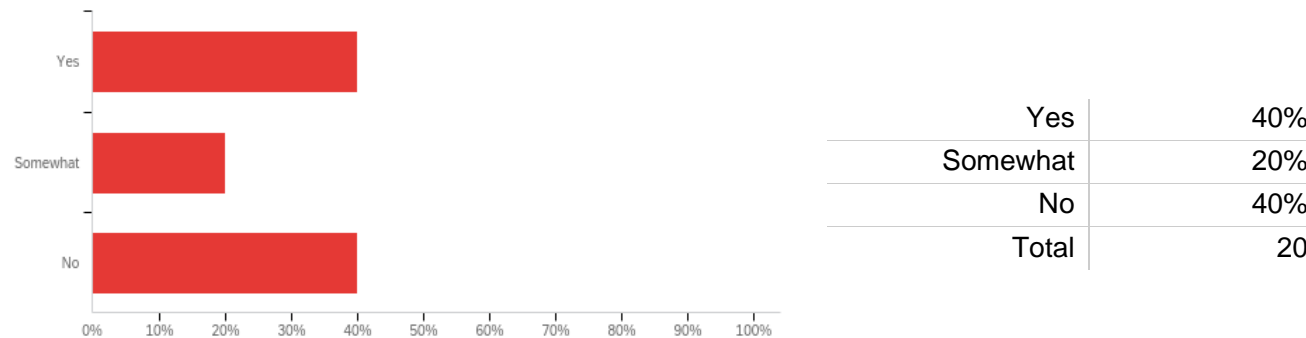


Figure 3. Thinking about construction and related activities, do you feel clauses 3, 4, and 5 are practical and appropriate?

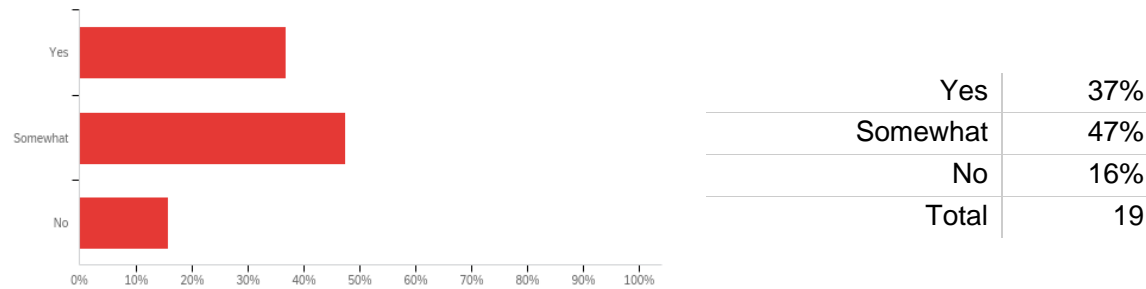


Figure 4. For construction and construction related activities in the road corridor, do you think the proposed bylaw is beneficial, improving current practices?

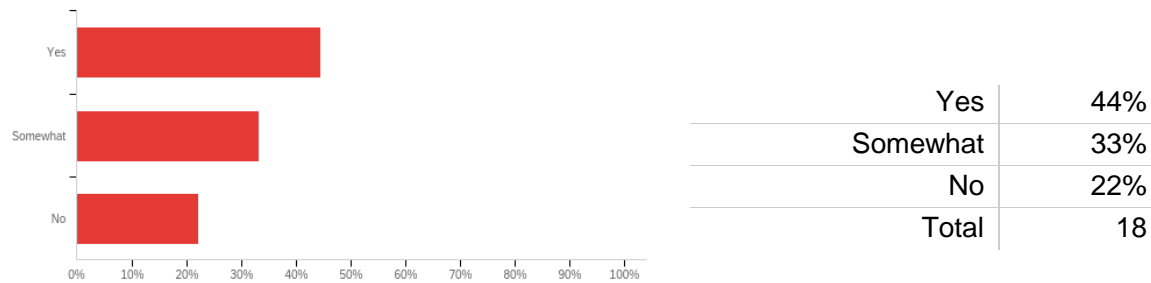


Figure 5. Do you see any potential barriers or unnecessary limitations to construction in the road presented by the proposed changes?

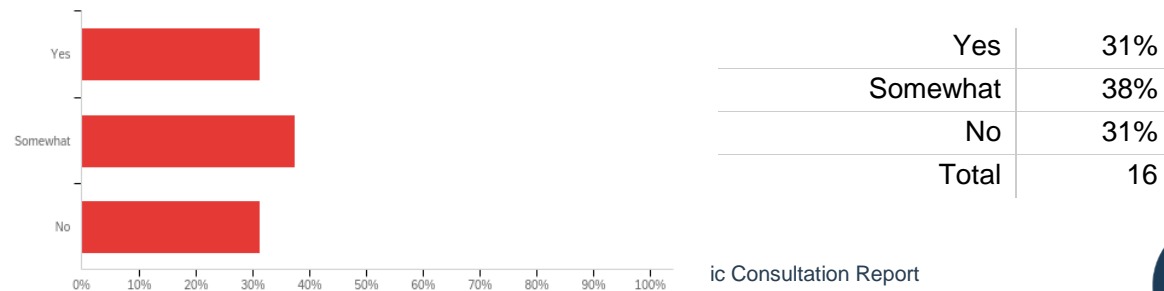
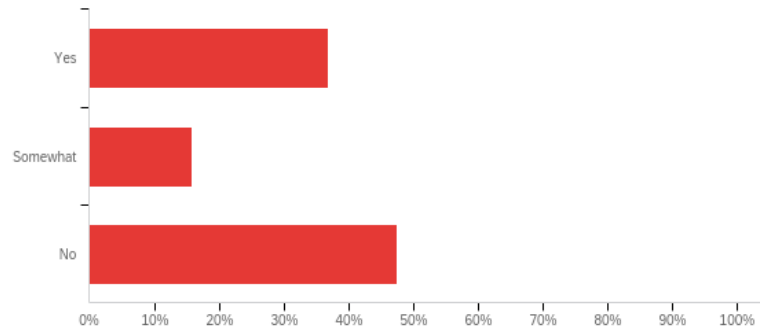
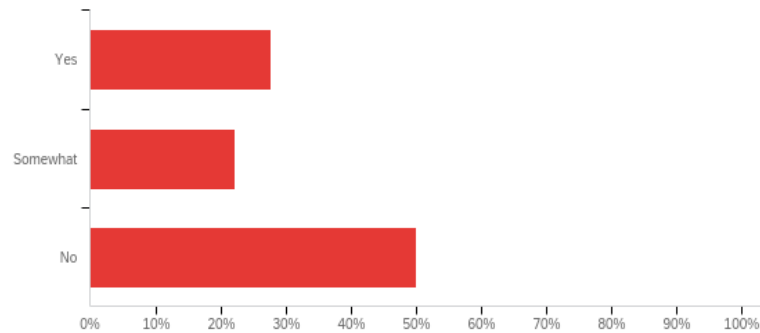


Figure 6. Do you feel the proposed regulations *Part 5: Livestock on Roads* are appropriate and will be effective?



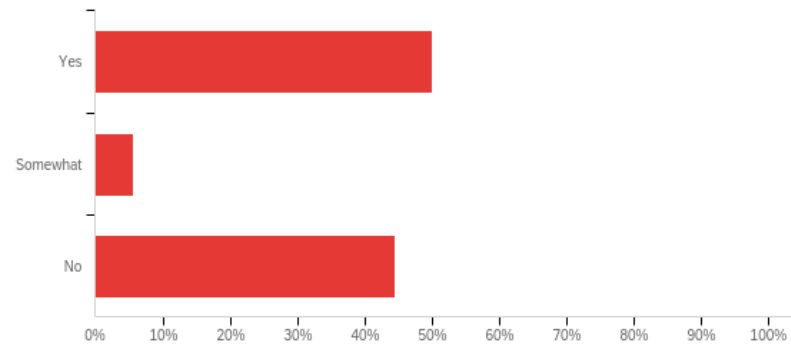
Yes	37%
Somewhat	16%
No	47%
Total	19

Figure 7. Do you see the proposed changes as beneficial to stock management in the road corridor, improving current practices?



Yes	28%
Somewhat	22%
No	50%
Total	18

Figure 8. Do you see any potential barriers or unnecessary limitations for stock management in the road presented by the proposed changes?



Yes	50%
Somewhat	6%
No	44%
Total	18

Figure 9. In your view, are current practices (for example keeping information digitally) adequately captured by this requirement (37) and the exception provided in sub-clause (2)?

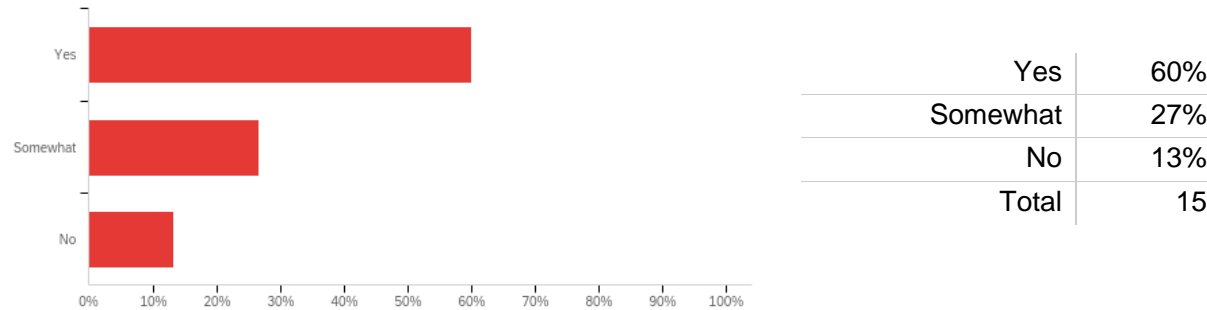


Figure 10. Do you see the bylaw's proposed changes as beneficial to filming in the road corridor, improving current practices? Please explain your answer.

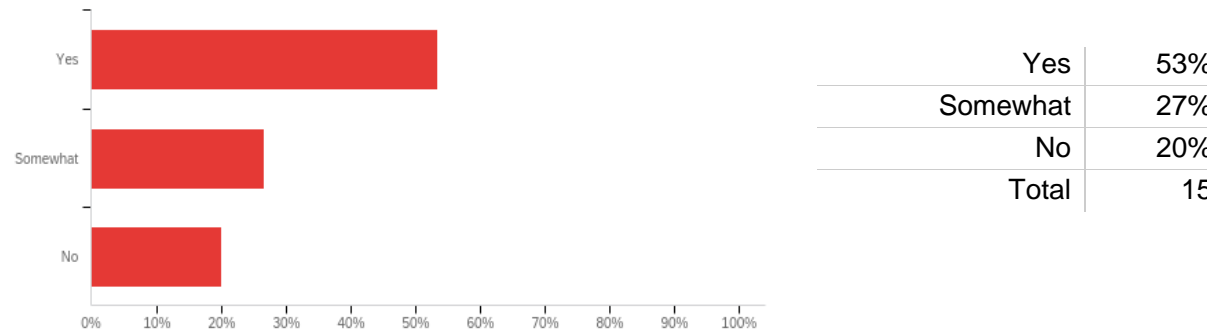


Figure 11. Do you feel the proposed systems of permission and regulation for filming on the road are feasible and appropriate?

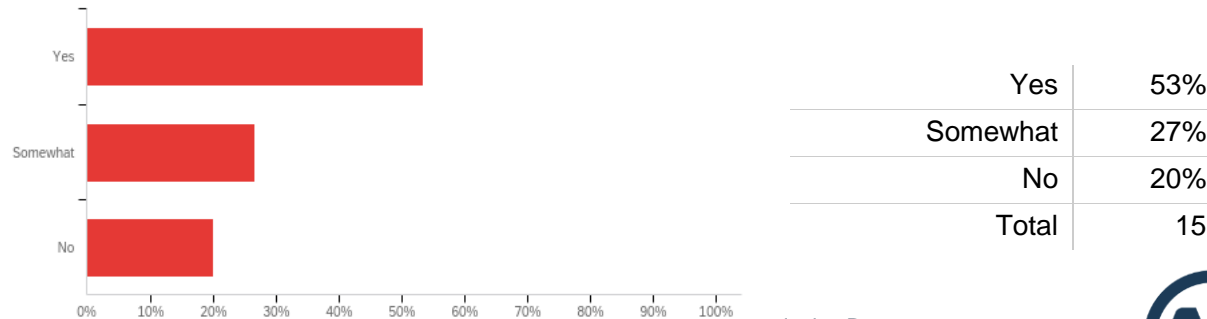


Figure 12. Do you see any potential barriers or unnecessary limitations presented by the proposed changes?

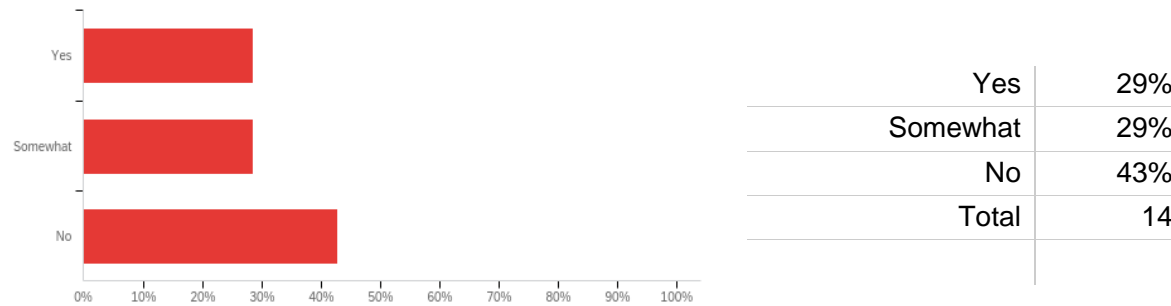


Figure 13. Do you see the proposed changes as beneficial for events in the road corridor, improving current practices?

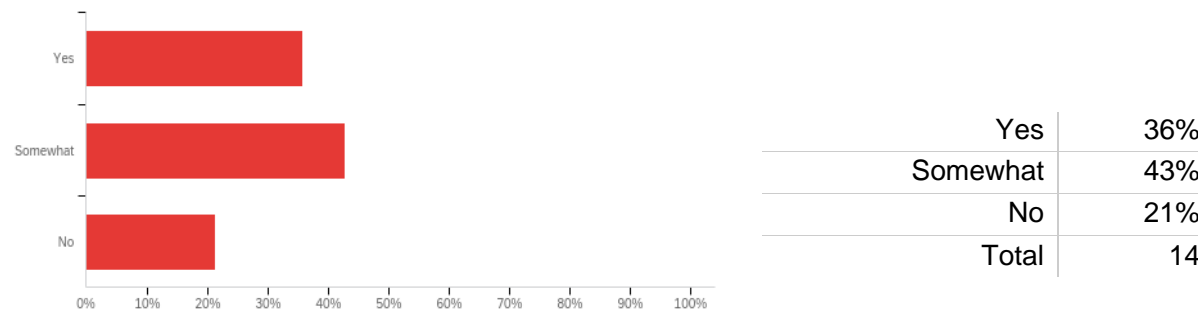


Figure 14. Do you feel the proposed systems of permission and regulation for events on the road are feasible and appropriate?

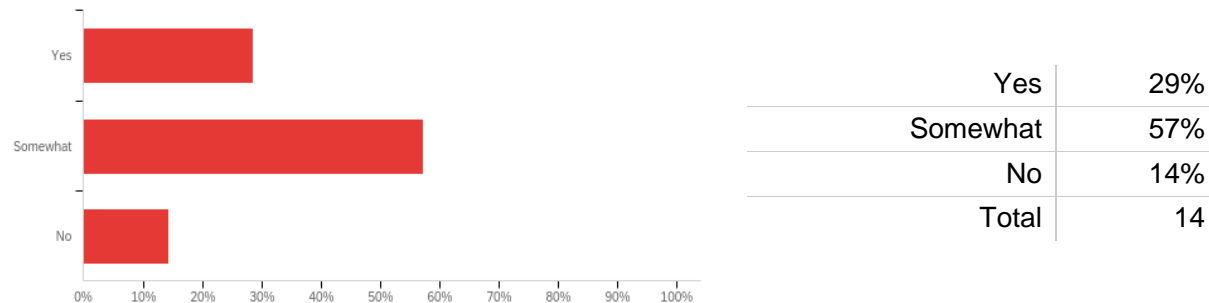


Figure 15. Do you see any potential barriers or unnecessary limitations to events on the road corridor presented by the proposed changes?

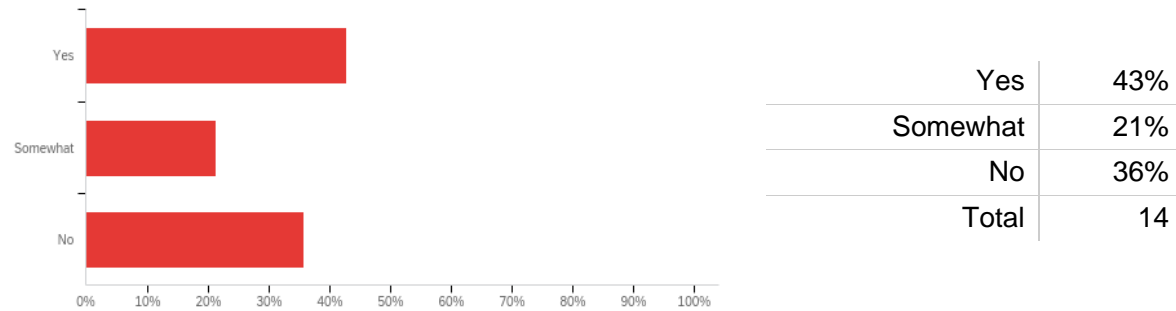


Figure 16. Do you see the proposed changes as beneficial for trading in the road corridor, improving current practices?

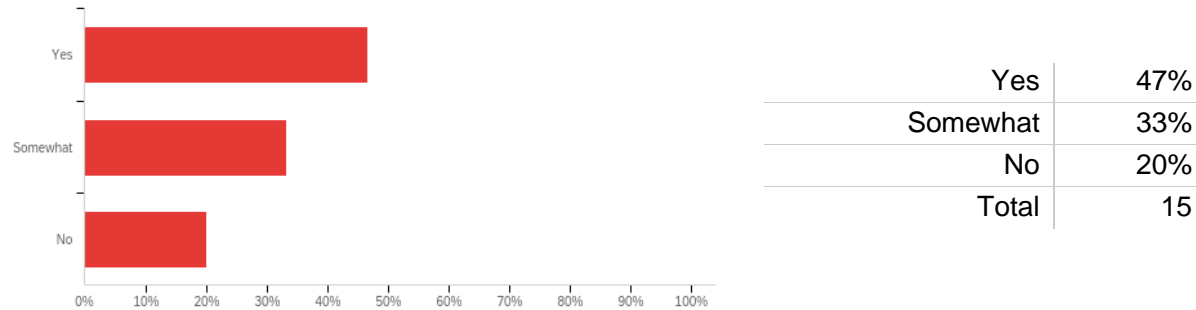


Figure 17. Do you feel the proposed systems of permission and regulation for trading in the road corridor are feasible and appropriate?

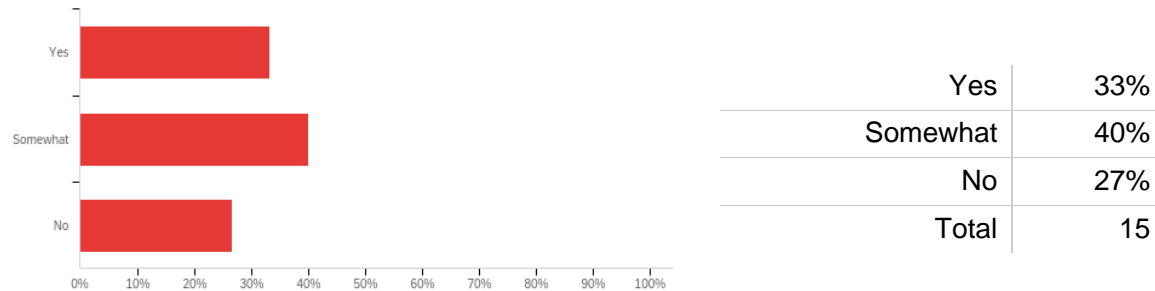


Figure 18. Do you see any potential barriers or unnecessary limitations presented by the proposed changes?

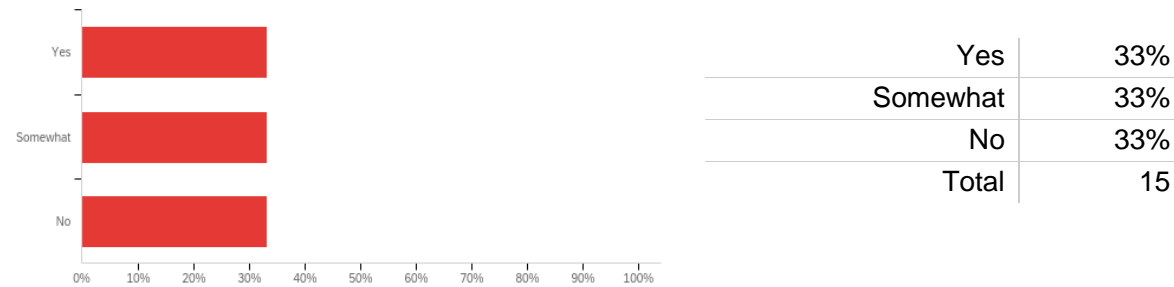


Figure 19. Part 7: Fees and charges Part 8: Offences and penalties. Do you feel that the proposed methods of enforcement are appropriate and complete?

