# **Item 2:** Pop-up stall trading – Issues and options

**SESSION TYPE:** Workshop

## PURPOSE/DESIRED OUTCOME:

The purpose of this workshop is to:

- Respond to Council's 19 March 2026 resolution to "*Initiate a high-level analysis of interventions, tools and approaches for the management of pop-up stalls";*
- Provide background, context and current challenges related to pop-up stall trading ('trading');
- Provide an overview of stakeholder engagement and feedback;
- Seek guidance on:
    - **Topic 1** - Over the short term should <u>any</u> trading occur on the lakefront, CBD streets and wider QT town centre?
    - **Topic 2** - Outcomes for regulating trading;
    - **Topic 3** - What sites could be considered to provide for trading over the short term?
    - **Topic 4** - Charging for trading activities conducted on public land.
- Provide an overview of long-term district wide options and next steps.

## DATE/START TIME:

Tuesday, 28 July 2026 at 12:30 pm

## TIME BREAKDOWN:

Presentation: 30 minutes approximately
Questions *or* Debate/Discussion: 30 minutes approximately

## PRESENTERS:

Luke Place – Principal Policy Advisor
Carrie Williams – Policy Manager
Pennie Pearce – General Manager, Strategy and Policy (Acting)

| **Prepared by:** | **Reviewed and Authorised by:** |
|---|---|
| **Name:** Luke Place | **Name:** Pennie Pearce |
| **Title:** Principal Policy Advisor | **Title:** Strategy and Policy General Manager (Acting) |
| 17 July 2026 | 17 July 2026 |

## ATTACHMENTS:

| | |
|---|---|
| A | Workshop presentation - Pop up stall trading – Issues and options |

# Pop up stall trading

Issues and options

QUEENSTOWN LAKES DISTRICT COUNCIL

# Purpose and structure of this workshop

Purpose of this workshop:

> Respond to Council's 19 March 2026 resolution to *"Initiate a high-level analysis of interventions, tools and approaches for the management of pop-up stalls."*

Agenda:

> Background, context and current challenges (see also Attachment A)

> Stakeholder engagement and feedback

> Seek guidance on:

> > **Topic 1** - Over the short term should <u>any</u> pop-up stall trading (trading) occur on the lakefront,  CBD streets and wider QT town centre?
> >
> > **Topic 2** - Outcomes for regulating trading.
> >
> > **Topic 3** - What sites could be considered to provide for trading over the short term?
> >
> > **Topic 4** - Charging for trading activities conducted on public land.

> Overview of long term district wide options and next steps.

# Scope of workshop



On 19 March 2026 Council asked for '*a high-level analysis of interventions, tools and approaches for the management of pop-up stalls.*' Staff were asked provide this analysis to Council by the end of July 2026.

The first stage of this analysis is to provide feedback on short term options on the Queenstown lakefront, The Mall, Beach Street and the wider Queenstown town centre.

**In scope**

- Trading activities.
- Queenstown lakefront, The Mall, Beach Street and the wider Queenstown town centre area.
- Short term options while long term district wide options are considered.
- Council can provide guidance and set direction for further work.

**Out of scope**

- The potential nature/scale of future trading activity.
- Detailed review of each individual site option.
- Any other activity regulated by the Activities in Public Places Bylaw (the Bylaw)
- Trading outside the Queenstown lakefront, The Mall, Beach Street and wider Queenstown town centre.
- Long term district wide options.
- Council is not being asked to make a final decision.

# The policy process for short term options

QUEENSTOWN LAKES DISTRICT COUNCIL

17 April 2025 meeting
19 March 2026 meeting

May - July 2026

**We are here**
28 July 2026
Council workshop

TBC timings – Dependent on Council guidance.

| Identify issues | Early stakeholder engagement | Councillor engagement | Option(s) refinement | Implementation | Monitoring + Evaluation |
|---|---|---|---|---|---|
| Problem definition, issue identification. | Explore different values, priorities and share ideas for next steps. | Share staff analysis and seek guidance on preferred option(s) and next steps. | Staff develop detailed option(s) and prepare advice for councillors. | Further Council decisions. Translating decision into actions and outcomes. | Data, evidence and continuous improvement. |

These process steps will also be applied for analysis of long term options

# Background, context and current challenges

The current Bylaw:

> Regulates trading activities on Council-controlled public places.

> Addresses public amenity, health and safety, and nuisance and offensive behaviour.

> Establishes two pathways to regulate trading:

1. Registration pathway - A permitted baseline where no individual approval or assessment is required if all Bylaw conditions are met.
2. Permission pathway – A ‘permit’ must be applied for and assessed by QLDC where bylaw conditions are not met.

**Upshot – A flexible high-trust model with limited controls over the number, nature or scale of trading activities.**

Further background and context in relation to the Bylaw is included in Attachment A.

# Background, context and current challenges

QUEENSTOWN LAKES DISTRICT COUNCIL

## Population and tourism growth has been occurring at a significant rate, creating challenges and opportunities.

| Trading registrations | | | | | | |
|---|---|---|---|---|---|---|
| Year | Total district wide | Multiple locations * | % of multiple location registrations that included Queenstown | Queenstown only | Arrowtown only | Wanaka only |
| 2020 | 34 | 10 | 100% | 23 | 0 | 1 |
| 2021 | 43 | 15 | 100% | 26 | 0 | 2 |
| 2022 | 53 | 17 | 100% | 34 | 0 | 2 |
| 2023 | 112 | 26 | 96% | 76 | 9 | 1 |
| 2024 | 135 | 1 | 100% | 77 | 53 | 4 |
| 2025 | 78 | 0 | NA | 34 | 36 | 8 |
| 2026 | 39 | 14 | 86% | 15 | 4 | 6 |

*Some combination of Queenstown, Arrowtown, Wanaka

Large increase in the number of trading activities combined with flexible high-trust bylaw`

Concerns:

- Practicality of Bylaw for stall traders
- Density of trading activities
- Congestion and obstructed access on the lakefront
- Visual amenity and litter
- Impacts on fixed premises businesses
- Health and safety (incl food safety)
- Ongoing general non-compliance with the Bylaw

Note these concerns primarily relate to the Queenstown lakefront and CBD area.

# Background, context and current challenges

QUEENSTOWN LAKES DISTRICT COUNCIL

**17 April 2025 Council resolutions**:

> One-year lakefront trading prohibition.

> Cease issuing approvals across Queenstown town centre.

> Allow existing operators to continue until expiry of registrations/permits.

Ongoing non-compliance. Concerns continued to be raised about the Bylaw.

**19 March 2026 Council resolutions:**

> Prohibit trading in the Queenstown town centre.

> Continue trading prohibition on the lakefront.

> Note that pop-up stalls already permitted or registered under the Bylaw can continue to trade until the expiry of either registration or permit.

> **Initiate a high-level analysis of interventions, tools and approaches for the management of pop-up stalls.**

**30 April 2026 judicial review decision:**

> QLDC has broad powers to manage pop-up stall traders

> insufficient evidence for, and incorrectly consulted on, two rules

> Separation and operational timing requirements

> These two rules can no longer be enforced

> Balance of the Bylaw continues to apply

**We are here**

# Engagement feedback

QUEENSTOWN LAKES DISTRICT COUNCIL

- Early targeted stakeholder engagement during May and June:
  - Three small group discussions with traders - 23 attendees
  - Discussions with other stakeholders
  - Six - Let's Talk online survey responses

**Key finding – There are both areas of agreement and disagreement**

Feedback by stakeholder group shown in Attachment B

**Key areas of disagreement**

- Availability of lakefront and CBD streets for trading.
- Impacts on 'brand Queenstown'.
- Viability and availability of alternative locations.
- Health and safety management.
- Management interactions between organised events and trading.

**Key areas of agreement**

- Some level of trading could be provided for in the Queenstown town centre area.
- Additional regulations - permission required for all activities.
- Fair, consistent, transparent and efficient decision making.
- Limit total number of permissions/traders.
- Charge fees for applications and use of public land.
- Use of a lead trader/society/committee model to organise trading activities.
- More effective monitoring and enforcement.
- Waste management, food safety, design and appearance.

# Topic 1 – Over the short term should any trading occur on the lakefront, CBD streets and wider QT town centre?

QUEENSTOWN LAKES DISTRICT COUNCIL

- Over the short term, should trading be considered at any scale?
- Note the areas currently prohibited for trading under the Bylaw:
  - Lakefront
  - The Mall
  - Beach Street
  - Reminder of Queenstown Town Centre Zone.
- Council could consider these areas together or separately.
- Current prohibitions could be retained, removed or modified via resolution.
- The Bylaw does not prevent any person from applying for a permit to trade outside of any prohibited area.
- The current process provides a pathway to consider different short and long term options should Council wish to provide for some form of trading.

**Guidance sought**

Should trading be:

- prohibited in all areas?
- enabled in some areas?
- enabled in all areas?

Note:

- Traders who sought registration to operate on The Mall and Beach Street prior to 17 April 2026 have been issued by QLDC.
- GIS map showing the Bylaw's current permitted and prohibited trading areas can be found here.
- Proposed District Plan GIS map showing Queenstown Town Centre Zone here.

# Topic 1 – Over the short term should any trading occur on the lakefront, CBD streets and wider QT town centre?

QUEENSTOWN LAKES DISTRICT COUNCIL

## Council has options about how to regulate trading over the short term.

| Trading – Topic 1 guidance | Potential outcomes |
|---|---|
| Cllrs prefer **no trading** | • Status quo - retain current prohibitions across lakefront, CBD streets and wider Queenstown town centre. |
| Cllrs prefer **some trading** | • Remove current Bylaw prohibition(s).<br>• Different options are available to provide for trading which can be explored as part of next steps:<br>  • Rely on current Bylaw provisions<br>  • Consider use of new restricted trading areas under the Bylaw (clause 11.2(b))<br>  • Consider use of single or multiple licences/agreements, open tender process, EOI. |

**Guidance sought**

Does Council think any trading should occur on the lakefront, CBD streets and wider Queenstown town centre?

# Topic 2 - Outcomes for regulating trading

QUEENSTOWN LAKES DISTRICT COUNCIL

If Council agrees some trading should occur on the lakefront, CBD streets and wider QT town centre over the short term what outcomes should be sought.

| Outcome | Details |
|---|---|
| **Fit for purpose regulation** | Effective and proportionate regulation that is cost neutral and addresses complex local issues through comprehensive rules, elevated scrutiny of proposed activities, and equitable charging for the commercial use of public land. |
| **Maintain high-quality public spaces** | Public spaces are protected through a public-first approach that prioritises access and amenity, prevents the commercialisation of public space, and ensures trading activities meet high health, safety and amenity standards. |
| **Informed and balanced decision-making** | Decision-making that considers a diverse range of perspectives, transparently evaluates competing interests, and recognises the opportunity costs and trade-offs inherent in the use of limited public space. |
| **Solutions focused** | Proactively identify and evaluate a range of short- and long-term options to provide for trading that aligns with Council's specified outcomes and QLDCs strategic direction. |

**Guidance sought**

- Does Council agree with the outcomes?
- Should others be identified?
- Should some be removed?

# Topic 3 - What sites could be considered to provide for trading over the short term?

QUEENSTOWN LAKES DISTRICT COUNCIL

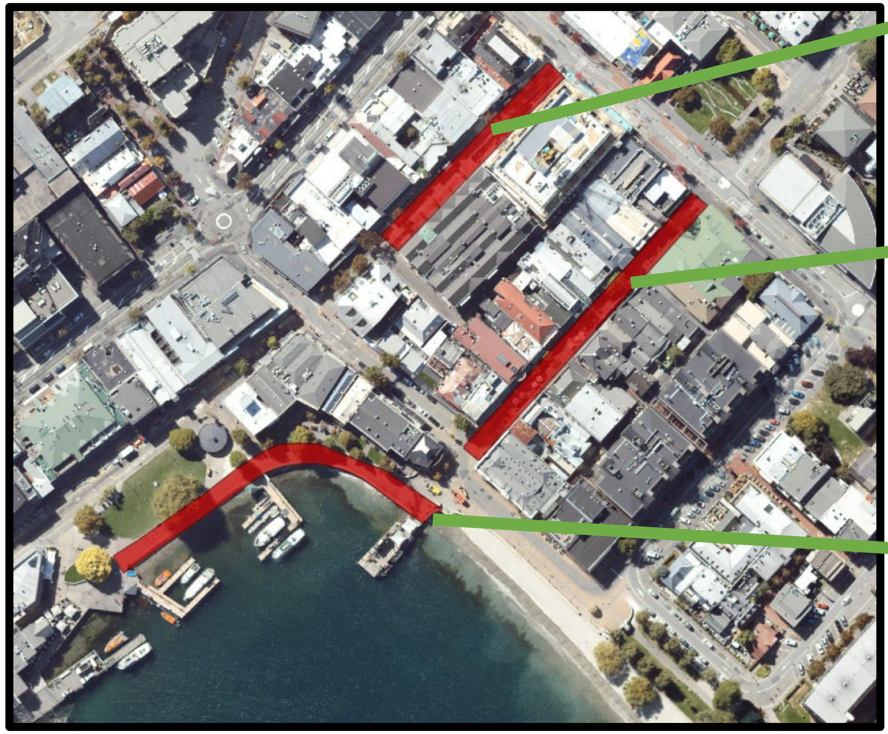
**Guidance sought**

If Council considers some trading should be provided for on the lakefront, CBD streets and wider Queenstown town centre (Topic 1), which sites should be considered to accommodate traders?

Staff are seeking guidance on five sites set out in this and the proceeding slides.

Any number or combination of sites could be chosen for further investigation.

Existing Queenstown sites (currently prohibited)



**Site 1 - Beach Street**
100 m x 10 m approx.

**Site 2 - The Mall**
142 m x 8 m approx.

**Site 3 - Lakefront**
- Short L length 60 m - Long L length 90 m approx.
- Width 7.5 m – 9 m approx.

Note – Land owned by LINZ and leased to QLDC. Amendments to the existing lease may be required to formalise trading in this location.

# Topic 3 - What sites could be considered to provide for trading over the short term? (ctd.)

**Site 4 - Shotover/Stanley Street park**

20 m x 33 m approx.

Queenstown Town Centre Zone (Transition Subzone)

Possible access, pedestrian and transport constraints

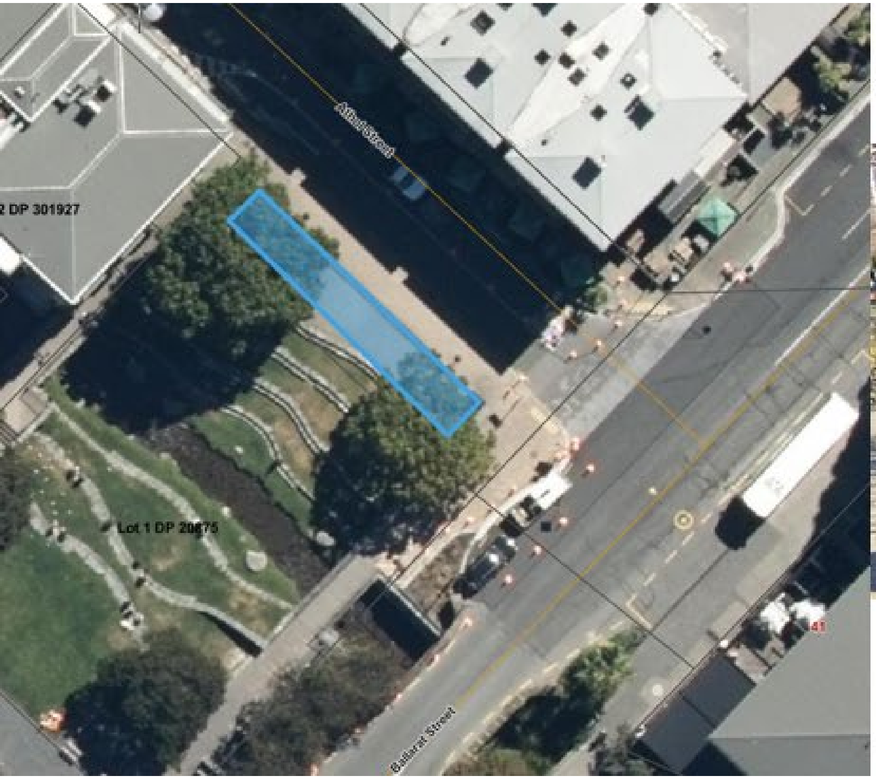

# Topic 3 - What sites could be considered to provide for trading over the short term? (ctd.)

**Site 5 - Village Green road reserve**

Corner of Ballarat Street and Athol Street

4 m x 23 m approx.

No PDP zone (road)




# Topic 4 - Charging for trading activities conducted on public land

QUEENSTOWN LAKES DISTRICT COUNCIL

> Council can charge fees for administration processes <u>and</u> for the use of public land.
> Setting of fees and charges is limited by s.150 and s.12 of the LGA, land status and other relevant legislation i.e. Reserves Act 1977 etc.
> QLDCs Outdoor Dining on Public Space Policy 2024 provides direction for outdoor dining areas, but only for existing licensed restaurants and cafés – not for trading activities – but may provide a useful model.

**For trading activities there are tare two pathways that could be investigated further:**

**Pathway 1**

Charge fees for the **processing of trading registrations/permissions**. These fees would be limited to the assessment/processing of applications, managing licensing/permitting, monitoring and enforcement.

**Pathway 2**

Charge for the **occupation of public spaces <u>in addition to</u> registration/permission processing fees**. Occupation fees could be based on land value, and could include the payment of a bond to address damage and recovery costs.

**Guidance sought**

Should staff further investigate charging?

If so, which pathway is preferred?

# Overview of long term options to manage trading at a district wide scale

QUEENSTOWN LAKES DISTRICT COUNCIL

- Multiple options available - may incorporate elements of short-term solutions.
- A district-wide approach.
- Current Bylaw scheduled to be reviewed by 10 August 2028.
- Timeframe – likely 12–18 months (requires consultation, hearings, and decision-making).
- Further Council guidance sought in late 2026.

| Option | Details |
|---|---|
| District Plan | • All public and private land.<br>• Zone based framework can permit, require approval or prohibit activities.<br>• Wide scope – social, economic, cultural, environmental effects.<br>• Central government changes create uncertainty. |
| Activities in Public Places Bylaw | • Land owned, managed, maintained or controlled by QLDC only.<br>• Can permit, require approval or prohibit activities.<br>• Flexibility to manage changing circumstances. |
| Reserve Management Plans | • Land classified as reserve only.<br>• Applications to use reserve land – Permits, licenses and leases to use or occupy land.<br>• Current RMPs provide few opportunities. |
| Alternative arrangements | • Council-owned freehold land, road reserve, private land.<br>• Requires dedicated decision making framework.<br>• Limited viable locations. |

# Recap on guidance received

QUEENSTOWN LAKES DISTRICT COUNCIL

Confirming guidance on:

> **Topic 1** - Outcomes for regulating pop-up stall trading (trading).

> **Topic 2** - Over the short term should <u>any</u> trading occur on the lakefront, CBD streets and wider QT town centre?

> **Topic 3** - What sites could be considered to provide for trading over the short term?

> **Topic 4** - Charging for trading activities conducted on public land.

# Next steps

Applying guidance from today’s workshop:

> Finalise viability of preferred sites (if any) for the short term package.
> Determine appropriate nature and scale of trading at each site.
> Determine available pathways to charge for the use of public land.
> Further detailed analysis of long term options.

Before end of 2026:

> Short term package for formal Council approval.
> Council workshop on long term options analysis.

# Attachments

Attachment A - Background and context - Activities in Public Places Bylaw 2023

Attachment B - Engagement feedback by stakeholder group

QUEENSTOWN LAKES DISTRICT COUNCIL

# Attachment A
# Background and context - Activities in Public Places Bylaw 2023

QUEENSTOWN LAKES DISTRICT COUNCIL

**Purpose of Bylaw:**

Regulate use of public places to:

- Protect public from nuisance
- Protect, promote and maintain public health and safety
- Minimise the potential for offensive behaviour

**What is a public place?**

Owned, managed, maintained or controlled by Council

> Open to or used by the public

> Free or on payment access

> Whether any owner or occupier is lawfully entitled to exclude or eject any person

> Road, street, footpath etc

> Excludes reserves and private land

The Bylaw was made on 10 August 2023. A review of the bylaw was scheduled take place by 10 August 2028.

The Bylaw can be found here

QUEENSTOWN LAKES DISTRICT COUNCIL N.Z

**Activities in Public Places Bylaw 2023**
**Ngā ture mahi ki ngā wāhi tūmatanui**

Queenstown Lakes District Council

Date of making: 10 August 2023
Commencement: 1 September 2023

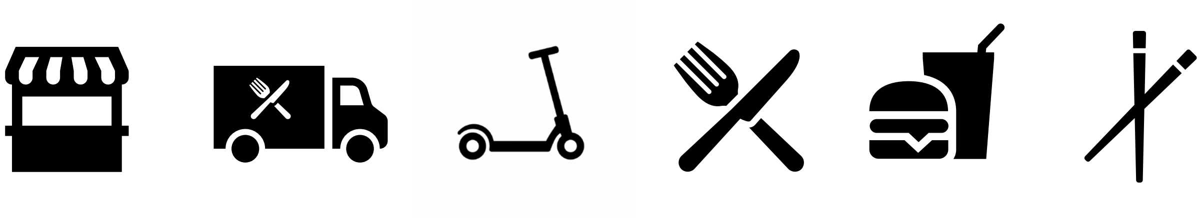
This bylaw is made under sections 145 and 146 of the Local Government Act 2002.

Contents

# Attachment A
# Background and context - Activities in Public Places Bylaw 2023
# Key terms

**Pop up stall or mobile shop:**

- a stand, stall, structure, vehicle, awning, table or any temporary structure from which goods or services are offered for distribution or sale,
- Includes a temporary food outlet, or a temporary drinks outlet.
- Excludes any activity forming part of a market or a service delivery vehicle carrying goods which have been ordered.



**Trading activity**

- The sale of goods, or the offering of a commercial service for payment, reward or otherwise, in a public place,
- Includes but not limited to:
  - pop up stalls
  - mobile shops
  - micromobility device rental
  - temporary drinks outlet or temporary food outlet
- Temporary or permanent
- One-off basis or as a series of activities

# Attachment A
# Background and context - Activities in Public Places Bylaw 2023
# Approval pathways

QUEENSTOWN LAKES DISTRICT COUNCIL

The current Bylaw offers trader's two approval pathways to undertake their activity:

1. **Registration pathway** – a 'permitted baseline' where activities that comply with the Bylaw can take place without the need for specific permission.
2. **Permission pathway** – requires application for a 'permit' where trading activities do not meet the permitted baseline.

# Attachment A
# Background and context - Activities in Public Places Bylaw 2023
# Approval pathways

QUEENSTOWN LAKES DISTRICT COUNCIL

**Registration pathway**
- **A permitted baseline** ie no 'permission' required
- Must be located within a permitted trading area**, r**egistered online, comply with clause 12 conditions

**Clause 12 conditions**
- At least 3 m from residential, retail or commercial premises
- 200 m from the area designated for an event
- Don't obstruct pedestrian flow
- Don't use amplified sound
- Don't cause injury or nuisance
- Don't damage Council property
- Don't argue, intimidate, insult or abuse the public, or engage in any anti-competitive behaviour

**High trust model**

**No limit on the number or of trading activities in each area**

**No control over nature or scale of activities**

**Permitted trading areas**

**Arrowtown**

**Wānaka**

**Queenstown (currently prohibited)**

# Attachment A
# Background and context - Activities in Public Places Bylaw 2023
# Approval pathways

QUEENSTOWN LAKES DISTRICT COUNCIL

**Permission pathway**

**A discretionary approval required from QLDC.**

The permission pathway must be followed if trading is proposed outside of a permitted area or does not comply with any clause 12 condition.

This requires traders to apply to QLDC for a 'permit' to operate.

Permissions may be declined or granted subject to conditions.

Permission not required if authorised by a resource consent.

When deciding whether to issue a permit, QLDC may have regard to:

- Impacts on vehicle traffic or pedestrian flow
- Risks to public health and safety
- Risks to Council property
- Location, nature and scale of activity
- Any potential nuisance
- Applicable Council policies and plans

# Attachment B
# Engagement feedback by stakeholder group

QUEENSTOWN LAKES DISTRICT COUNCIL

## Trader stakeholders

- Lakefront available 7 days a week
- Few alternative locations
- Acknowledge positive benefits
- Seek additional, tighter regulations
- QLDC permission should be required
- Limit number of permissions
- Charge fees to use land
- Seek more structured/organised approach – such as a lead trader/committee holding a single licence/approval
- Effective monitoring and enforcement
- Waste management, design and appearance

## Business stakeholders

- Lakefront and CBD streets should be prohibited (excl events)
- Alternative locations sought
- Impacts public access, amenity, brand QT, health and safety, waste management
- Inequitable cost and compliance obligations
- Geater controls, limitations and restrictions – limit number of permissions
- Stakeholders to consider applications
- Charge fees comparable to other businesses
- Monitoring and enforcement
- Trading during events needs careful management

## Events industry

- Better manage trading during organised events
- Concerns regarding health and safety
- Trader approval should be required from event organisers

## Queenstown creative market

- Traders should working together to improve compliance and quality
- Smoke and smell discharges, and waste management
- Separation between the market and traders

## Aukaha

- Visibility of Lake Whakatipu from the lakefront and other CBD areas
- Discharges
- Pragmatic low cost solution