



SOUTH WAIRARAPA
DISTRICT COUNCIL
Kia Reretahi Tātau

Proposed Alcohol Control Bylaw

FAQS



Why is Council doing this now?

We are required under legislation to regularly review our bylaws to make sure they are up to date. Best practice changes and our towns change so we need to make sure our bylaws remain relevant. We also need a new bylaw to reflect changes in legislation.



Why is Council consulting if you already have the answers?

Bylaws are a form of regulation that may result in a monetary fine and as such the law requires that we consult with the community before making or amending bylaws. We must carry out consultation in a particular way known as the Special Consultative Procedure where we analyse the problem, consider all reasonable options and consult on the option we think will best address the problem. It does not mean that we have already decided this will be the final answer. Councillors will consider the community's submissions and decide how the proposal should be amended to reflect feedback received.



We don't have a problem with alcohol-related crime or disorder in our towns, so why do we need a bylaw?

We are not proposing to include any alcohol ban areas in this bylaw so not having a bylaw was considered as an option for this very reason. But without a bylaw we can't mandate alcohol bans for events as they occur during the year. Also, we wouldn't be able to introduce an alcohol ban area to address a problem of alcohol-related crime or disorder if this happened in the future. Bans work well with other methods of addressing alcohol-related crime or disorder, such as Community Patrols, Police powers, licensing of premises and terms in Council's policies and lease agreements.



What exactly is a "high level" of alcohol-related crime or disorder?

Put another way, we would need to have evidence of a significant and ongoing alcohol-related problem in a particular area, not just a small number or intermittent incidents. We would need to take into account that it is difficult to obtain quantitative evidence because people often do not make official complaints and the Police may deal with problems informally rather than issuing infringement notices.



Are you banning alcohol at Toast Martinborough?

For every Toast Martinborough event, Council puts into place an alcohol ban that covers the Martinborough Town Square and surrounding streets. This is supported by the event organisers and the Police. The ban makes sure that problems do not arise in the area where people congregate during and after the event. The event organisers also have tight controls around consumption outside of the participating vineyards. We are proposing to include the Toast Martinborough event alcohol ban in the bylaw itself so it is clear and certain and we do not have to apply for an alcohol ban area on a yearly basis.



Will the bylaw change how Toast Martinborough is run or put additional requirements on that event?

The bylaw will not change the Toast Martinborough event and there will be less requirements of Toast than there currently are.



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Why can't the Featherston alcohol ban area remain in place?

The bar for restricting peoples freedom via the use of alcohol bans has been raised in changes to legislation. We are fortunate that there is no evidence of alcohol-related crime or disorder in Featherston or anywhere else in our district, but this does mean that we are legally unable to implement an alcohol ban in the district. The new bylaw will provide a new opportunity for Featherston businesses to provide outside dining.



If an alcohol-related crime or disorder problem occurred after the bylaw was adopted (e.g. Martinborough Square), could Council put in a permanent ban and could a ban be appealed?

Yes, Council could (in the future) create a permanent alcohol ban area provided there was evidence of a high level of crime or disorder. This would be done by resolution of Council after considering the evidence. Council would still need to consult with the community on this and would need to review the bylaw regularly in accordance with the law.



If an alcohol-related crime or disorder problem occurred shouldn't this be dealt with by Police?

Yes, NZ Police do have wide powers to protect public safety. They also enforce alcohol bans but need the bylaw in place to do this.



We just need more Police in our towns. Can Council lobby NZ Police to get local officers back into our towns?

Mayor Beijen is currently lobbying NZ Police on this matter.

Note: These FAQs are designed to respond to common issues identified through submissions. They are not intended to provide all the information about the proposal so please read the Statement of Proposal before making a submission.