

# Overview of the Proposed Alcohol Control Bylaw



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

# Why are we here?

- Councils are required to regularly review bylaws and make sure they keep up-to-date as our community changes
- Need a new bylaw for alcohol control to reflect changes in legislation







# What does an alcohol control bylaw do?

- Drinking in certain public places can sometimes lead to increased crime, disorder and safety concerns
- Enables council to establish alcohol bans that control the consumption and possession of alcohol in public places
- Bans can be made for temporary events or relate to specific areas where alcohol bans apply permanently
- Bans are enforced by the Police



- Bans do not apply to:
  - Areas that are not “public places”
  - Transporting unopened containers through public places e.g. to and from residences or licenced premises
  - Anywhere that has an alcohol licence e.g. dining on a footpath outside a licenced premises
- Bans can not be used to control crime and disorder that is not alcohol related
- Bans can not be used to address social concerns such as the normalization or drinking around young people



# Previous SWDC Alcohol Bans

- Martinborough Square and surrounding streets on the day of Toast Martinborough (annual temporary ban)
- Featherston CBD (permanent 24/7 ban)



# Legal requirements

- Is a bylaw the most appropriate way of addressing the perceived problem?
  - Problem is “crime or disorder caused or made worse by the consumption of alcohol in public places”
  - Is a bylaw actually going to address the problem?
  - Is it the most appropriate way of addressing the problem?
- Except for temporary bans for large scale events:
  - Is there a high level of crime or disorder caused or made worse by alcohol consumption there?
  - Is the proposed bylaw appropriate and proportionate in light of that likely crime or disorder?



# Legal requirements continued

- Is the bylaw the most appropriate form of bylaw?
  - Achieves what is intended
  - Only addresses specific and known problem areas
  - Balances harms and freedoms
- Is the bylaw consistent with the New Zealand Bill of Rights Act 1990?
  - Freedom of expression, peaceful assembly and movement rights limited
  - Limitations are justified





# Concerns raised by stakeholders

Martinborough  
Square

Featherston CBD

Beaches

Toast  
Martinborough

Outside licensed  
premises

Otauirā Reserve

Wine, cycling and  
tourism

Waihinga  
Playground

Featherston  
Skatepark

Playgrounds and  
sportsground



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# Potential solutions to alcohol related problems

Police  
powers

Plans, policies,  
terms and  
conditions

CCTV

Alcohol bans

Council powers to  
regulate licensed  
premises

Working with  
businesses

Advocate for  
more Police

Community  
Patrol

Public education



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# Our Conclusions

- Some of the concerns raised by stakeholders are outside the scope of the bylaw
- There is generally a low level of alcohol related crime and disorder in the district
- There are no particular problem areas or facilities, including Featherston CBD
- There is a need to provide for alcohol bans for temporary events including Toast Martinborough
- We should monitor the level of alcohol related crime and disorder and provide the ability to make alcohol bans in the future if necessary





# Our Conclusions Continued

- Other concerns such as negative behaviours associated with wine, cycling and tourism, and drinking outside licensed premises are best addressed using other methods



# Next Steps



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