

SUMMARY OF PROPOSAL



SUMMARY – CONTROL OF ALCOHOL IN PUBLIC PLACES BYLAW 2016

The proposed Control of Alcohol in Public Places Bylaw 2016 is a bylaw to control the consumption and possession of alcohol in alcohol free zones, which are to be established by Council resolution, within Hutt City. The bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002, that provide for bylaws for alcohol control purposes.

The purpose of the bylaw is to address concerns relating to potential criminal offending and safety concerns that are linked to the possession or consumption of alcohol in public places. It is a proactive restriction to limit alcohol in key public areas, to increase safety and to reduce offending.

The Council believes that the proposed Control of Alcohol in Public Places Bylaw 2016 is the most appropriate form of bylaw for the purpose. It reflects community goals, is flexible in allowing Council to designate areas by resolution and is based on other similar bylaws adopted by Councils throughout New Zealand. It follows the expiry of the previous prohibitions in Hutt City that were in place under the Control of Liquor in Public Places Bylaw 2004, made under the Local Government Act 2002.

The proposed bylaw does not apply to premises licensed under the Sale and Supply of Alcohol Act 2012 or to the transportation of unopened liquor. By creating alcohol free zones, during prescribed times, the consumption of alcohol should primarily be restricted to licensed premises in the at risk areas.

The proposed bylaw includes a process to obtain a permit to authorize specific events that would otherwise breach the bylaw. The Council will erect signage to communicate the terms of the bylaw to the public.

Everyone commits an offence who consumes or possesses any alcohol in a public place in breach of a prohibition under this bylaw. Pursuant to section 169 and section 170 of the Local Government Act 2002, the Police can enforce this bylaw.

The alcohol ban areas will be determined by resolution of Council from time to time, having regard to matters such as the areas proposed, the severity and nature of problems that have arisen, the likely presence of alcohol at specific times, any restrictions or limitations on private individuals' rights and after consultation with interested parties and members of the public. At this stage, areas that have been identified by council officers, in consultation with the Police and interested parties, as being of concern has been reported to the Council. In light of this evidence Council has recommended the following alcohol free zones be established:

1. A renewal of the areas established under the previous Control of Liquor in Public Places Bylaw 2004, namely:
 - Days Bay Beaches at Guy Fawkes night;
 - Norfolk Street Shopping Area, Wainuiomata – at all times;
 - Homedale Village Shops, Wainuiomata – at all times;
 - Queen Street Shops and Hugh Sinclair Park, Wainuiomata – at all times;
 - Stokes Valley Shopping Centre, Speldhurst Park and Delaney Park – at all times;
 - The designated area of Petone – at all times;
 - The designated area of the central business district but also include an extension of the Hutt River bank area to cover current crime and disorder issues – at all times;
 - Taita shopping area and Walter Nash Park – at all times; and
 - Naenae shopping area, the subway and Naenae Railway station, Walter Mildenhall Park and Naenae Park – at all times.
 - Seaview/Gracefield – further monitoring and report back to be undertaken.

2. Also an Alcohol Free Zone across all of Hutt City either excluding or including Eastbourne and the Western Hills, from 9.00pm to 5.00am seven days a week is proposed.

For more detail on the exact location of the areas outlined above, please refer to the draft Bylaw attached.

The Council is seeking submissions on the proposed bylaw. The full statement of proposal to make the Bylaw along with the proposed Bylaw is attached to this summary of information, along with a submission form. It is also available at the Hutt City Council Building, 531 High Street, Lower Hutt, Libraries and Service Centres and on the Council Website: huttcity.govt.nz.

Submissions open on Tuesday 9 August 2016 and close at 4.00pm on Friday 28 October 2016.