

First adopted:	December 2018
Next review date:	December 2023
Document number:	A2098554
Sponsor/Group:	Head of Finance and Strategy



ALCOHOL CONTROL BYLAW 2018

Purpose

1. The Bylaw is made under the authority of s147 of the Local Government Act 2002. Under sections 169 and 170 of the Local Government Act 2002, Police can enforce this Bylaw.
2. The purpose of this Bylaw is to reduce crime and disorder within Taupō District by providing alcohol controls in public places. The Bylaw prohibits the consumption and possession of alcohol in specified restricted public places.

Commencement

3. The Bylaw shall come into force throughout the district on 7 December 2018.

Bylaws revoked

4. The Taupō District Council Public Places Liquor Control Bylaw 2013 is revoked at the time of the Alcohol Control Bylaw 2018 coming into force.

Definitions

5. Any words, phrases or expressions in this Bylaw which have meanings assigned to them by the Local Government Act 2002, Sale and Supply of Alcohol Act 2012 and the Land Transport Act 1998 shall have the meanings as are respectively assigned in those Acts and corresponding supplementary legislation, unless inconsistent with the context that such words occur.
6. In this Bylaw, if not inconsistent with the context:

Alcohol has the same meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Council means Taupō District Council.

Event means an organised activity involving a large group of people.

Licensed premises has the same meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Public place has the same meaning given by section 147(1) of the Local Government Act 2002.

Restricted place has the same meaning as section 169(1) of the Local Government Act 2002.

Self-contained vehicles means vehicles that are certified as self-contained under NZS Vehicle 5465:2001

Special Licences has the same meaning as section 22 of the Sale and Supply of Alcohol Act 2012.

Motor vehicle has the same meaning given by section 2 of the Land Transport Act 1998 (not including self-contained vehicles).

Alcohol prohibition

7. The consumption or possession of alcohol (including while in a vehicle), is prohibited within the public places and times set out below:

Alcohol prohibition period	Restricted place	Map
<p>Taupō town centre weekend prohibition</p> <p>Commences 4pm Thursday and expires 7am Monday, and includes all Public Holidays as defined in the Holidays Act 2003.</p>	Taupō town centre	1
<p>New Year alcohol prohibition</p> <p>Commences 12 noon December 27 and ends 7am January 4 every year.</p>	<p>Taupō town centre and lakefront</p> <p>Hipapatua Reserve (Reid's Farm)</p> <p>Acacia Bay</p> <p>Two Mile Bay, Three Mile Bay, Four Mile Bay</p> <p>Five Mile Bay</p> <p>Stump Bay</p> <p>Hatepe</p> <p>Motutere and Waitetoko</p> <p>Motuoapa</p> <p>Te Rangiita and Tauranga Taupō</p> <p>Whareroa</p> <p>Turangi town centre</p> <p>Kuratau</p> <p>Pūkawa</p> <p>Kinloch</p>	<p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p>
<p>Mangakino town centre weekend prohibition</p> <p>Commences 7pm Friday and ends 7am Sunday, and includes all Public Holidays as defined in the Holidays Act 2003.</p>	Mangakino Town Centre	17
<p>Otumuheke bathing area permanent prohibition</p> <p>This prohibition is in place permanently.</p>	Otumuheke Stream bathing area	18

Exclusions

8. The prohibition on the consumption or possession of alcohol in a public place in Taupō District does not apply to:

- Any unopened bottle and/or container of alcohol for the transport from a licenced premises within and/or outside the specified public place;

- Lawfully parked certified self-contained vehicles (as defined by NZS 5465:2001). This exclusion applies to all areas with the exception of Hipapatua Reserve (Reid's Farm);
- Where a special licence for an event to be held in an alcohol prohibition area has been issued.

Exemptions

9. Any person may apply to the Chief Executive (or their nominated representative) for an exemption by prior written permission for any activity that would be in breach of any prohibition under this Bylaw.
10. Fees may be prescribed for processing these permissions. This fee may be refunded, remitted, or waived at the Chief Executive's (or their nominated representative) discretion.

Temporary Alcohol Prohibitions

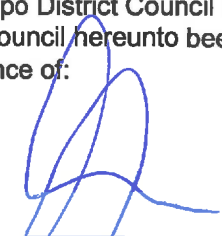
11. The Council may from time to time, resolve under the Local Government Act 2002 to include additional area(s) as an alcohol prohibition area for a particular time period relating to a specified event or a particular time of the year.
12. The Council will give the public at least 7 days notice of the temporary prohibition. The details of the alcohol prohibition area and when it will apply will also be made publically available.

Offences

13. Any person who breaches this Bylaw commits an offence under this Bylaw and is liable to the penalties as set out under the Local Government Act 2002.
14. Any person guilty of an infringement offence is liable for the applicable infringement fee relating to that offence as set out under the Local Government Act 2002.

THIS BYLAW WAS MADE BY RESOLUTION TDC201811/10 OF COUNCIL AT AN ORDINARY MEETING OF THE TAUPŌ DISTRICT COUNCIL HELD ON 27 NOVEMBER 2018.

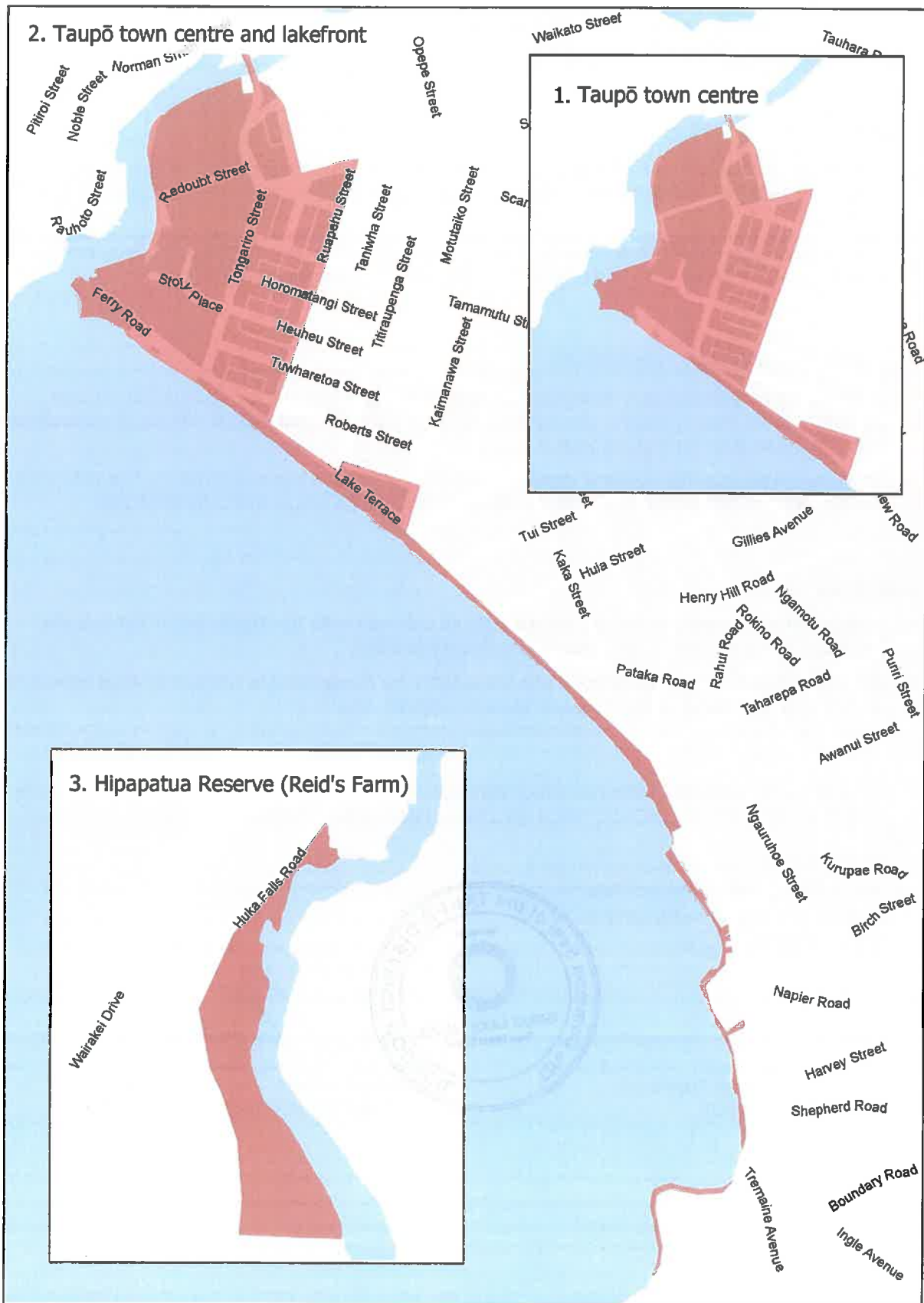
IN WITNESS thereof the Common Seal]
of the Taupō District Council has hereby
order in Council hereunto been affixed
the presence of:


David Trewavas
MAYOR




Gareth Green
CHIEF EXECUTIVE

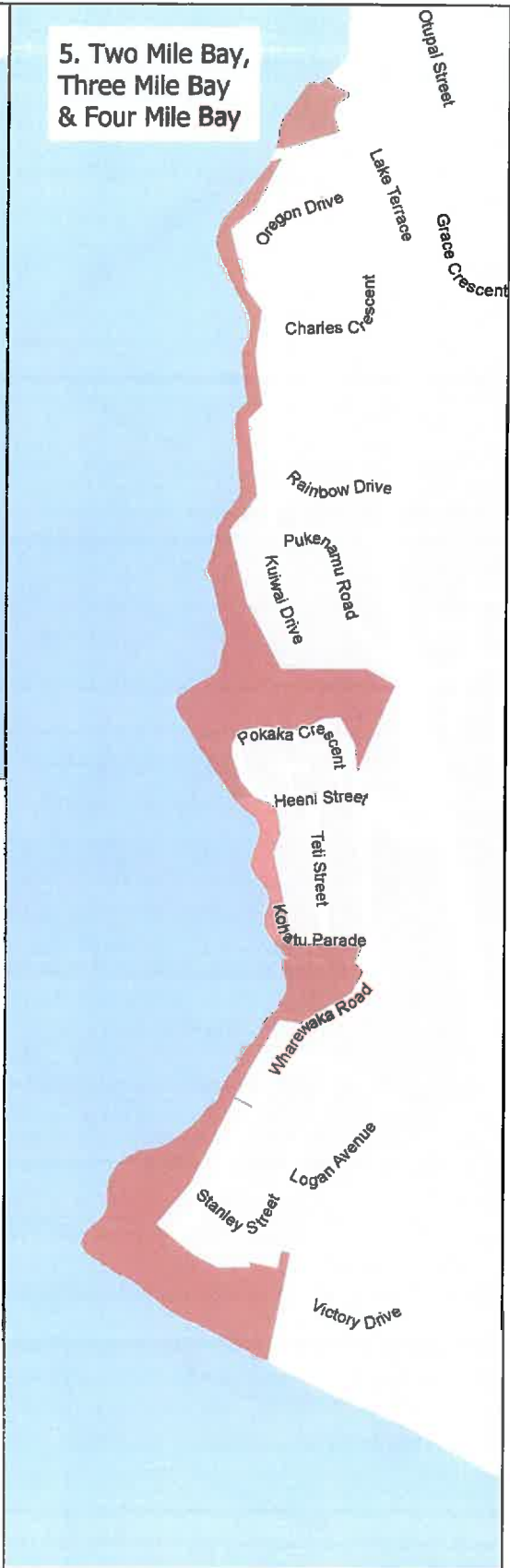
Schedule One – Restricted Places (Alcohol Prohibition Areas)



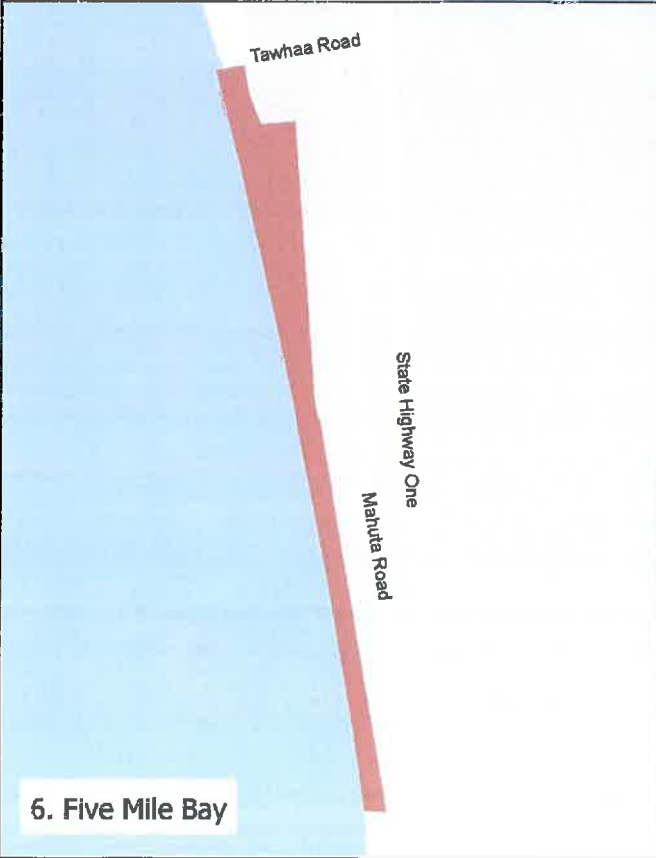
4. Acacia Bay



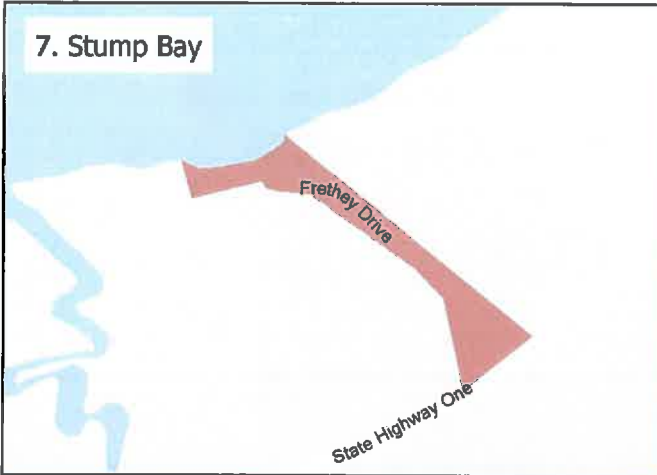
5. Two Mile Bay, Three Mile Bay & Four Mile Bay



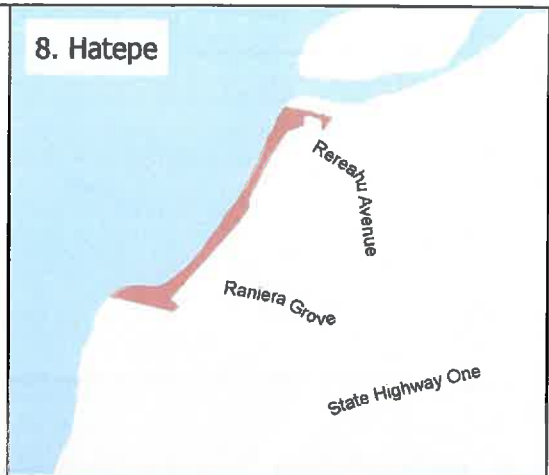
6. Five Mile Bay



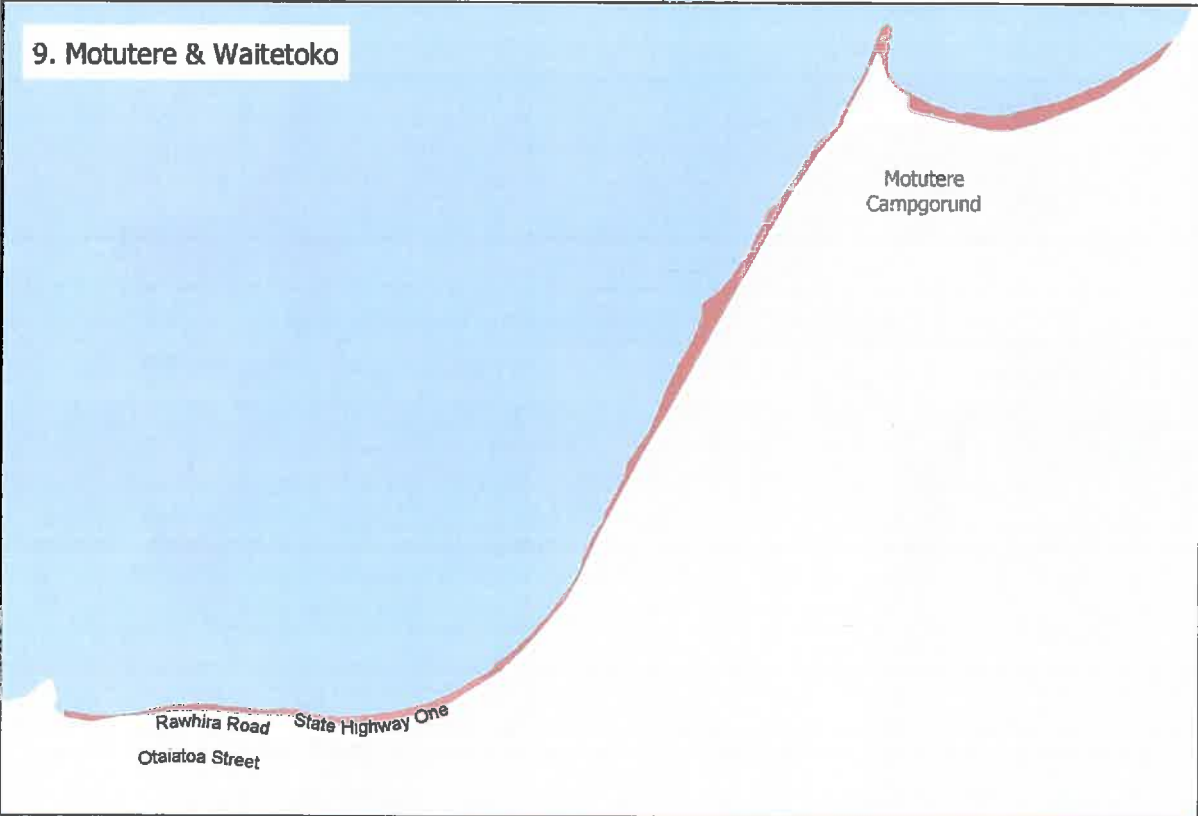
7. Stump Bay



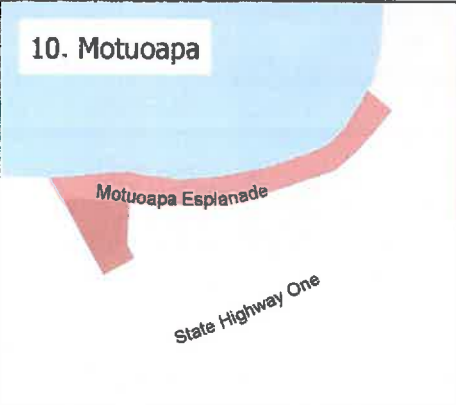
8. Hatepe



9. Motutere & Waitetoko



10. Motuoapa



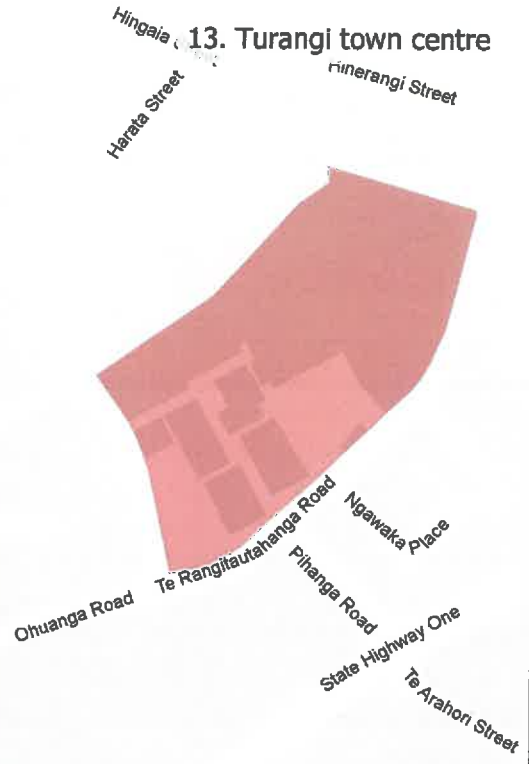
11. Te Rangiita & Tauranga Taupō



12. Whareroa



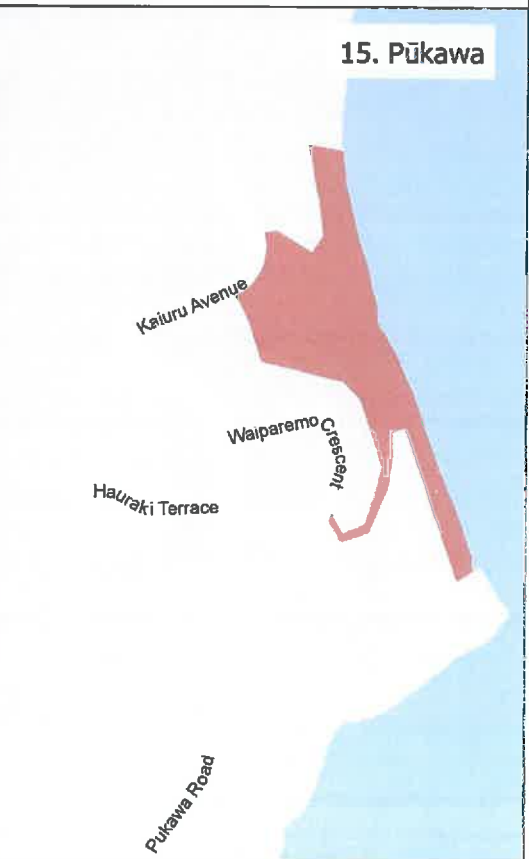
13. Turangi town centre



14. Kuratau

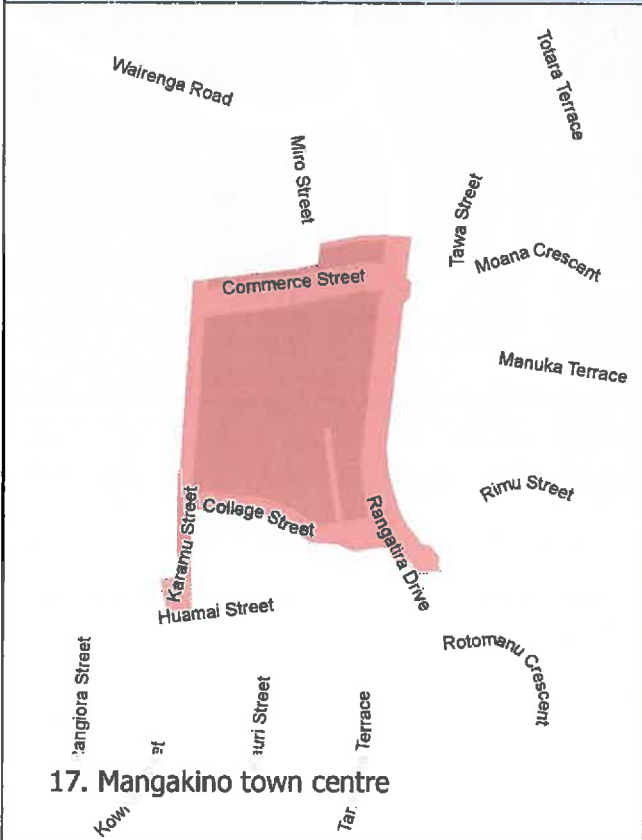


15. Pūkawa

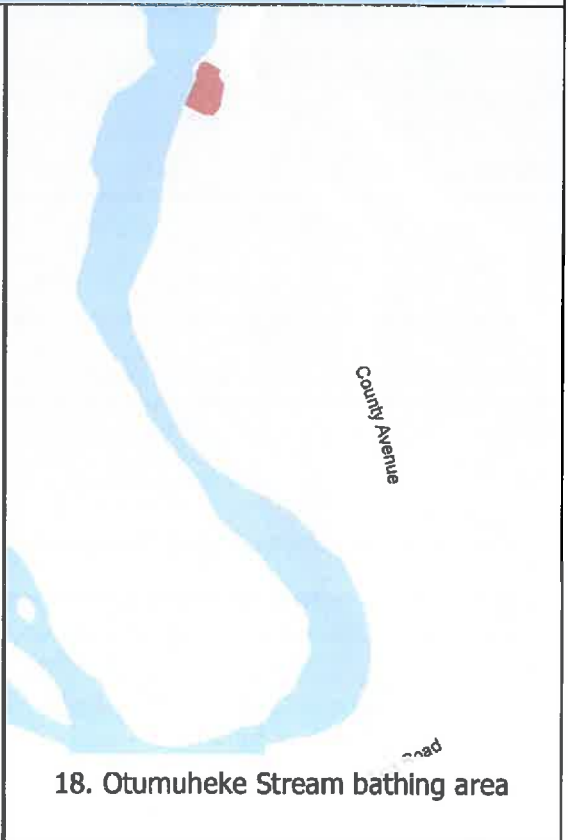




16. Kinloch



17. Mangakino town centre



18. Otumuheke Stream bathing area