

7 REPORTS FOR DECISION

7.1 ADOPTION OF THE ALCOHOL CONTROL BYLAW: TURE Ā-ROHE WHAKAHAERE WAIPIRO

File Number:

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PURPOSE

This report provides the Alcohol Control Bylaw: Ture ā-Rohe Whakahaere Waipiro for approval following community consultation.

EXECUTIVE SUMMARY

Council adoption is sought of the Alcohol Control Bylaw: Ture ā-Rohe Whakahaere Waipiro (the Bylaw), following public consultation held from February to March 2026.

Alcohol control bylaws are a common and effective way to reduce alcohol-related harm, improve public safety, and manage disorder in public places. The Council has had alcohol-free zones in place since 2008, including permanent zones in the Business District, Queen Elizabeth Park, and the Skatepark. Each year since 2017/18 temporary controls have been put in place at Riversdale Beach and Castlepoint at peak periods.

As required by section 155 of the Local Government Act 2002 (LGA), Council officers reviewed how well the current Bylaw, and the temporary coastal alcohol-free zones are working. The review found that these controls have reduced alcohol-related crime and disorder, and that harm is likely to return if they are removed. Officers consider that the ongoing success of the holiday-period controls at Riversdale Beach and Castlepoint supports making these alcohol-free zones permanent.

Officers are satisfied that the proposed Bylaw meets the requirements of the LGA, is consistent with the New Zealand Bill of Rights Act 1990, and is the most appropriate way to manage alcohol-related harm in public places.

The Hearings Committee has the delegation to consider and hear submissions on the Alcohol Control Bylaw and make recommendations back to Council. The Committee received the 36 submissions on 15 April 2026 and deliberated on its recommendation to Council on 20 May 2026. It recommended that Council adopt the Bylaw, with minor amendments since consultation, to take effect from 1 July 2026.

RECOMMENDATIONS

That Council:

1. **agrees** to the Hearings Committee recommendation that:
 - (a) the Council adopt the proposed Alcohol Control Bylaw: Ture ā-Rohe Whakahaere Waipiro (Attachment 1) and gives public notice of the making of the Bylaw;
2. **notes** that subject to adoption, the Alcohol Control Bylaw: Ture ā-Rohe Whakahaere Waipiro will come into force on 1 July 2026; and
3. **notes** that the Alcohol Control Bylaw will next be due for review in 2035/36.

CONTEXT

Bylaws are a mechanism available to councils to regulate matters for the purpose of minimising and mitigating risks to health and safety, and to address nuisance and offensive behaviour. Under section 147 of the Local Government Act 2002 (LGA), councils are empowered to adopt alcohol control bylaws to regulate the possession and consumption of alcohol in public places.

Alcohol control bylaws are a tool to discourage and minimise offensive and disorderly behaviour associated with alcohol consumption in public places. They enable New Zealand Police (the Police) to seize alcohol from intoxicated individuals and help limit alcohol consumption in public spaces, including prior to entering licensed premises, thereby addressing issues such as pre-loading and side-loading.

In deciding whether to continue or amend an alcohol control bylaw, Council must be satisfied that the restrictions are appropriate and proportionate in light of actual or likely crime and disorder. To continue an existing alcohol ban, there must be evidence that a high level of crime or disorder caused or exacerbated by alcohol consumption is likely to arise or return if the Bylaw is revoked. Similarly, the creation of any new Alcohol-Free Zone must be supported by evidence demonstrating a clear alcohol-related harm issue in the area concerned.

Consultation

Consultation on the draft Alcohol Control Bylaw ran from 25 February to 25 March. Copies of the Statement of Proposal, Review Findings Report, and submission form were available on our website (Whats Up Whakaoriori), from the Customer Services Centre (161 Queen Street), the Library, the Riversdale Beach Store and the Castlepoint Store. A copy of the Statement of Proposal is included at Attachment 2.

The opportunity to submit was advertised to our community via mechanisms such as direct emails to key stakeholders and community groups, Antenna and through local radio. Details on this was noted in the Hearings Report. A total of 36 submissions were received and three people spoke to their submission at the Hearing. Most submitters supported the proposed Bylaw and the continued use of alcohol-free zones.

ANALYSIS AND ADVICE

Deliberations

The Hearings Committee undertook deliberations on 20 May 2026 based on a Deliberations Report that can be found [here](#). This report contains feedback from submitters, officer analysis and further investigations, and additional advice on options.

In response to the key questions posed in the submission form:

- 81 percent of submitters supported the adoption of the Bylaw. 14 percent did not want to make changes to the Bylaw. 6 percent wanted to let the Bylaw lapse.
- 89 percent of submitters supported the continuation of existing Alcohol-Free Zones. 6 percent did not support their continuation.
- 86 percent supported the Alcohol-Free Zone at Labour weekend and 83 percent at New Year's Eve for Riversdale Beach. 11 percent were opposed to the proposal for each option.

- 78 percent supported the Alcohol-Free Zone at Labour weekend and 81 percent at New Year's Eve for Castlepoint. 17 percent were against the ban at Labour weekend, and 14 percent were against the ban at New Year's Eve.

The Hearings Committee considered all submissions received, alongside additional information and officer analysis.

Overall, the Committee concluded that the proposed Alcohol Control Bylaw remains appropriate and justified. The evidence supports retaining the identified alcohol-free zones and proposed coastal alcohol-free zones, as these are proportionate to the level and pattern of alcohol-related harm.

The Committee acknowledged submitter feedback regarding the scope of the Bylaw, particularly the importance of ensuring that controls are targeted appropriately. It was noted that the Bylaw focuses on predictable peak periods and locations of harm, and is directed at addressing harmful activity rather than targeting any specific group, including young people. The Committee emphasised that the intent is not to restrict recreational behaviour, but to reduce alcohol-related harm in identified places and specified times.

The Committee noted that the exemption, relating to the transport of unopened alcohol containers, was already reflected in the Bylaw and acknowledged the further clarification provided regarding section 147(4) of the LGA was helpful for community understanding.

In response to submissions, the Committee did not recommend substantive changes to the Bylaw. However, it supported minor amendments to:

- clarify provisions relating to the transport of alcohol, ensuring alignment with legislative exemptions and minimising unintended impacts on residents; and
- incorporate correct ingoa Māori for Riversdale Beach (Motukairangi) and Castlepoint (Rangiwhakaoma).

OPTIONS CONSIDERED

A summary of the options considered is included in the table below.

Option		Advantages	Disadvantages
1	Adopt the proposed Bylaw that was consulted on, with minor clarification amendments.	Aligns with the Committee's recommendation. The Proposed Bylaw maintains existing Alcohol-Free Zones and aims to introduce new zones to address alcohol-related harm in our coastal communities, thereby supporting public safety and the enjoyment of public spaces. It is supported by the Police and the majority of submitters. Current controls	Some parts of our community consider that the proposed alcohol controls are too restrictive.

Option		Advantages	Disadvantages
		are confirmed as effective in managing alcohol-related crime and disorder. Would provide clarity and certainty for the community, visitors, the Police and businesses. Would improve administrative efficiency by avoiding the need to make temporary restrictions each year.	
2	Make no amendments to the Bylaw and continue with existing controls of alcohol in public places only, being Queen Elizabeth Park, the Skatepark and Business District.	Existing Alcohol-Free Zones are well understood by the community. Would maintain existing Alcohol-Free Zones and time restrictions to support public safety and the enjoyment of public spaces. Current controls confirmed as effective in managing alcohol-related crime and disorder. Maintains the option to make temporary Alcohol-Free Zones by resolution.	Does not align with the majority of submitters views on the Bylaw. Would not address ongoing alcohol-related harm in coastal communities in an effective way. Would not improve administrative efficiency.
3	Let the Bylaw lapse and rely on existing legislation.	Enforcement requirements placed on the Police would be reduced. Could increase flexibility for events and gatherings in public spaces. The Sale and Supply of Alcohol Act 2012 does regulate the supply of alcohol which may address part of the problem.	Does not align with submitters views on the Bylaw. There are no other regulations designed to prohibit alcohol consumption or possession of alcohol in public spaces. Would remove an important tool for Police to manage public safety. Lack of regulatory control will likely result in increased alcohol-related harm, nuisance, crime, and disorder.

RECOMMENDED OPTION

Option one is recommended, which aligns with the Committee's recommendation. It ensures that the Council can maintain alcohol controls in public places and extends controls to coastal communities. It is a tool to help the Police reduce alcohol-related harm in the community.

IMPLEMENTATION AND ENFORCEMENT

The Bylaw is supported by an internal implementation plan which is led by the Environmental Services Team with support from the Policy Team and other teams across the Council.

If the Bylaw is adopted, signage identifying alcohol-free zones will need to be installed or updated. Council officers have developed a plan to review and replace signage in both existing and proposed areas. Approximately 14 signs within the business district require updating. The costs associated with updated and additional signage can be met within existing budgets.

Ongoing monitoring of the Bylaw has been planned. An interim internal review of alcohol-free zones is scheduled for the 2030/31 financial year. This review will include the collection of relevant data and information from the Police and other stakeholders, where practical. Key findings will be reported to Council for information.

Enforcement considerations continue to be discussed through regular operational meetings between Council officers and the Police. These discussions include Police presence and enforcement capacity at coastal locations during peak holiday periods. A copy of the Bylaw will be provided to the Police.

SUMMARY OF CONSIDERATIONS

Strategic, Policy and Legislative Implications

Council may make a bylaw for alcohol control purposes as set out under section 147 of the LGA. The Bylaw forms part of a wider strategic and regulatory framework for managing public health risks and nuisance, including alcohol-related harm, supported by the Sale and Supply of Alcohol Act 2012, the Health Act 1956, and the Wairarapa Local Alcohol Policy.

Section 155 of the LGA requires councils to determine whether a bylaw is the most appropriate way of addressing the perceived problem and if it gives rise to any issues under the New Zealand Bill of Rights Act 1990 (NZBORA). Council determined at its 18 February 2026 meeting that, in accordance with sections 155(1), 155(2)(a), and 155(2)(b) of the LGA:

1. A bylaw is the most appropriate way of addressing the perceived problems. Having a bylaw provides clarity for all concerned and gives the Police the powers to respond to anti-social behaviour in ways that non-regulatory options could not provide.
2. The Proposed Bylaw is the most appropriate form of bylaw. The Proposed Bylaw retains the provisions of the current Bylaw, which have been working well, and includes new Alcohol-Free Zones to address the alcohol-related issues evident at Castlepoint and Riversdale Beach.
3. Under the NZBORA, the limitations imposed by the Proposed Bylaw on the rights of residents are justified and proportionate in the context of the broader purpose of the Bylaw.

When the Bylaw comes into force it will provide the Police with powers as set out in sections 169 to 245 of the LGA. These include the powers to:

- Search and seize, without a warrant, any container (e.g. bag, case, package, or parcel) a person is carrying in an Alcohol-Free Zone as well as any vehicle that is in, or entering, an Alcohol-Free Zone.
- Arrest any person found to be committing an offence, this includes refusing to comply with the Police to leave the Alcohol-Free Zone or to surrender any alcohol in their possession.
- Issue an infringement notice relating to a breach of an Alcohol-Free Zone.

Significance, Engagement and Consultation

The consultation process met the requirements of the Special Consultative Procedure under the LGA which included preparing and adopting a Statement of Proposal, making information available and providing an opportunity for people to present their views, as outlined in the 'Context' section of this report.

No further consultation is required on the Bylaw

Financial Considerations

Costs for new signage are being met through existing budget.

Implications for Māori

Under the LGA, councils have obligations to consider the views of Māori and provide opportunities for Māori participation in decision-making. Iwi entities for Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa, Whaiora, and Mōtūwairaka Marae (Riversdale Beach) were directly invited to make a submission on the Bylaw. Specific feedback was sought from iwi entities on the ingoa Māori for Castlepoint and Riversdale Beach.

Communications/Engagement Plan

If adopted the Council will issue a Public Notice and publish the Bylaw on its website.

Submitters who have provided an email address will be sent an email outlining the information considered and the Council's decision.

Environmental/Climate Change Impact and Considerations

The Proposed Bylaw primarily focuses on public safety by reducing alcohol-related incidents in public spaces.

Alcohol consumption in public spaces often leads to increased littering, particularly of glass bottles and cans, which require energy-intensive clean-up and recycling processes. The Alcohol-Free Zones help to address waste and associated emissions from waste collection and processing. Next Steps

NEXT STEPS

Subject to Council agreement, the Alcohol Control Bylaw: Ture ā-Rohe Whakahaere Waipiro will come into force on 1 July 2026.

A Public Notice will be issued, and the Bylaw will be published on our website.

Signage will be installed over the coming weeks. The absence of signage does not mean that the Bylaw cannot be enforced but helps community and Police understand what rules are in place in the District.

The Bylaw will be in force until July 2036. If it is not reviewed or replaced following this period, it will automatically revoke in July 2038 in accordance with legislative requirements.

ATTACHMENTS

- 1. Alcohol Control Bylaw:Ture ā-Rohe Whakahaere Waipiro** [↓](#)
- 2. Alcohol in Public Places Statement of Proposal** [↓](#)