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**LIQUOR CONTROL BYLAW – BANS FOR SPECIAL  
EVENTS: 1 NOVEMBER 2006 – 30 MAY 2007**

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**1. Purpose of Report**

To seek Committee agreement that liquor bans should be in place for specific events and times.

**2. Executive Summary**

The report indicates the special events that are to occur over the next few months that should be subject to the Liquor Control Bylaw. An extension of the liquor ban area is also proposed.

**3. Recommendations**

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Recommend to Council that it resolves to invoke liquor control bans for specific events 1 – 6 under the provisions of Clause 23.2.1 of the Consolidated By Law:*

***Event 1 - Guy Fawkes***

*Saturday 4 November 2006, 5pm until 8am the following day within an extended liquor ban area that includes the Wellington Central Area (as defined in the bylaw) and including all of Oriental Parade to and including Point Jerningham and the area generally known as the Mt Victoria Lookout and defined as area "B" in the Te Ranga a Hiwi Precinct in the Wellington District Plan.*

*A map of the extended liquor ban area is attached as appendix four.*

*In the event of unfavourable weather conditions the Guy Fawkes display may be postponed until the following night. In the event of a postponement the liquor ban shall apply: Sunday 5 November 2006, 5pm until 8am the following day within an extended liquor ban area*

*that includes the Wellington Central Area (as defined in the bylaw) and including all of Oriental Parade to and including Point Jerningham and the area generally known as the Mt Victoria Lookout and defined as area "B" in the Te Ranga a Hiwi Precinct in the Wellington District Plan.*

***Event 2 - New Years Eve Celebrations***

*Saturday 31 December 2006 from 5pm until 8am the following day, within an extended liquor ban area that includes the Wellington Central Area (as defined in the bylaw) and including all of Oriental Parade to and including Point Jerningham.*

***Event 3 - X Air Games***

*Across the Wellington Central Area from 8am on Saturday 10 February 2007 until 5pm on that day. The general liquor ban shall apply from 5pm Saturday 10 February until 8am on Sunday 11 February 2007. In the event of a postponement the ban is to be extended from 8am Sunday 11 February 2007 until 6pm on the same day.*

***Event 4 - Cuba Street Carnival***

*For the Cuba Character area as defined in the Wellington City District Plan map from 8am on Saturday 24 February 2007 until 5pm that same day. The general liquor ban shall apply from 5pm Saturday 24 February until 8am on Sunday 25 February 2007.*

***Event 5 - Dragon Boat Festival***

*On Saturday 10 March 2007 from 8am to 5pm on that day. The general ban applies from 5pm Saturday 10 March until 8am on Sunday 11 March 2007. The ban shall apply to that area within the Wellington Central area bordered by the Aotea and Waterloo Quay junction, Waterloo Quay, Customhouse Quay to Willis St, along Willis St to Mercer St to Wakefield Street to Kent Terrace.*

***Event 6 - St Patrick's Day***

*Across the Wellington Central Area from 12 noon on Saturday 17 March 2007 until 5pm on that day. The general ban applies from 5pm Saturday 17 March until 8am on Sunday 18 March 2007.*

## **4. Background**

On 31 May 2006 the Council agreed to adopt amendments to the liquor control bylaw to come into effect on 29 June 2006.

### **4.1 Bylaw Provisions**

The Liquor Control Bylaw states:

The consumption or possession of liquor in a public place (including while in a vehicle), is prohibited within the Wellington Central Area as

shown on the attached map. This prohibition is effective from 5.00pm Thursday to 8.00am Friday, 5.00pm Friday to 8.00am Saturday, 5.00pm Saturday to 8.00am Sunday. The prohibition also applies every year on Christmas Eve, the 24th of December and New Years Eve, the 31st of December from 5.00pm to 8.00am the following day.

The Liquor Control Bylaw also provides under Part 23.2 that Council by resolution may order a prohibition on the consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places for specified special events. The prohibition must be notified in the appropriate Wellington metropolitan newspaper at least 14 days in advance of the special event.

The amended provision for special event bans under Part 23.2 of the Bylaw allows the provision of a special event ban in areas in the city other than that of the Central area ban.

#### **4.2 Rationale**

Although many events in the city will be captured by the ongoing ban on Thursday, Friday and Saturday nights, for some of those special events, a ban will be required to allow for greater management and enforcement. It was agreed that officers in consultation with the Police compile a list of upcoming events on a regular basis and recommend to the Council which events attract a ban. This report makes recommendations about events and periods for which a special events ban is considered appropriate.

In making recommendations, consideration was given to the size of the audience of the event, its target market, previous history and/or tradition, associated activities and advice from emergency services.

#### **4.3 Public Notification**

Any resolution to invoke these provisions will be notified in an appropriate Wellington metropolitan newspaper 14 days in advance of the special event in accordance with Clause 23.2.

## **5. Discussion**

### **5.1 Consultation process**

The consultation process used in making recommendations for a liquor ban for specified events involved meetings of Police and Council Officers. The criteria used were to apply a test of time, location, history of the event and any identified problems. Some of the events identified did not warrant the use of the provisions under clause 23.2. Consultation participants are listed in Appendix One. The details of all the events and issues identified is attached as Appendix Two.

A letter from the Oriental Bay Residents Association is attached in Appendix Three. This letter supports a special ban being applied to the area for Guy Fawkes and New Years Eve celebrations.

It is noted that the option of including Oriental Bay beach under the provisions of the general ban was considered by Councillors as part of the amendments to the Liquor Control Bylaw. Councillors determined that it would not form part of the general ban area, but special bans may applied to this and any other area of the City as determined appropriate.

## **6. Conclusion**

This paper discusses the specified events where a recommendation has been made to impose a prohibition of alcohol consumption or possession in a public place within the specified times or specified public places. A consultation process has been put in place for this purpose.

Contact Officer: *Bob Hutchinson, Team Leader Public Health*

## Supporting Information

### **1) Strategic Fit / Strategic Outcome**

*The recommended bans are supporting Council's overall vision of Creative Wellington – Innovation Capital specifically by contributing to objectives concerned with safety – that Wellington should be safe at all times.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*not applicable*

### **3) Treaty of Waitangi considerations**

*not applicable*

### **4) Decision-Making**

*This is not a significant decision. The report reflects the views and preferences of those with an interest in this matter who have been consulted.*

### **5) Consultation**

*See appendix one*

### **6) Legal Implications**

*Council's lawyers have been consulted to confirm the appropriateness of the proposal.*

### **7) Consistency with existing policy**

*The report is consistent with (and applies) existing policy.*

**APPENDIX ONE**  
**CONSULTATION GROUP**

**Alison Box – Manager Public Health Wellington City Council**  
**John Dawson – Manager City Events Wellington City Council**  
**Helen Ray – Events Co-ordinator Wellington City Council**  
**Sergeant David Robson – Liquor Licensing, Wellington Police**  
**Sergeant Leon Candy - Risk Management, Wellington Police**  
**Joanne Burt – Liquor Licensing Officer, Wellington City Council**  
**Bob Hutchinson – Team Leader Public Health, Wellington City Council**

**APPENDIX 2**

**SCHEDULE OF EVENTS CONSIDERED FOR A SPECIAL BAN UNDER THE PROVISIONS  
OF THE LIQUOR CONTROL BY LAW**

**PERIOD 1 NOVEMBER 2006 – 30 APRIL 2007**

<b>EVENT</b>	<b>DATE(S)</b>	<b>HISTORY/ISSUES</b>	<b>RECOMMENDATION</b>
Guy Fawkes Day	Saturday 4 November 2006, plus Sunday 5 November 2006 in case of rain.	<ul style="list-style-type: none"><li>▪ Problems associated with alcohol and fireworks have increased in the last year</li><li>▪ There are large gatherings that occur on this night</li><li>▪ Police advise they have concerns for the period</li><li>▪ 27 jobs logged with the Police regarding incidences in the Oriental Bay &amp; Mt. Victoria areas between 5pm &amp; 9am the next morning</li><li>▪ A letter has been received from the Oriental Bay Residents Assn expressing concerns regarding fireworks &amp; alcohol in the area</li></ul>	Recommended that a special ban be in place that includes the Mt. Victoria Lookout and the southern side of Oriental Parade to Pt. Jerningham to deal with this event. However should the event be postponed 5pm to 8am the following day will need to be included as Sunday 5 November 2006 falls outside the liquor ban days and hours.

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<b>EVENT</b>	<b>DATE(S)</b>	<b>HISTORY/ISSUES</b>	<b>RECOMMENDATION</b>
New Years Eve Celebrations	Saturday 31 December 2006	<ul style="list-style-type: none"><li>▪ Large gathering in the city</li><li>▪ Traditionally a time when high levels of disorder occur</li><li>▪ Generally associated with alcohol consumption</li><li>▪ It is a time when widespread public place drinking occurs</li><li>▪ Police plan to have additional staff on the street</li><li>▪ Uncontrolled crowds are a risk to others using the city</li><li>▪ The type of behaviour recorded in previous years compromises city safety</li><li>▪ Groups of people migrate to Oriental Bay Beach to consume liquor</li></ul>	It is recommended that a special ban be placed to include the southern side of Oriental Bay to Pt. Jerningham. The hours are contained within the general liquor ban
International Rugby Sevens	Friday 2 February & Saturday 3 February 2007	<ul style="list-style-type: none"><li>▪ Well controlled at the Stadium</li><li>▪ Most problems with excessive alcohol consumption occurs after the event has finished for the night</li><li>▪ Friday and Saturday Night ban should be sufficient</li><li>▪ Police have no concerns prior to the start of the games</li></ul>	Recommended that no special ban be in place to deal with this event



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<b>EVENT</b>	<b>DATE(S)</b>	<b>HISTORY/ISSUES</b>	<b>RECOMMENDATION</b>
Waitangi Day	Tuesday 6 February 2007	<ul style="list-style-type: none"> <li>▪ This is a time when families often gather and a range of events are being held</li> <li>▪ The events are generally family focussed</li> <li>▪ Minor problems identified resulting from misuse of alcohol</li> </ul>	Recommended that no special ban be in place to deal with this event
X Air Games	Friday 9 February & Saturday 10 February 2007 Waterfront area, Waitangi Park & Lagoon (plus Sunday 11 February 2007 in case of rain)	<ul style="list-style-type: none"> <li>▪ Large gathering of people in the city for this event</li> <li>▪ This was a new event last year</li> <li>▪ Police reported alcohol related concerns at last year's event</li> <li>▪ The event will attract a large number of younger people to a variety of mini venues across the city</li> <li>▪ The event is planned for 2 days with the 3<sup>rd</sup> day set aside as a rain day</li> <li>▪ This year it is to be a paid event</li> </ul>	It is recommended that a special ban be placed across the central area from 8am Saturday 10 February 2007 until 5pm on that day when the general ban begins. However, if Saturday 10 February 2007 is rained out, from 8am on Sunday 11 February 2007 to 6pm that day.

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Cuba Street Carnival	Friday 23 February to Sunday 25 February 2007	<ul style="list-style-type: none"><li>▪ Large gathering of people in the Cuba Character Area for this event</li><li>▪ Special Licences will be applied for to allow the consumption of liquor in controlled areas</li><li>▪ Previous carnivals have shown patrons spill over from licensed areas</li><li>▪ Limiting alcohol consumption outside licensed areas will assist Police &amp; other agencies who are responsible for peoples safety</li><li>▪ Will make it a more family friendly venue</li></ul>	It is recommended that a special ban be put in place from 8am Saturday 24 February until 5pm when the general liquor ban begins in the Cuba Character Area. The definition of the Cuba Character Area is defined by the District Plan as the area bordered by the corner of Dixon and Cuba Streets, Victoria Street up to Webb Street along Webb Street to Taranaki Street. From Taranaki Street to Dixon Street and along to the corner of Victoria Street .

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Dragon Boat Festival	Saturday 10 & Sunday 11 March 2007	<ul style="list-style-type: none"> <li>▪ This is a very large gathering of people in and around Wellington</li> <li>▪ Some Special Licences will be in place while the event is running</li> <li>▪ History suggests that alcohol is often taken outside those controlled areas</li> <li>▪ Problems across the city with displacement from this event</li> </ul>	It is recommended that a special ban be in place on Saturday 10 March 2006 from 8am to 5pm that day when the general ban begins .
St Patrick's Day	Saturday 17 March 2007	<ul style="list-style-type: none"> <li>▪ Traditionally there have been a range of events happening in the city during the day</li> <li>▪ A number of special licenses have been granted in the past</li> <li>▪ These premises are generally well controlled</li> <li>▪ This event was subject to ban during the 2004 festival but there were few problems encountered by the police or other agencies</li> </ul>	It is recommended that a special ban be placed across the central area from 8am on Saturday 17 March 2006 until 5pm on that day when the general ban begins.

### APPENDIX 3

#### THE ORIENTAL BAY RESIDENTS' ASSOCIATION INC.

5A Hay Street  
Oriental Bay  
Wellington  
Tele. 385 6466  
email: [cgblair@xtra.co.nz](mailto:cgblair@xtra.co.nz)  
31 August 2006

Alison Box  
Manager-Public Health  
Wellington City Council

Dear Alison  
Temporary Liquor Ban – Oriental Bay.

I have consulted members of our committee and now respond to your email of 25 August.

As a general policy we would not seek to restrict use of public amenities in our area without very good reason. However you may be aware that there are some local concerns about the adverse impact of the current inner city liquor ban on the level of late night drinking in the vicinity of Oriental Bay beach. That is a matter which we are currently monitoring. With regard to your specific points we comment as follows:

1. Saturday 4 November 2006. We are pleased that our request for a temporary liquor ban has support from Council Officials and the Police. A related issue is that there is a high risk of injury because individuals are letting off their own fireworks in the vicinity of the large crowds watching the organized display. Is it possible to ban private use of fireworks from the popular vantage points before and during the formal display?

2. Sunday 5 November 2006 (day after the official fireworks display). We would not expect significant numbers or liquor problems on this evening and are happy to leave it to Officials and Police to make such decisions as they believe are appropriate for public safety.

3 New Years Eve-Sunday 31 December 2006. Based on past experience we would not seek a liquor ban in our area for this specific night. However if an outdoor liquor ban is to be imposed in the inner city area on New Years Eve then we would support an extension of that ban to our area. Otherwise those celebrating could gravitate out of the inner city to Oriental Bay.

Thanks for your assistance and we look forward to hearing of Council's decisions on these matters.

Yours sincerely

Colin Blair  
President, Oriental Bay Resident's Association.

Appendix 4

