

Whangarei District Council

Liquor Management Bylaw 2011

October 2011

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Whangarei District Council makes this bylaw pursuant to the powers contained in the Local Government Act 2002. This bylaw restricts the consumption, bringing and possession of liquor within the specified areas of the District of Whangarei between specified hours and dates.

1 Short title and commencement

- 1.1 This bylaw may be cited as the Whangarei District Liquor Management Bylaw.
- 1.2 This bylaw is made pursuant to a resolution of the Whangarei District Council on 26 October 2011 and comes into force on 1 December 2011.

2 Interpretation

In this bylaw unless the context otherwise requires

Coast means the line from mean low water springs.

In the case of the Whangarei Harbour, the coast includes the land area downstream of the southern boundary of Mair Park.

In the case of Whangaruru Harbour and the Pataua, Ngunguru and Whananaki estuaries, the coast includes the land area 2 kilometres upstream from the mouths of the harbour or estuaries.

In the case of rivers other than the above harbours or estuaries, the coast includes land whichever is the lesser of:

- i one kilometre upstream from the mouth of the river; or
- ii the point upstream that is calculated by multiplying the width of the river mouth by 5

Council means Whangarei District Council

District means the territory administered by Whangarei District Council

Liquor has the meaning given to it in the Sale of Liquor Act 1989

Public place has the meaning given to it in section 147 of the Local Government Act 2002

3 Prohibition on the consumption, bringing and possession of liquor

3.1 No person shall at any time within the central business District

- i consume liquor in a public place
- ii bring liquor into a public place
- iii possess liquor in a public place

from and including the 1st day of January in any year on every day through to and including the 31st day of December that same year.

3.2 No person shall at any time

3.1.1 Between the mark of low water springs and the mark of mean high water springs, with exception of those areas under management and control by the Department of Conservation

3.1.2 Within 300 metres inland of the mark of mean high water springs along the entire coastline of the District, with exception of those areas under management and control by the Department of Conservation

- a consume liquor in a public place
- b bring liquor into a public place
- c possess liquor in a public place

unless the chief executive officer of Council has granted permission in writing to do so in order to allow special dispensation to allow for special occasions and community events.

3.3 No person shall at any time within the areas detailed in Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 or 12 to this bylaw

- a consume liquor in a public place

- b bring liquor into a public place
- c possess liquor in a public place

from and including the 1st day of January in any year on every day through to and including the 31st day of December that same year.

4 Exceptions

- 4.1 This bylaw does not, in the case of liquor in an unopened bottle or other unopened container, apply to the transport of that liquor from
- a premises that adjoin a public place during any period when, under the Sale of Liquor Act 1989, it is lawful to sell liquor on those premises for consumption off the premises, provided the liquor is promptly removed from the public place
 - b outside a public place for delivery to premises that adjoin the public place, provided the premises are licensed for the sale of liquor under the Sale of Liquor Act 1989
 - c outside a public place to premises that adjoin a public place
 - i by, or for delivery to, a resident of those premises or by his or her bona fide visitors, or
 - ii from those premises to a place outside the public place by a resident of those premises, provided the liquor is promptly removed from the public place.
- 4.2 This bylaw shall not apply to those areas within the District to which the prohibition on the consumption, bringing and possession of liquor in terms of Clause 3 of this bylaw apply which constitute public places but which are areas:
- i of footpath directly outside approved and licensed 'alfresco' dining establishments; and/or
 - ii licensed for the sale and/or consumption of liquor pursuant to the Sale of Liquor Act 1989.

5 Offences

- 5.1 Every person who breaches this bylaw commits an offence.

Schedule of amendments

Date of Council resolution	Clause(s)	Summary of Amendment

Schedule

Liquor ban areas schedule

1 Central business district

Rural/Coastal

2 Marsden village

3 Matapouri

4 Oakura

5 Pataua North and South

6 Waipu

7 Whananaki

Suburban

8 Kamo

9 Onerahi

10 Otaika

11 Otangarei

12 Tikipunga

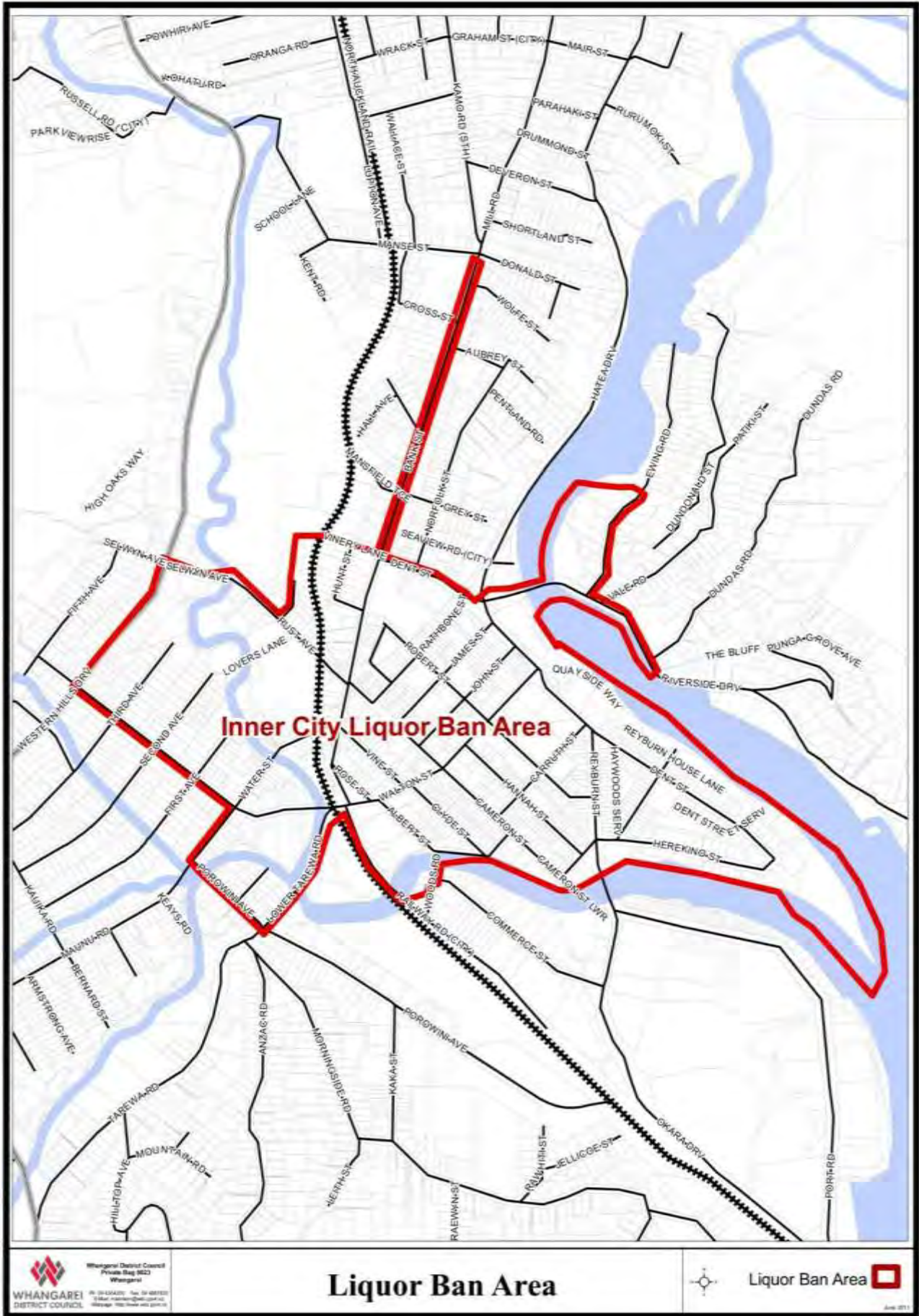
13 Otuihau; Whangarei Falls

Schedule 1

Central Business District

- along James St from its intersection with Dent St to its intersection with Quay St
- along Railway Rd from where it crosses the Waiarohia Stream to its intersection with Walton St
- along Walton St from its intersection with Railway Rd to its intersection with Lower Tarewa Rd
- along Lower Tarewa Rd from its intersection with Walton St to its intersection with Porowini Ave
- along Porowini Ave from its intersection with Lower Tarewa Rd to its intersection with Maunu Rd
- along Maunu Rd from its intersection with Porowini Ave to its intersection with Central Ave
- along Central Ave from its intersection with Maunu Rd to its intersection with Western Hills Dr
- along Western Hills Dr from its intersection with Central Ave to its intersection with Selwyn Ave
- along Selwyn Ave from its intersection with Western Hills Dr to its intersection with Rust Ave
- along Rust Ave from its intersection with Selwyn Ave to its intersection with Bank St including Alexander St
- Dent St from the roundabout at its intersection with Bank St east to its intersection with James St
- east along the northern side of the entrance road to the Ted Elliot/Whangarei District Council pool complex (*Aquatic Centre*) until its intersection with the eastern side of Ewing Rd
- east along Riverside Dr until the intersection of Riverside Dr with the southern side of Dundas Rd
- from the intersection of the northern side of the new bridge crossing the Hatea River across the bridge to the left bank of the Hatea River
- from the intersection of James and Quay Sts along the right bank of the Hatea River to the eastern extremity of Hihiaua Point such being the confluent (*meeting point*) of the Hatea River, Whangarei Harbour and Waiarohia Stream
- north along Bank St from its intersection with Rust Ave to the roundabout at the intersection of Bank and Dent Sts including Vinery Lane and Hunt St
- north along Bank St from the roundabout at its intersection with Dent St to its intersection with Manse St
- north along the left bank of the Hatea River until the intersection of a line parallel with the north side of the road entering the Ted Elliott/Whangarei District Council pool complex (*Aquatic Centre*)
- south along Ewing Rd until the intersection of Ewing Rd with the northern side of Riverside Dr
- south across Riverside Dr from the intersection with the southern side of Dundas Rd until its intersection with the left bank of the Hatea River
- west along the left bank of the Hatea River and over the southernmost bridge over the Hatea River until its intersection with Quay St and James St
- west along the left bank of the Waiarohia Stream including the Reyburn St bridge through to the point where Railway Rd crosses the Waiarohia Stream

and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 2

Marsden Village

- east along Station Rd from its intersection with Te One St and then extending in a direct line from the eastern end of Station Rd down to the mean low water mark on Ruakaka Beach
 - north along Marsden Point Rd until the intersection of Marsden Point Rd with Sime Rd
 - Sime Rd from its intersection with Marsden Point Rd east to its intersection with Te One St
 - South along Te One St from its intersection with Sime Rd to its intersection with Station Rd
 - south from the mean low water mark on Ruakaka Beach which is directly east of the end of Te One St along the line of mean low water to a point directly east of the main Ruakaka Beach vehicle entrance leading from Peter Snell Rd on to Ruakaka Beach
 - west from the point being on the line of mean low water directly east of the vehicle entrance leading from Peter Snell Rd on to Ruakaka Beach to Peter Snell Rd
 - west and north along the entire length of Peter Snell Rd until its intersection with Marsden Point Rd
- and includes all intersections Council owned land (*car parks, parks and reserves*).



Schedule 3

Matapouri

Matapouri Rd from the northern end of the bridge on Matapouri Rd crossing the Wairoa Creek at the intersection of Matapouri Rd and Te Wairoa Rd north of the coast immediately north of the parking area for the Whale Bay Reserve and all land lying between that road and the line of mean low water springs.



Schedule 4

Oakura

- from the intersection of Oakura Bay Rd and Rapata Rd including Rapata Rd and the entire length to the end, including all reserves out to the 300 metre beach liquor ban area
- to the end of Oakura Rd and into Ohawini Rd until it meets the 300 metre beach liquor ban area
- the entire area from the end of Ohawini Rd until it meets the 300 metre beach liquor ban area
- the entire area from the end of Ohawini Rd down to the end of Rapata Rd and all the area east of Oakura Rd including both sides of the following side streets off Oakura Rd; Wharua Rd, Waimarie Rd, Omutu St, Te Kapua St.
- includes both sides of the following side streets off Ohawini Rd; Opau Rd, Motutara Rd, Omahunui Way and Ongutukura Rd

and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 5

Pataua North and South

Pataua North and South means that part of the District that is bounded by

- from the intersection of Mahanga Rd and Pataua South Rd, including Hutchinson Rd, Mahanga Rd, Pataua St and all reserves in that area, including Pataua Island
- from 500 metres north of Pataua North Rd and Aubrey Rd intersection, including the reserve area leading to the footbridge leading over to Pataua South, including Aubrey Rd, Hall Rd, Kaye Rd Te Whangai Heads Rd and all reserves and public places in this area out to the 300 metre beach liquor ban area
- the foot bridge running between Pataua South and Pataua North

and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 6

Waipu

- east along Cove Rd from the intersection of South Rd The Centre, Cove Rd and Nova Scotia to the intersection of Cove Rd with Braemar Lane
- east along The Centre from its intersection with The Braigh to the intersection of The Centre with South Rd
- north along Nova Scotia Dr from its intersection with Cove Rd to the intersection of the driveway to the Ranburn Rest Home with Nova Scotia Dr
- north along South Rd from the intersection of South Rd with the entrance way to the Waipu Bowling Club to the intersection of South Rd with The Centre, Cove Rd and Nova Scotia Dr
- west along The Centre from its intersection with Nova Scotia Dr to the intersection of The Centre with The Braigh
- west from the intersection of Braemar Lane with Cove Rd along Cove Rd to its intersection with Nova Scotia Dr
- south along Nova Scotia Dr from its intersection with the driveway to the Ranburn Rest Home to its intersection with Cove Rd and The Centre
- south along South Rd to the intersection of South Rd with the entrance way to the Waipu Bowling Club and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 7

Whananaki

- all of Rockell Rd including both sides of the road and the side road Matapeko Rd
- both sides of Whananaki North Rd until it runs into Rockell Rd
- from the intersection of Whananaki North Rd and Halvorson Rd, including roadside and reserves
- from the intersection to the harbour end of Whananaki South Rd on the coastal side of the road out to the 300 metre beach liquor ban area
- from the intersection of Whananaki South Rd and Edge Rd to the harbour end of Whananaki South Rd, including both sides of Whananaki South Rd and the side streets Te Ara O Tunua Rd and Pukekawa Rd
- the south side of Whananaki North Rd to where it runs into the harbour
- the coastal side of Rockell Rd out to the 300 metre beach liquor ban area
- the beach reserve area from the head of the harbour on the Whananaki North side to the entrance to the harbour
- the footbridge that runs between Whananaki North Rd and Whananaki South Rd
- or shown delineated on the map attached Schedule 7 (a)

and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 8

Kamo

- Boswell St
- Butler PI from Kamo Rd to the entrance to the Kamo Sports Park
- Clark Rd
- Farmer St
- Grant St
- Griffin St
- Kamo Sports Park
- Kamo Rd from the intersection with Clark Rd to the intersection with Butler PI
- Lillian St
- Meldrum St
- Wakelin St
- Three Mile Bush Rd from Kamo Rd to Ford Ave
- Wilkinson Ave from Kamo Rd to Boswell St

and includes all intersections and Council owned land (*car parks, parks and reserves*).

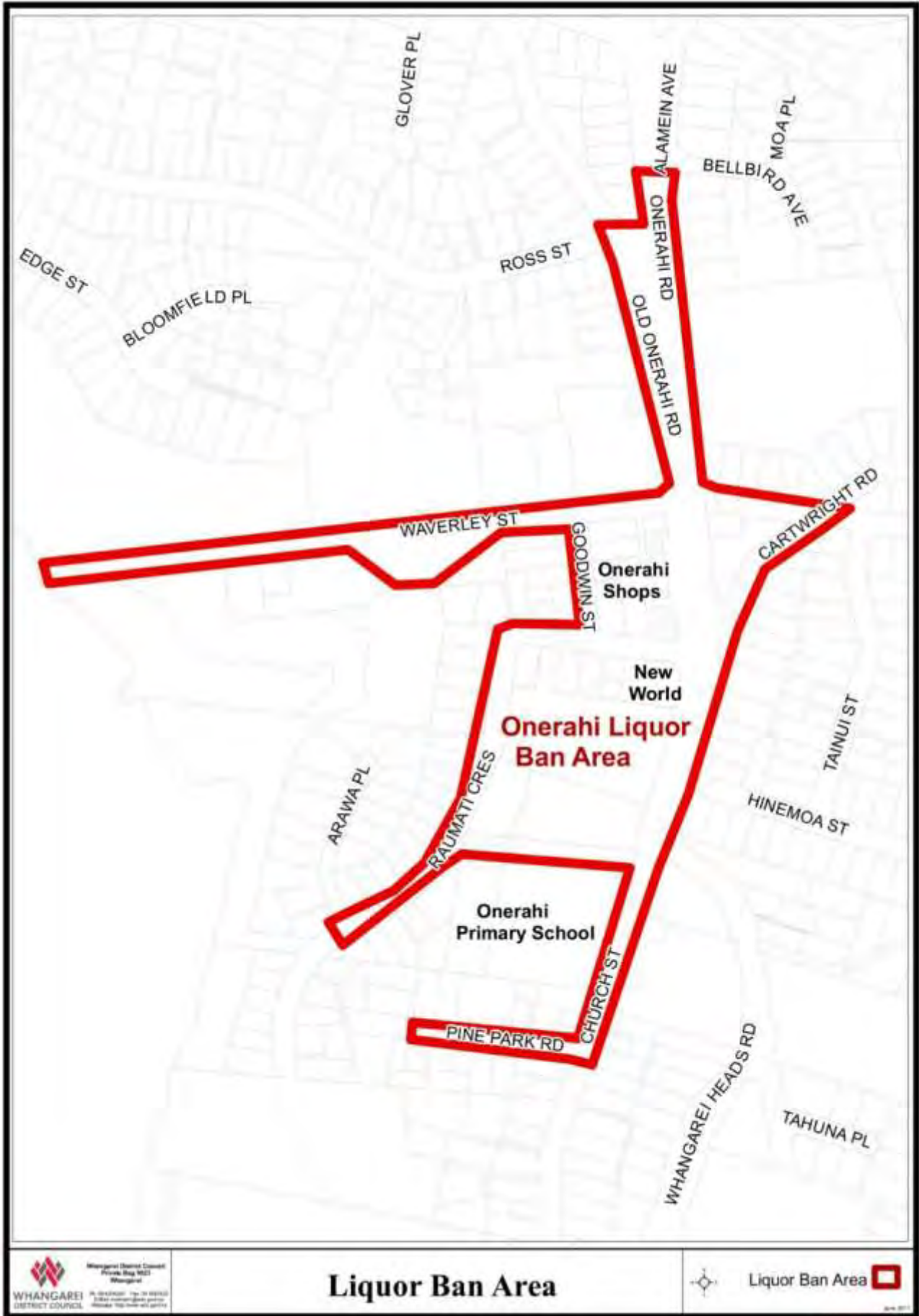


Schedule 9

Onerahi

- Goodwin St
- Pine Park Rd
- Waverley St
- Cartwright Rd from Church Rd to Tainui St
- Church St, from Onerahi Rd to Pine Park Rd
- Old Onerahi Rd from Onerahi Rd to Ross St
- Onerahi Rd from the intersection with Alamein Ave to Church St
- Raumati Cres from Onerahi Rd to Arawa PI
- the car park area adjacent to the Onerahi shops and Onerahi Rd

and includes all intersections and Council owned land (*car parks, parks and reserves*).

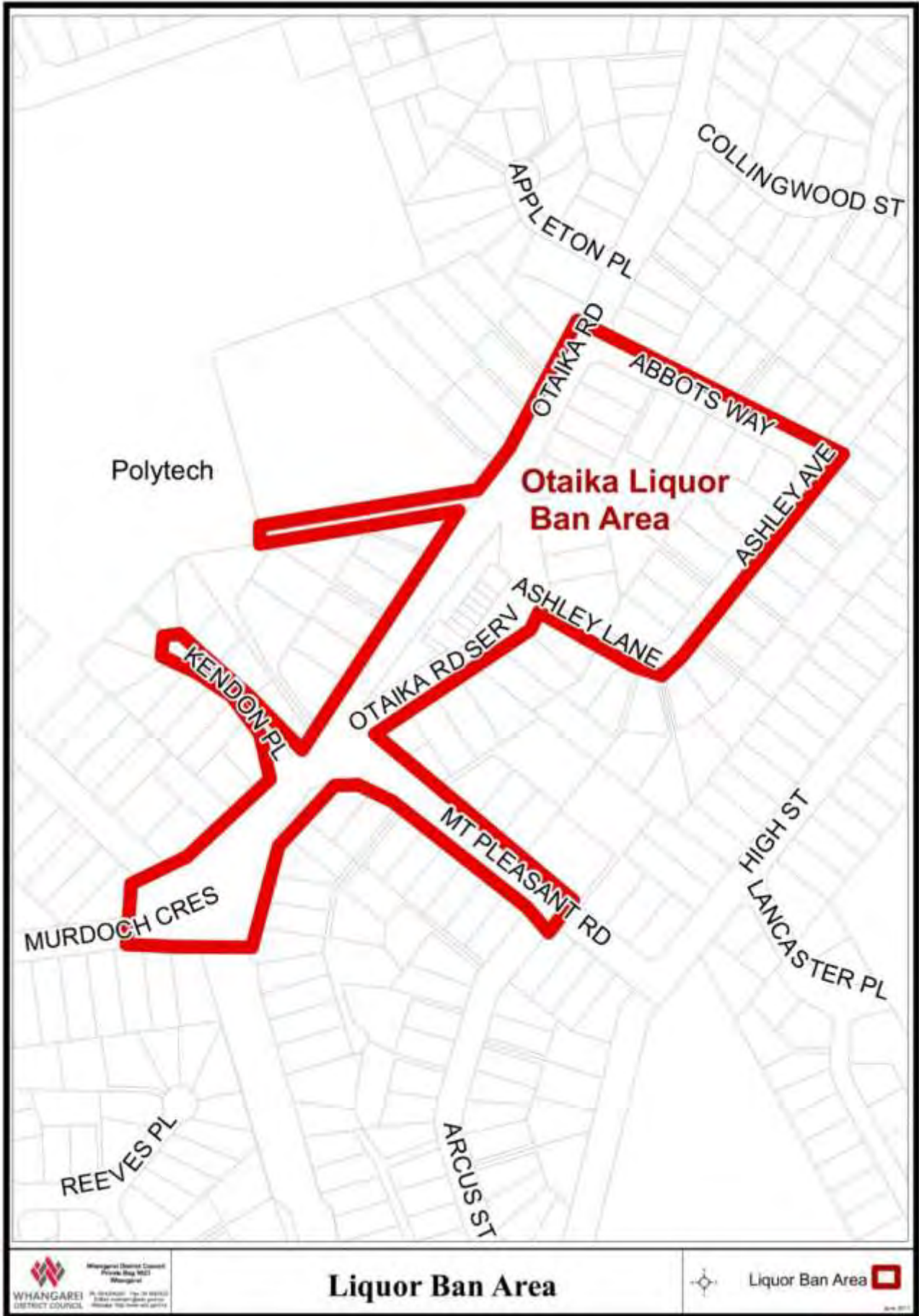


Schedule 10

Otaika

- Abbots Way
- Ashley Ave from Abbots Way south to Ashley Ln including access way.
- Kendon PI walkway from Otaika Rd to Northtec
- Mt Pleasant Rd from Otaika Rd to Arcus St
- Otaika Rd, from Abbots Way to Murdoch Cres
- Otaika Rd Service Ln

and includes all intersections and Council owned land (*car parks, parks and reserves*).

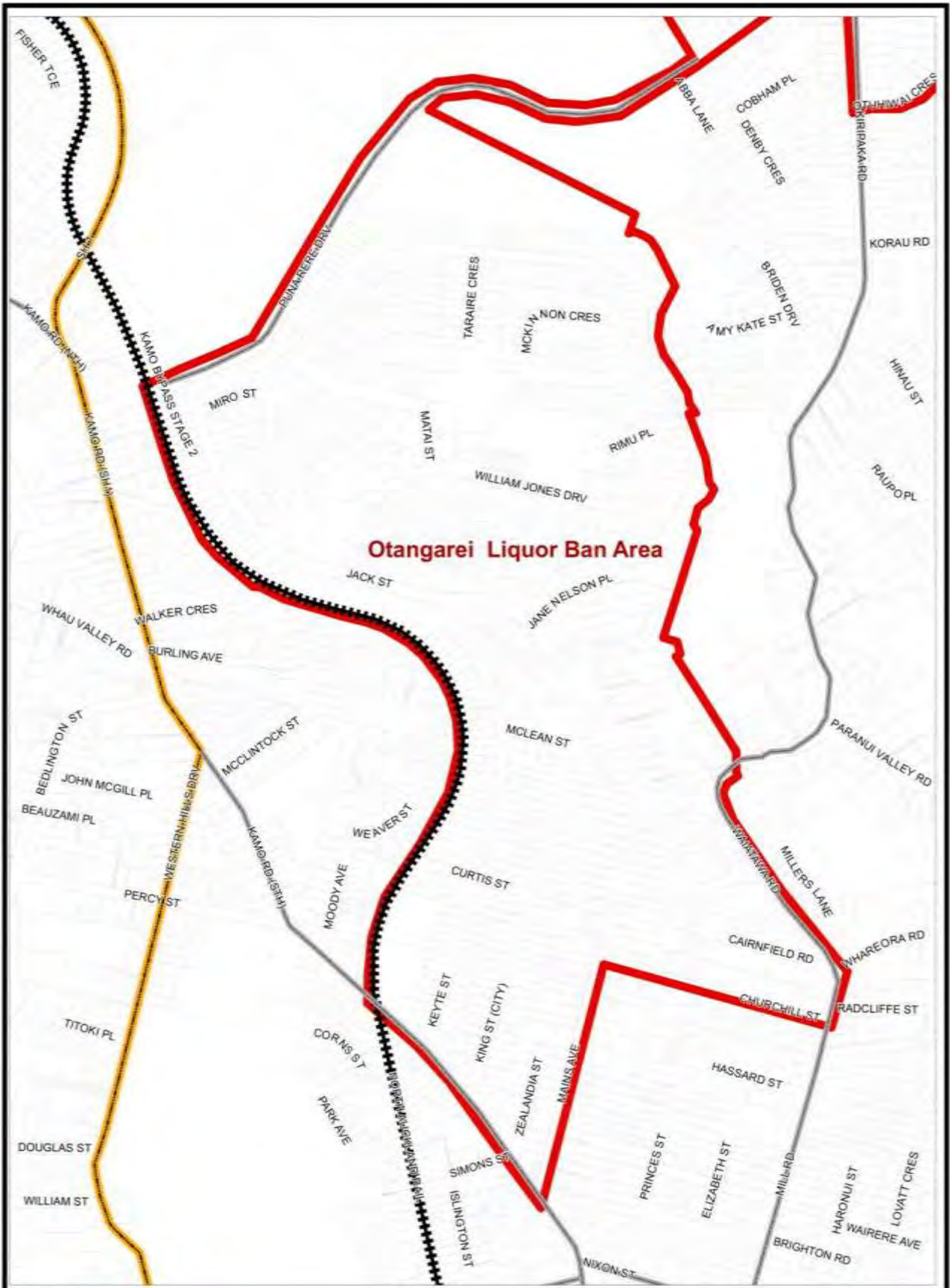


Schedule 11

Otangarei

- Brake Ave
- Cairnfield Rd
- Car park adjacent to the Otangarei shops
- Churchill St
- Curtis St
- Holmes Ave
- Jack St
- Jane Nelson Pl
- Kamo Rd from Mains Ave to the railway line
- Keyte St
- King St
- Mains Ave
- Matai St
- McKinnon Cres
- Miro St
- Otangarei Reserve
- Punarere Dr
- Rata Pl
- Rimu Pl
- Taraire Cres
- Tawa Pl
- Waitatawa Rd from Churchill St to Brewery Bridge Rd
- William Jones Dr
- Zealandia St

and includes all intersections and Council owned land (*car parks, parks and reserves*).



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Liquor Ban Area

Liquor Ban Area

Schedule 12

Tikipunga

Paramount Parade from the Whangarei District Council property occupied by the library (Lot 1 DP 61429) to the intersection with Kiripaka Rd.

From the north western boundary of Lot 1 DP 61429 to the western end of Wanaka St, including the Whangarei District Council property occupied by the library (Lot 1 DP 61429)

- Coleridge PI
- Denby Cres from Spedding Rd
- Kiripaka Rd from the intersection with Otuhawai Cres to Spedding Rd
- Maryland PI
- Otuhawai Cres
- Spedding Rd from Denby Cres to Heretaunga St
- Tania PI
- Wanaka St

and includes all intersections and Council owned land (*car parks, parks and reserves*).



Schedule 13

Otuihau, Whangarei Falls

- The Hatea River, from Kiripaka Road to the south eastern boundary of A Lot 48PSH
- A Lot 49 PSH
- Lot 24 DP 100283
- Lot 2 DP 162194
- A Lot 48 PSH
- Lot 1 Deed

Includes all land and river area within the area in the map as indicated in red.

