

# STATEMENT OF PROPOSAL

## Proposed Amendments to the Public Places Bylaw 2017



### Introduction

South Waikato District Council (“Council”) is proposing amendments to its existing Public Places Bylaw 2017 (“the Bylaw”) and is seeking your views on the proposed amendments.

Recent issues have been brought to Council’s attention involving various activities that have been occurring within Council sportsgrounds in the district, relating to alcohol, littering and antisocial behaviour.

It is Council’s view that the most effective option identified to deal with this behaviour is to extend the current Alcohol Prohibited areas to include all reserves used for sporting purposes in the district.

This Statement of Proposal has been prepared in accordance with the Local Government Act 2002 (“the LGA”) and includes:

- (a) The draft of the proposed amendments to the Public Places Bylaw 2017
- (b) The reasons for the proposal; and
- (c) A report on the relevant determinations by Council under s155 of the LGA (Public Places Bylaw Review Reports dated 28 June 2021 and 19 August 2021).

## What is the Bylaw?

The Bylaw was first adopted by Council in June 2011 and subsequently fully reviewed in 2017.

The purpose of the Bylaw is to control and manage a wide range of activities within public places.

Council is responsible for maintaining public places and this Bylaw seeks to ensure the public can continue to use and enjoy public places in going about their everyday business.

The Local Government Act 2002 gives the authority to create bylaws to protect the public from nuisance, maintain public health and safety in public places and to minimise the potential for anti-social behaviours to occur in public places under the control of Council.

## What issues have we identified with the existing Bylaw?

Council has been advised that anti-social behaviour has been occurring at various sportsgrounds in the district, particularly at the Tokoroa War Memorial Sportsground. The issues noted have been the significant amount of empty alcohol bottles, some broken, and empty nitrous oxide canisters found.

Rubbish has also been strewn around causing extra cost to remove this litter which is unacceptable. The alcohol bottles and cans must be treated as contaminated and therefore are not recyclable.

Also, alcohol was a contributing factor in a brawl last year at the Tokoroa War Memorial Sportsground's Oval field involving players and spectators. This behaviour is unacceptable.

Staff have raised these issues with local sports clubs and event organisers to provide some control over these activities and their concerns have also been shared with Police. A total liquor ban is supported by Police and amendments to the Bylaw will give Police more power to enforce.

Elected Members have directed staff to include this prohibition at all reserves used for sporting purposes in the district as a means to controlling these issues.

## What Council proposes to change?

The proposed amendments, and the reasons for each change, are identified below:

<b>Bylaw Provision number</b>	<b>New objective added</b>	<b>Reasons for Proposed Changes</b>
1. Objective	Council has the right to ask Police to enforce the prohibition of Gang Insignia in Government Premises Act 2013, that also applies to local authority premises.	To inform the public of the Act and that the Act can be applied to Council premises.
	<b>Add clause</b>	
5. Definitions	Add "e" Conduct or activity that is likely to be regarded as intimidatory in nature and thereby cause unreasonable interference with the peace, comfort or convenience of a reasonable person in the circumstances in which it occurs.	Giving Police more power under the bylaw to enforce.

<p>9.2 Schedule 2 – prohibited areas for alcohol</p>	<p>Add clause ‘9.2.3– The ‘Prohibited Areas’ - All those public places bounded by and including:</p> <ul style="list-style-type: none"> <li>• Tokoroa War Memorial Sportsground/David Foote Park</li> <li>• Strathmore Park</li> <li>• Glenshea Memorial Park</li> <li>• Totara Park</li> <li>• Te Waihou Walkway due to cultural significance</li> <li>• Te Waihou Walkway Carpark – Leslie Road</li> </ul> <p>As defined on Map 3 and Map 4 labelled Alcohol Prohibited Area – Reserves attached to this schedule.</p>	<ul style="list-style-type: none"> <li>• To effectively address the amount of alcohol being brought into sports fields, and risk of resultant unsocial behaviour</li> <li>• To better ensure a safer environment for users of these locations</li> <li>• To lessen the amount of contaminated litter.</li> <li>• To rectify the omission of a map of the Te Waihou Walkway into the Bylaw with the Walkway already listed as a Prohibited Alcohol Area in the Bylaw.</li> </ul>
	<p><b>Amend Clauses</b></p>	
<p>6.1 Public Safety and Nuisances</p>	<p>s) Allow gravel to move from private property onto any public <b>footpath</b> or road that <b>may therefore become</b> hazardous or injurious to any person.</p>	<p>To cover the occurrence of gravel from privately owned driveways spreading onto public footpaths.</p>
<p>6.24 Animals in public places</p>	<p>6.24.2 No horse shall be ridden or led in any area defined in Schedule 7 of this bylaw or on any urban or residential recreational, <b>scenic, historical or local purpose</b> reserve or public place in the district without the prior permission of an Authorised Officer.</p>	<p>To clarify the rule should apply to all recreational reserves regardless of location and should also be applied to all other reserve classifications defined within the Reserves Act.</p>
<p>6.24 Animals in public places</p>	<p>6.24.6 Notwithstanding the above clause 6.24.2 horses may be ridden on an urban recreational, <b>or local purpose</b> reserve during an event if authorised by Council.</p>	<p>There may be some occasions when an event may also be held on Local Purpose reserves.</p>

The majority of the existing Bylaw will be carried over without change.

## Have Your Say

Council wants to hear your views on the proposed amendments to the Public Places Bylaw 2017 before decisions are made. Anyone can give feedback on the proposal, including individuals, organisations and businesses.

**The submission period is open from 9am on Wednesday 16 March 2022 to 5.00pm on Monday 18 April 2022.**

You can give feedback by:

- \* Completing an online submission form at <https://www.southwaikato.govt.nz/our-council/community-engagement>
- \* Completing a hard copy submission form.

Copies of the submission form, proposed Public Places Bylaw and Statement of Proposal are available on the website (<https://www.southwaikato.govt.nz/our-council/community-engagement>) or hard copies can be viewed at the South Waikato District Council offices in Tokoroa and Putaruru, as well as the Tirau i-Site.

Submissions can be:

<b>Posted to:</b>	Public Places Bylaw Consultation South Waikato District Council Private Bag 7 Tokoroa 3444
<b>Delivered to:</b>	South Waikato District Council Torphin Crescent, Tokoroa; or 2 Overdale Street (Jim Howland Centre), Putaruru; or Tirau i-Site, Main Road, Tirau
<b>Emailed to:</b>	<a href="mailto:info@southwaikato.govt.nz">info@southwaikato.govt.nz</a>

The submission form must contain the submitter's name, address, contact telephone number and/or email address. Submissions must be in writing and contain the information shown in the submission form if that form is not used.

All submissions will be made public and will be available on the Council's website.

Hearings will be held if submitters wish to be heard. Those submitters wishing to be heard will be informed of the dates and locations of the hearing after the submission period has closed.

There will be no right to appeal once the decisions have been made.

No feedback is being sought on other aspects of the Public Places Bylaw as they will remain unchanged.