

DRAFT ALCOHOL CONTROL BYLAW 2026



Alcohol Control Bylaw 2026

Approved by:	The Council		
Date approved:	TBC		
Date of effect:	TBC	Reviewed:	December 2016, Month 2026
Next review date:	Month 2036	DOC ID:	

This bylaw is made by the Dunedin City Council under the Local Government Act 2002.

Explanatory note: This bylaw has been assessed for consistency with the principles of responsible regulation in section 9 of the Regulatory Standards Act 2025. See the Dunedin City Council's Consistency Accountability Statement and Summary of Underpinning Analysis at www.dunedin.govt.nz/regulatory-analysis-documents

1 SHORT TITLE

- 1.1 This bylaw is the Dunedin City Council Alcohol Control Bylaw 2026.

2 PURPOSE

- 2.1 The purpose of this bylaw is to reduce or prevent alcohol-related crime or disorder in public places by prohibiting, regulating and controlling: the consumption of alcohol in public places; the bringing of alcohol into public places; and the possession of alcohol in public places.

3 DEFINITIONS

- 3.1 In this bylaw, unless the context otherwise requires:

Act	Means the Local Government Act 2002.
Alcohol	Has the same meaning as in s 5(1) of the Sale and Supply of Alcohol Act 2012.
Council	Means the Dunedin City Council, or any person delegated or authorised to act on its behalf.
Offence	Means an infringement offence under section 239A of the Act that is a breach of this Bylaw.
Public place	Has the same meaning as in section 147 of the Act.
Specified period	Means a period described in Schedule A.
Specified restricted place	Means a public place described in Schedule B.

4 EXPLANATORY NOTES

- 4.1 Explanatory notes are not part of this bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to a change and need to be updated before the bylaw itself has to be updated.

5 ALCOHOL PROHIBITION

- 5.1 A person must not:

- bring alcohol into; or
- possess alcohol in; or
- consume alcohol in

any specified restricted place during a specified period.

- 5.2 A person must not possess or consume alcohol in a vehicle in any specified restricted place during a specified period.

6 EXEMPTIONS

6.1 Taking alcohol to or from licensed premises

This bylaw does not prohibit, regulate or control the transport of alcohol in an unopened bottle or other unopened container:

- a) From licensed premises next to a specified restricted place where the alcohol was lawfully purchased from the licensed premises for off-site consumption, provided the alcohol is promptly removed from the specified restricted place.
- b) For delivery into licensed premises that are next to a specified restricted place.

6.2 Taking alcohol to or from other premises

This bylaw does not prohibit, regulate, or control the transport of alcohol in an unopened bottle or other unopened container:

- a) From outside a specified restricted place to premises next to the specified restricted place, or for delivery to, a resident of those premises or their bona fide visitors.
- b) from premises next to a specified restricted place to a location outside the specified restricted place, if undertaken by a resident of those premises and the alcohol is promptly removed.

6.3 Licensed premises

This bylaw does not prohibit the possession or consumption of alcohol in a permitted outdoor dining or pavement area that forms part of licensed premises.

6.4 Special licences

Nothing in this bylaw prevents a person or organisation from obtaining a special licence under section 64 of the Sale and Supply of Alcohol Act 2012 for any event held in a specified restricted place.

Explanatory note: The prohibitions applying to specified restricted places in this bylaw do not apply to any premises which hold a current alcohol licence issued under the Sale and Supply of Alcohol Act 2012, including special licences issued under that Act.

7 COUNCIL RESOLUTIONS FOR RESTRICTED PLACES AND PERIODS

7.1 Amendment of specified restricted places and specified periods

The Council may amend this bylaw in accordance with s 156 of the Act, to:

- a) Amend or remove the specified period in Schedule A during which restrictions apply to a specified restricted place
- b) Add, amend or remove public places to Schedule B.

Explanatory note: The Council must follow the process in section 147A of the Act in relation to any new places or periods to be added to the Schedules.

7.2 Temporary alcohol bans for planned events

The Council may, by resolution, make a temporary alcohol ban specifying the periods and public places during which the bringing, possession or consumption of alcohol is prohibited in connection with a planned public event, function or social gathering.

The Council may also prohibit the presence or use of alcohol in any vehicle in the affected public place for the duration of the event.

Explanatory note: A resolution under clause 7.2 is subject to the requirements of section 147B of the Local Government Act 2002. This requires that before a resolution is made under this bylaw, Council must be satisfied that:

- a) *There is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and*
- b) *The bylaw, as applied by the resolution:*
 - i. *Is appropriate and proportionate in the light of the evidence; and*
 - ii. *Can be justified as a reasonable limitation on people's rights and freedoms.*

Where possible, the Council's public notice and/or information on its website following a resolution under this clause will include a map of the temporary alcohol ban area.

7.3 Public notice of resolution

The Council must give public notice of any resolution made under clause 7.2 and, where it is practicable and reasonable to do so, by street signage in or adjacent to the specified restricted place at least 14 days before the restriction takes effect.

8 POWERS OF ARREST, SEARCH AND SEIZURE

8.1 Powers of the Police

- a) This clause authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act, for the purposes of section 170(2) of the Act, in relation to any temporary alcohol ban area made by resolution of the Council under clause 7.2.
- b) The powers of search can be exercised by the Police immediately and without further notice, but only if the resolution declaring a temporary alcohol ban provides that clause 8.1(a) of this bylaw applies.

Explanatory note: Police must give the appropriate warning and opportunity under s170(1) of the Act before exercising the power of search. The powers of search given to the Police in section 169 of the Act also apply to the prohibitions in clause 5 of this bylaw.

9 OFFENCES

- 9.1 Every person who breaches this bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and be liable to pay an infringement fee.

Explanatory note: Under the Local Government (Alcohol Ban Breaches) Regulations 2013, the current infringement fee payable for a breach of this bylaw is \$250.

10 REVOCATION

The Dunedin City Council Alcohol (Control of Alcohol in Public Places) Bylaw 2004, reviewed and amended in December 2016, is revoked and replaced by this bylaw.

ADDITIONAL INFORMATION TO THE ALCOHOL CONTROL BYLAW 2026

This additional information does not form part of the bylaw. It contains information to help users understand, use and maintain the bylaw. This information may be updated at any time.

Relevant Legislation:	Local Government Act 2002 Sale and Supply of Alcohol Act 2012
Associated Documents:	Local Alcohol Policy
History of bylaw:	Made in 2004 Came into effect 8 July 2004 Reviewed December 2016

	Reviewed xx 2026 with the 2004 bylaw being revoked and replaced with the Alcohol Bylaw 2026.
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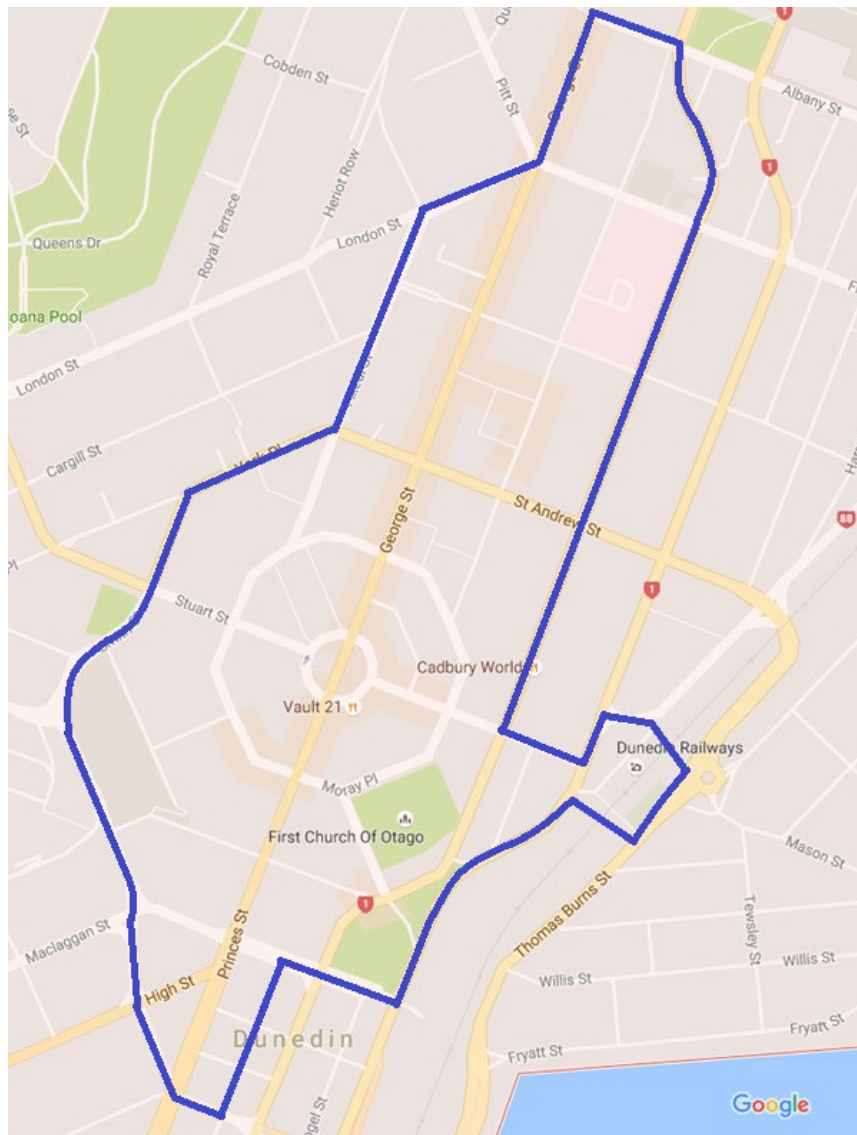
SCHEDULE A – SPECIFIED PERIOD

At any time of any day.

SCHEDULE B – SPECIFIED RESTRICTED PLACES

Central city area: George Street between The Octagon and Albany Street, Princes Street between The Octagon and Jetty Street and all public places including streets, shared pathways, service lanes, lanes, footpaths, carparks and reserves (including The Octagon, Exchange, Queens Gardens, Railway Station and the grounds of First Church) within the areas bounded by, and including both sides of:

- Filleul, London and George Streets; and
- Albany, Malcolm and Cumberland Streets; and
- Lower Stuart Street to the Railway Station; and
- Queens Gardens (east), High and Rattray Streets; and
- Bond, Jetty and Manse Streets; and
- Broadway and Rattray Street; and
- Smith Street and York Place to Filleul Street; and
- The skateboard park situated at Thomas Burns Street.



Logan Park sports hub area

The area encompassed by Albany Street, Riego Street, Harbour Terrace and Dundas Street, Butts Road, Union Street, State Highway 88 and ANZAC Avenue back to Albany Street (depicted in the map below).

