

Prohibition of Liquor

Wakefield Volunteer Brigade Annual Fireworks Display

RECOMMENDATION

The Tasman District Council (herein after referred to as the Council) hereby gives notice pursuant to Section 7.1 of the Control of Liquor in Public Places Bylaw that it has resolved:

That between the hours of 4.00 pm on Saturday 21 October 2006 and 6.00 am Sunday 22 October 2006, during the annual Wakefield Volunteer Brigade Fireworks Display, the following specified public places will be subject to a prohibition of the consumption and possession of intoxicating liquor as described hereunder:

A DESCRIPTION OF THE SPECIFIED PUBLIC PLACES:

- (i) The whole of the area known as the Wakefield Recreation Reserve.
- (ii) The whole of the area known as Faulkner Bush Reserve.
- (iii) The part of State Highway 6 adjoining the Wakefield Recreation Reserve and the Faulkner Bush Reserve.

B ACTS PROHIBITED IN THE SPECIFIED PUBLIC PLACES:

- (i) The consumption or possession or both of liquor in, or the bringing of liquor into the specified public places.

C EXEMPTION

The resolution does not prohibit:

The carriage of intoxicating liquor in vehicles passing through the part of State Highway 6 adjoining the Wakefield Recreation Reserve and the Faulkner Bush Reserve.

D POWERS OF THE POLICE:

A member of the police may, without warrant,—

- (a) For the purpose of ascertaining whether liquor is present, search
 - (i) A container (for example, a parcel, package, bag, or case) in the possession of a person who is in, or entering, a public place:
 - (ii) A vehicle that is in, or is entering, a public place:
- (b) Seize and remove liquor and its container if the liquor is in a public place in breach of a bylaw:

- (c) Arrest a person whom the member of the police finds committing an offence:
- (d) Arrest a person who has refused to comply with a request by a member of the police:
 - (i) to leave the public place; or
 - (ii) to surrender to a member of the police the liquor that, in breach of a bylaw, is in that person's possession.

E CONDITIONS RELATING TO POWER OF SEARCH

- (i) Before exercising the power of search under section 169(2)(a) in relation to a container or a vehicle, a member of the police must:
 - (a) Inform the person in possession of the container or the vehicle, as the case may be, that he or she has the opportunity of removing the container or the vehicle from the public place; and
 - (b) Provide the person with a reasonable opportunity to remove the liquor or the vehicle, as the case may be, from the public place.

F DEFINITION

In this notice "Intoxicating liquor" has the meaning given to it in the Sale of Liquor Act 1989.