



New Plymouth District Council Bylaw 2008

Recreation and Cultural Facilities

The purpose of this part of the bylaw is to facilitate the full and proper use and enjoyment by the public of the recreation and cultural facilities provided by the council.



NEW PLYMOUTH DISTRICT COUNCIL
newplymouthnz.com

1. Authority

- 1.1 This part is made under sections 145 and 146 of the Local Government Act 2002.

2. Purpose

- 2.1 The purpose of this part is to facilitate the full and proper use and enjoyment by the public of the recreation and cultural facilities provided by the council.

3. Interpretation

- 3.1 This part shall be in addition to the provisions of Part 1 Introductory and if this part is inconsistent with Part 1 Introductory then the provisions of this part shall prevail.

- 3.2 This part shall be in addition to the provisions of Part 5 Public Places New Plymouth District Council Bylaw 2008, because recreation and cultural facilities are by definition public places.

- 3.3 In this part unless the context otherwise requires:

Definitions

Art gallery means any art gallery established and administered by the council for use by the public and includes every portion of a building used in connection with an art gallery or for purposes in connection with the art gallery.

Facility:

- a) Means any library, swimming pool, art gallery, museum, theatre or stadium under council control or any building on reserve land administered by the council; and
- b) Includes any enclosed public place to which the council is able to physically control the admittance of the public; and
- c) Notwithstanding (a) includes the TSB Bowl of Brooklands and TSB Showplace.

Library means any library established and carried on for the time being by the council for use by the public, and includes:

- a) Every portion of any building used as a library or for purposes in connection with the library; and
- b) A mobile library.

Manager means any person who manages a facility on behalf of the council.

Museum means any museum established and administered by the council for use by the public and includes every portion of a building used as a museum or for purposes in connection with the museum.

Rules mean any rules that are made by the council by resolution under clause 4.1 of this part.

Swimming pool means any swimming pool under the control for the time being of the council for use by the public and includes every portion of any premises used in connection with a swimming pool or for purposes in connection with the swimming pool.

4. The council may make rules relating to facilities

- 4.1** The council may, from time to time, by resolution, make rules that apply to one or more facilities that:
- a) Regulate, control or prohibit the use of any facility by any person.
 - b) Provide for the management of any facility.
 - c) Provide for the maintenance of good order and behaviour while any person is in or using a facility.
- 4.2** As soon as practicable after the council has made rules for any particular facility or facilities, the council or the manager, as the case may be, will post the rules that apply in relation to that facility or facilities in a visible place as near as is reasonably practical to the entrance to that facility or facilities.

Facility rules

Rules to be posted at facility

5. Refusal to grant admittance to, or expulsion from, a facility

- 5.1** The manager of a facility or an authorised officer may refuse admittance to a facility or any person who is behaving in a disorderly manner or does not accept the application of the rules applying to that facility.
- 5.2** The manager of a facility or an authorised officer may require any person who is not complying with the rules applying to that facility or is otherwise behaving in a disorderly or an unlawful manner in or on the facility, to leave the facility immediately.
- 5.3** Any person who refuses to leave a facility after being required to do so under clause 5.2 breaches this part and commits an offence.

Manager's powers

Disorderly person will be asked to leave

6. General exclusion from facility

- 6.1** If, in the opinion of the manager of a facility or an authorised officer, a person has breached this part or any rules that apply to that facility, or has otherwise behaved in a disorderly or an unlawful manner in or on the facility, the manager may exclude that person from the facility for such time as the manager determines.
- 6.2** The manager or an authorised officer may exclude a person under clause 6.1 by giving notice to the individual person concerned either orally, or in writing delivered to him or her or sent to him or her by post in a registered letter at his usual place of abode in New Zealand.
- 6.3** Any person who being excluded from a facility under clause 6.1 and is found in or on that facility breaches this part and commits an offence.

Rules on expulsion or exclusion from venue

Notice

7. Application of other laws

- 7.1** Nothing in this part limits the application of any other law (for example, and without limitation, the Trespass Act 1980 or the Summary Offences Act 1981).

APPENDIX 1

This appendix is for information purposes only. This appendix is not part of the New Plymouth District Council Bylaw 2008.

Conditions of Entry - Todd Energy Aquatic Centre and the District's Pools

1. Smoking is not permitted anywhere in the district's swimming pools. Our venues are all smoke free.
2. Children under eight years old must be actively supervised by a parent or caregiver 16 years of age or over.
3. Children under 5 years must be within arms reach of a parent or caregiver 16 years of age or over.
4. Glass is not permitted in the swimming pool complex unless prior permission has been given for a special event. In that case glass may be allowed only in specified areas.
5. Alcohol is not permitted to be brought into the facility unless the manager has given prior permission for an event.
6. Swimmers must wear recognised swimwear.
7. Anti social behaviour such as fighting, swearing, stealing and bullying is not permitted and will result in expulsion from the complex.
8. Any person with a communicable condition or disease is not permitted to use the swimming pools.

APPENDIX 2

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Conditions of Entry - Puke Ariki and the District's Libraries

We strive to make Puke Ariki and the district's libraries welcoming places for everyone.

To assist us, we ask that within Puke Ariki or any library that you do not:

- Access any inappropriate material from a public internet terminal.
- Disturb library visitors or staff by creating a nuisance or behaving in a threatening manner towards any other person.
- Remain within the building after closing time or after having been being asked to leave.
- Consume alcohol without the permission of an authorised officer.

We ask that you refrain from consuming food and beverages, unless you are at a function or visiting the café or restaurant at Puke Ariki.

No animals are permitted within Puke Ariki and the district's libraries, except guide or hearing dogs.

APPENDIX 3

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Conditions of entry - Govett-Brewster Art Gallery

1. No photography is permitted within the gallery premises, including cameras, digital camera and PIXT capable mobile phones, unless permission is obtained from the Director, Govett-Brewster Art Gallery.
2. Food and drink is prohibited in the galleries including sweets, chewing gum and water bottles unless permission is obtained from the Director, Govett-Brewster Art Gallery. Customers must either finish food and drinks in the foyer or leave items at reception.
3. No large bags or backpacks may be taken within the gallery premises. These can be left at reception.
4. No animals are permitted within the gallery premises, except guide or hearing dogs.
5. The gallery reserves the right to close sections of the gallery at any time.
6. No visitor or contractor shall enter any unauthorised area unless:
 - a) Accompanied by a staff member, and
 - b) Having signed the visitor/contractor book at reception.
7. Contractors must be authorised by the director or the administration officer to commence work in any area of the gallery

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Conditions of Entry - Yarrow Stadium

('Stadium' means all land and buildings within Yarrow Stadium)

Entry to the stadium is conditional upon compliance with the Yarrow Stadium Conditions of Entry.

Stadium hirers or promoters may be permitted by the stadium manager to impose additional conditions for individual events which shall be notified in various ways, e.g. through a relevant website, via ticketing terms and conditions, at point of entry, etc.

Patron and Bag Searches

- All patrons and their possessions may be searched before being permitted to enter the stadium.
- Searches may also be carried out during an event and on leaving the stadium.
- Patrons who refuse to participate in searches may be denied entry to the stadium or may be required to leave the stadium.
- Prohibited items will be confiscated.

Stadium Entry

Patrons may be refused entry to the stadium if they:

- Have no valid ticket or accreditation pass.
- Attempt to bring in prohibited items.
- Appear intoxicated or under the influence of drugs.
- Fail to comply with stadium and event staff requests.

Patrons may be required to leave the stadium if they:

- Enter or attempt to enter the field of play.
- Throw objects onto the field of play.
- Are in possession of prohibited items.
- Appear intoxicated or under the influence of drugs.
- Hamper or impede the conduct of the event or interfere, or attempt to interfere, with any stadium and event staff in the performance of their duties.
- Breach any of the bylaws or enactments applicable to the stadium and the event.
- Engage in conduct that the stadium and event staff, in their absolute discretion, determine may unreasonably interfere with the enjoyment of the event by other patrons, including fighting, throwing objects, indecent exposure, using obscene, racist or foul language or otherwise behaving in an offensive or disorderly manner.

Health, Safety and Security

- Smoking is prohibited in ALL internal areas in the stadium.
- The stadium is promoted as a smoke-free environment – please refrain from smoking in ALL areas of the stadium.

- For the safety and security of patrons, surveillance cameras are in use throughout the stadium, the recordings of which may be used in any legal proceedings.
- Patrons must not sit or stand in aisles or block entry doors or emergency exits
- Children under the age of 14 must be supervised by an accompanying adult at all times.
- In the unlikely event of an emergency, patrons must follow the directions of the stadium and event staff.
- When using the stadium, patrons must take all practicable steps to ensure their own safety and that their conduct does not jeopardise the safety of others

General

- No alcohol is to be removed from the stadium.
- Prams, strollers and pushchairs are permitted ONLY at National Provincial Cup games.
- Patrons are responsible for their personal possessions at all times.
- To the maximum extent permitted by law, neither the stadium owner, the stadium manager, the event owner nor the organiser shall be liable in any way, including negligence, for any personal loss, injury or harm or damage to a patron's property arising from, in connection with or occurring during a patron's attendance at the stadium.

Prohibited Items

The ticket holder is forbidden from taking any of the following items into the venue:

- Alcohol.
- Commercially produced takeaway food items such as McDonald's, KFC, Subway, pizza, Burger King, etc.
- Beverages other than water in sealed clear plastic bottles up to 1L in size.
- Glassware, glass bottles, thermos flasks or other breakable containers.
- Banners, placards, flags or poles of more than 1m in length for displaying the same, or material for the construction or assembly of such articles.
- Banners, signs, clothing or any other items that the stadium and event staff determine, in their absolute discretion, to be racist, abusive or otherwise offensive.
- Any article which is likely to injure or annoy other persons, including chemical substances which give off noxious fumes or smoke; illegal drugs; knives; weapons and items that resemble or may be used as weapons; loud hailers; compressed gas containers and aerosols
- Goods intended for sale (if no written permit is held from the event organiser).
- Flares, fireworks, laser lights/pointers and smoke bombs.
- Animals with the exception of assistance dogs (seeing eye dogs, hearing dogs, mobility dogs) – proof of identification will be required.
- Chairs, stools or furniture of any kind.
- Hard cool boxes, chilly bins, picnic baskets and large bags – bags must be soft-sided and no larger than 35cm high x 40cm wide x 25cm long.
- Cycles, roller blades, skateboards, scooters or other such wheeled recreational devices.
- Cameras, video recorders, tape recorders and other recording devices (pocket cameras and mobile phones are permitted for NON-COMMERCIAL USE ONLY).

- Any other item that the stadium and event staff, in their absolute discretion, determine may cause injury, public nuisance or inconvenience to any other person.

Patrons who breach these conditions of entry may not be permitted to enter or remain in the stadium. Patrons who attempt to enter or who remain in the stadium after being warned to leave risk arrest and prosecution for an offence under the Trespass Act 1980, the penalty for which is a maximum fine of \$1,000 or a maximum term of imprisonment of three months and also prosecution for a breach of the New Plymouth District Council Bylaw 2008.

Patrons may bring the following food and drink items into the venue:

- Sealed clear plastic water bottle (must not be branded) up to 1L in size.
- Small amounts of non-commercial food for personal consumption, such as sandwiches or fruit.
- Contained in one small bag per ticket holder.
- Bag must be soft-sided and fit under your seat.