

Skateboarding in New Brighton & Bylaws

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Request

I'm just checking what the rules are around skateboarding in New Brighton, especially on the pier and in the mall.

A local resident, told me she was stopped by security while skating on the pier, even though she's done it many times before without any issues. She also noticed the mall is marked as skateboard-free, which feels a bit at odds with the skate and surf culture in the area.

From what I can see online, the Public Places bylaw allows skateboarding and similar activities on roads and footpaths as long as it's done carefully, at a safe speed, and skaters give way to pedestrians. In other words, skating is generally permitted unless it causes a nuisance or there is signage to the contrary. I couldn't find anything that specifically mentions New Brighton, the pier, or the mall.

Could you confirm if there are particular rules for the pier or the mall, and how these are meant to be applied? Also, are security patrols briefed on these rules? My understanding is that if skating is allowed as long as it doesn't cause a nuisance, then she should have been fine to continue.



Council Response

Summary

- Skateboarding is not permitted in New Brighton Mall or on New Brighton Pier.
- The restrictions on skateboarding (and other vehicles) in New Brighton Mall were made under the [Local Government Act 1974](#).
- We understand skateboarding is not permitted on New Brighton Pier as a condition of entry.

Transport

New Brighton Mall

- The Transport Team has responsibility for the New Brighton Mall.
- The New Brighton Mall is designated as a 'pedestrian mall' under section 336 of the Local Government Act 1974.
 - Section 336 of the Local Government Act 1974 enables the Council to prohibit or restrict the 'driving, riding, or parking of any vehicle' on all or any portion of the pedestrian mall.
 - Here, 'vehicle' has the same meaning as in section 2(1) of the [Land Transport Act 1998](#), which specifically includes skateboards within the definition of 'vehicle'
 - This means that skateboarding is currently prohibited (via the pedestrian mall designation).
- Transport will be at the meeting of the Waitai-Coastal-Burwood-Linwood Community Board this Thursday, to discuss their plans for the mall upgrade. They will discuss the process for altering the restrictions/prohibitions along the mall.
- If there are any further questions relating to the mall, this would be for Transport.

Parks

New Brighton Pier

- The Parks Team manages the New Brighton Pier.
 - Signage on the Pier indicates that skateboarding is prohibited, likely to have been put in place as a condition of entry to protect the facility, to protect against nuisance (noise and speed) and for safety reasons.
 - The Parks Team has advised that to ensure everyone can enjoy the Pier, they are reconsidering their current approach: 'We recognise that while some rules have traditionally been used to prevent certain activities, they may not always align with the current recreational needs of the area. As a result, we are exploring alternative ways to
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manage activities on the Pier e.g. security guards addressing only those behaviours that may cause a nuisance, damage or safety risk’.

- If there are further questions relating to the Pier this would be for Parks.

Strategic Policy

Public Places Bylaw 2018

- The [Public Places Bylaw 2018](#) does not contain any provisions directly relating to skateboarding.
- Previous versions of the bylaw included a clause enabling the Council to prohibit skateboarding in public places. However, the Council removed that clause in 2008 on the grounds that a bylaw was not the appropriate mechanism to address the issue. This was likely because of difficulties with enforcement and because skateboarding is now regulated to some degree in transport law.