

**From:** [Official Information](#)  
**To:** [REDACTED]  
**Cc:** [Official Information](#)  
**Subject:** Amended final response - LGOIMA 423707 - [REDACTED] - Nuisance behaviour  
**Date:** Friday, 4 October 2024 9:17:25 am  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[image003.jpg](#)

---

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

**Your request:**

*We are inquiring around the effectiveness of the following bylaw: Nuisance behaviour  
Nuisance behaviour includes:*

- a) Begging in a public place in a manner that is likely to cause harassment, alarm, or distress to any reasonable person, or causes an unreasonable interference with the peace, comfort or convenience of any person.*
- b) Sleeping in a public place in such a way as to cause an obstruction.*
- c) Urinating or defecating in a public place other than a toilet.*
- d) Consuming, injecting, inhaling or ingesting a mind-altering substance in a public place.*
- e) Any conduct in a public place that is likely to cause unreasonable interference with the peace, comfort or convenience of a reasonable person in the circumstances in which it occurs, whether or not that person is in a public place, to the extent that it disturbs public order and is more than those subjected to it should have to tolerate.*

*We would like to know the effectiveness of this bylaw. If you could provide us some stats on whether these actions have decreased since the bylaw has been put in place. How is this bylaw enforced?*

**Our response:**

We would like to amend our response from below. We apologise for any inconvenience that this causes.

Crime within the Central City has reduced by 35% since the introduction of the Safety In Public Places Bylaw and Safety Officer Patrols. This is based on Police Statistics.

Our Hamilton City Council statistical data is based on interactions. These statistics do not reflect a reduction in breaches of the Bylaw. If begging is taken as an example, when the number of beggars reduce the interactions may not, as focus is then directed at those that continue to attempt to beg. When Safety Officers were first introduced there were approximately 80 beggars in our Central City. Currently there are approximately 7. Seldom are any of these 'Homeless'. We work very closely with The People's Project to ensure support is provided to anyone who is found Sleeping Rough. We also have a very close relationship with Police. The Safety Officers use passive techniques to move beggars, all of whom the team know well.

The following data covers the period from 1/1/2024 to 31/9/2024. These are incidents across the city that were responded to by Hamilton City Council, City Safe, Safety Officers.

I am available if you require any help to understand the data. I understand this may be for a school project. If it helps I can make myself available, via Teams, to answer any questions from the students.

	<b>Total</b>
Aggressive Behaviour	628
Anti Social Behaviour	1507
Assault	225
Begging	2452
Bylaw Animal Control	133
Bylaw Liquor	324
Consuming Mind Alter Substances	124
Drunkenness	190
Interfering with A Vehicle	230
Offensive Behaviour	98
Sleeping Obstruction	1329
Sleeping Rough	1732
Smoking Ban	1037
Suspicious Activity	1414
Theft	248
Theft Ex Car	158
Trespass Breach	121
Urinating/Defecating	51
<b>042</b>	<b>12042</b>

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

**Ngaa mihi**  
**Keeley Faulkner**  
**Official Information Coordinator**

Legal services  
Governance & Assurance Team | Partnerships, communication & Maaori  
Email: [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)



**Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [www.hamilton.govt.nz](http://www.hamilton.govt.nz)**



*This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient,*

please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.

---

**From:** Official Information <[officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)>

**Sent:** Monday, September 30, 2024 6:15 PM

**To:** [REDACTED]

**Cc:** Official Information <[officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)>

**Subject:** Final response - LGOIMA 423707 - Brad Stokescassidy - Nuisance behaviour

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

**Your request:**

*We are inquiring around the effectiveness of the following bylaw: Nuisance behaviour  
Nuisance behaviour includes:*

- a) Begging in a public place in a manner that is likely to cause harassment, alarm, or distress to any reasonable person, or causes an unreasonable interference with the peace, comfort or convenience of any person.*
- b) Sleeping in a public place in such a way as to cause an obstruction.*
- c) Urinating or defecating in a public place other than a toilet.*
- d) Consuming, injecting, inhaling or ingesting a mind-altering substance in a public place.*
- e) Any conduct in a public place that is likely to cause unreasonable interference with the peace, comfort or convenience of a reasonable person in the circumstances in which it occurs, whether or not that person is in a public place, to the extent that it disturbs public order and is more than those subjected to it should have to tolerate.*

*We would like to know the effectiveness of this bylaw. If you could provide us some stats on whether these actions have decreased since the bylaw has been put in place. How is this bylaw enforced?*

**Our response:**

There are penalties under the Safety in Public Places Bylaw 2020 under section 6.1. Under section 242 of the Local Government Act 2002, any person who breaches this bylaw, commits an offence and is liable on summary conviction to a fine not exceeding \$20,000. These fines are made by the Courts, which means we would need to prosecute a person. We haven't prosecuted any one in the recent past, our staff find that the best approach is to talk to people to try and get

them to change their behaviour. If we have serious concerns about behaviour that can't be resolved our staff would call the Police to attend an incident.

You can read the whole bylaw here: [https://storage.googleapis.com/hccproduction-web-assets/public/Uploads/Documents/Bylaws/Safety-in-Public-Places-Bylaw-2020\\_D-1630042\\_22-October-2020.pdf](https://storage.googleapis.com/hccproduction-web-assets/public/Uploads/Documents/Bylaws/Safety-in-Public-Places-Bylaw-2020_D-1630042_22-October-2020.pdf)

This bylaw is monitored in part by our CitySafe Unit, as we receive complaints, and also the NZ Police. We do not have stats on this as CitySafe attend complaints as they receive calls, they are not lodged.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

**Ngaa mihi**  
**Keeley Faulkner**  
**Official Information Coordinator**

Legal services  
Governance & Assurance Team | Partnerships, communication & Maaori  
Email: [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)



**Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [www.hamilton.govt.nz](http://www.hamilton.govt.nz)**

 [Like us on Facebook](#)  [Follow us on Twitter](#)

*This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient, please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.*

*I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.*

**From:** [noreply@hamilton.govt.nz](mailto:noreply@hamilton.govt.nz)

**Sent:** Friday, August 30, 2024 12:22 PM

**To:** [info@hcc.govt.nz](mailto:info@hcc.govt.nz)

**Subject:** General website enquiry - HCC-GEN-240830-XAQAO

## We've received an enquiry for you.

This request was received on 30 August 2024 @ 12:20PM.

Here's your reference number and the details:

<b>UUID</b>	<b>HCC-GEN-240830-XAQA0</b>	<b>Name</b> [REDACTED]	<b>Email</b> [REDACTED]
		<b>Phone number</b> [REDACTED]	<b>How</b> [REDACTED]

**can we help?** Hi there,

We are inquiring around the effectiveness of the following bylaw:

Nuisance behaviour

Nuisance behaviour includes:

- a) Begging in a public place in a manner that is likely to cause harassment, alarm, or distress to any reasonable person, or causes an unreasonable interference with the peace, comfort or convenience of any person.
- b) Sleeping in a public place in such a way as to cause an obstruction.
- c) Urinating or defecating in a public place other than a toilet.
- d) Consuming, injecting, inhaling or ingesting a mind-altering substance in a public place.
- e) Any conduct in a public place that is likely to cause unreasonable interference with the peace, comfort or convenience of a reasonable person in the circumstances in which it occurs, whether or not that person is in a public place, to the extent that it disturbs public order and is more than those subjected to it should have to tolerate.

We would like to know the effectiveness of this bylaw. If you could provide us some stats on whether these actions have decreased since the bylaw has been put in place. How is this bylaw enforced? **Created** 30 August 2024 @ 12:20PM

If you have any questions in the meantime, feel free to call us on (07) 838 6699 or [email our customer service team](#).

DDI: 07 838 6699 | Email: [info@hcc.govt.nz](mailto:info@hcc.govt.nz)



**Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [www.hamilton.co.nz](http://www.hamilton.co.nz)**

[Like us on Facebook](#)  [Follow us on Twitter](#)

*This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.*