

26 May 2014

### **Public Safety & Nuisance Bylaw**

On the 26 May, the new Auckland Council and Auckland Transport Public Safety & Nuisance Bylaw will be enforceable. AC and AT have legal responsibility for the bylaw and complimentary bylaws have been produced so that consistent rules apply to both the transport system - Auckland Transport's responsibility - and other places such as streets, parks and beaches - Auckland Council's responsibility.

The Public Safety and Nuisance Bylaws will ensure that the council and Auckland Transport continues to address public safety, nuisance and general behaviour in public places using a combination of regulatory (i.e. enforcement) and non-regulatory (such as education) approaches. The bylaw is not about criminalising people but a practical, early intervention tool to prevent escalation of low level activities which could lead to more serious offending. Essentially, we wish to ensure that residents and visitors to the Auckland region can freely enjoy shopping, dining and other activities in public areas without feeling intimidated or unsafe in any way. To reiterate, the bylaws are in place to make sure public spaces feel safe, clean and are convenient for people to use and enjoy without being disturbed or experiencing offensive behaviour.

The bylaw refers to nuisances, safety and behaviours that a person should not do / use in a public place:

- obstruct, disturb or interfere with any other person in their use or enjoyment of that public place;
- create a nuisance through the use or playing of any instrument (musical or otherwise), any type of public address system or any type of amplified sound system, or from making any unreasonable sound or noise;
- use any material or thing (including a vehicle, bicycle, motorised scooter, model aircraft, skateboard, roller skates or roller blades or similar object) recklessly or in a manner which may intimidate, be dangerous, be injurious to or cause a nuisance to any person;
- install or maintain a fence (including a razor-wire and electric fence) in a manner that may cause an injury or nuisance to any person;
- consume, inject or inhale or distribute or offer for sale any mind altering substance (this includes glue sniffing as well as natural or synthetic substances);
- beg, in a manner that may intimidate or cause a nuisance to any person;
- window washing – or even offering to wash -a vehicle in a manner that may be unsafe or intimidate or cause a nuisance to any person, or cause an obstruction to traffic.

Additionally there are clauses around 'damage in any public place', 'obstructions in any public place', 'controls for parks and beaches', and 'street naming and numbering on buildings'.

### **What does this mean for businesses?**

Auckland Council and Auckland Transport encourage businesses and the public to contact the council if they have a complaint as it raises our attention to the fact that there is an issue. (i.e. provides the council with a record). Businesses can call the Auckland Council call centre on ph: 09 301 0101 to log a call regarding any legal activity that is deemed a nuisance under the bylaw. Illegal activity will require a call to the Police.

The attached FAQs are targeted to answer any questions the public may have on this bylaw however to view the bylaw itself please visit

<http://www.aucklandcouncil.govt.nz/EN/licencesregulations/Bylaws/Pages/home.aspx>

Please don't hesitate to contact Andrea Birtwistle should you have any questions, or our Bylaws Enforcement Officers on 301 0101.

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