

Notice is given that a deliberations meeting will be held on:

Date: **Wednesday 20 November 2024**
Time: **9.30 am**
Meeting Room: **Tasman Council Chamber**
Venue: **189 Queen Street, Richmond**
Zoom conference link: <https://us02web.zoom.us/j/81602563789?pwd=laLFSneblUyG4aReiFDDn8beDSgYcr.1>
Meeting ID: **816 0256 3789**
Meeting Passcode: **167058**

Dog Control Bylaw Deliberations

AGENDA

MEMBERSHIP

Chairperson	Councillor C Hill
Members	Councillor C Butler
	Councillor J Ellis
	Councillor B Maru
	Councillor D Shallcrass

(Quorum 2 members)

Contact Telephone: 03 543 8400
Email: tdc.governance@tasman.govt.nz
Website: www.tasman.govt.nz

AGENDA

1 OPENING, WELCOME, KARAKIA

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

3 REPORTS

3.1 Draft Dog Control Policy and Bylaw - Deliberations 4

4 CONFIDENTIAL SESSION

Nil

5 CLOSING KARAKIA

3 REPORTS

3.1 DRAFT DOG CONTROL POLICY AND BYLAW - DELIBERATIONS

Decision Required

Report To:	Submissions Hearing
Meeting Date:	20 November 2024
Report Author:	Cat Budai, Community Policy Advisor; Matt Moss, Ecologist; Shannon Green, Team Leader - Regulatory Support
Report Authorisers:	Dwayne Fletcher, Strategic Policy Manager; Kim Drummond, Group Manager - Environmental Assurance
Report Number:	RSH24-11-1

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 The purpose of this report is to:
 - 1.1.1 summarise the feedback received on the Draft Dog Control Policy and Bylaw and provide staff advice on the issues raised in the feedback
 - 1.1.2 provide the Council with an opportunity to discuss the feedback
 - 1.1.3 seek decisions on amendments that are to be included in the final Dog Control Policy and Bylaw; and
 - 1.1.4 seek a recommendation from the Panel on whether the final bylaw should be adopted.
- 1.2 The final bylaw and policy is scheduled to be presented to the Council on 11 December 2024, with the Panel's recommendation on whether the final bylaw and policy should be adopted.

2. Summary / Te Tuhinga Whakarāpoto

- 2.1 This report summarises public feedback from the Draft Dog Control Policy and Bylaw consultation process.
- 2.2 Staff ask the hearings panel to consider the feedback received and make decisions on the changes they would like to recommend to the Dog Control Policy and Bylaw prior to it being considered by Council.
- 2.3 The Council received 645 submissions on the Draft Dog Control Policy and Bylaw. At a public hearing on 25 September 2024, 50 submitters presented their submissions to the Council.
- 2.4 In addition to location specific feedback, the key themes of the free text submissions were:
 - 2.4.1 Opposition to dog restrictions
 - 2.4.2 Socio-emotional benefits of dog walking

- 2.4.3 Conservation concerns
- 2.4.4 Community division regarding dog control regulations
- 2.4.5 Dog and environmental advocates are not mutually exclusive
- 2.4.6 Clarity of regulations
- 2.4.7 Education
- 2.4.8 Health and safety concerns
- 2.4.9 Dog park requests
- 2.4.10 Enforcement and registration fees
- 2.4.11 Dog doo facilities
- 2.4.12 General support for proposed content
- 2.4.13 Calls for further restrictions
- 2.4.14 Summer months definition.
- 2.5 These themes are discussed in detail in section 5 of this report.
- 2.6 Location specific feedback has also been summarised in section 5, along with a recommendation from staff.
- 2.7 Staff are recommending several changes in response to feedback received in submissions. Clause specific feedback with staff recommendations is available in Tables 1, 2, and 3 of **Attachment 1**.
- 2.8 A summary of staff recommendations in relation to each location is provided in Table 4 of **Attachment 2**.
- 2.9 A marked up version of the Policy and Bylaw, including updated maps, has been included as **Attachment 3**.
- 2.10 Staff will incorporate the changes that the Panel request and prepare the final Bylaw for consideration by the Council at its meeting on 11 December 2024.

3. Recommendation/s / Ngā Tūtohunga
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That the Submissions Hearing

- 1. receives the Draft Dog Control Policy and Bylaw - Deliberations report RSH24-11-1; and
- 2. agrees to the following changes to the draft Dog Control Policy and Bylaw, for the reasons set out in *Table 1: Clause changes in response to submissions of Attachment 1 of the agenda report*:
 - a. add clause 3.8 'To minimise risks to the welfare of wildlife'; and
 - b. add 'wildlife protection' to clause 6.1.2; and
 - c. add clause 6.1.6 Educate the public on the environmental impacts of dogs on local wildlife and ways to mitigate risks; and
 - d. add a definition for 'working dog'; and
 - e. correct clause reference error in clauses 17.2 and 17.3; and
 - f. correct clause reference error in clause 18.4; and
 - g. adds 'or a disability assist dog' to clause 20.2.a; and
 - h. correct clause reference error in clause 20.3; and

- i. change the location name in Schedule 4 from 'old library site' to 'Tākaka Memorial Reserve'; and
 - j. change the location description in Schedule 4 from 'Motueka Sandspit – south of a line drawn through the point NZ Map Grid 2512857.1 (easting) 6009560.9 (northing)' to 'Motueka Sandspit – south of latitude marker 41.1200'; and
 - k. add explanatory note 'Other parts of the Tasman District are also prohibited to dogs under different legislation, such as the Abel Tasman Foreshore Scenic Reserve Bylaw 2016 and the National Parks Act 1980' to Schedule 4; and
3. agrees to the following changes to the draft Dog Control Policy and Bylaw, for the reasons set out in *Table 2: Clause changes in response to staff recommendations of Attachment 1 of the agenda report*:
 - a. remove 'registered for the first time in New Zealand after 1 July 2006' from clause 4.1; and
 - b. add that the bylaw is being made in accordance with the Local Government Act 2002 in section 11.1; and
 - c. change the date the bylaw comes into force from a placeholder to 31 March 2025; and
 - d. change references of dog ownership to dog management in section 15.1; and
 - e. remove 'summer months' definition and include references to seasonal prohibitions alongside the relevant locations; and
 - f. add 'Time or Seasonally Restricted Areas' definition; and
 4. declines to make the changes suggested by submitters, for the reasons set out in *Table 3: Requested changes not recommended by staff of Attachment 1 of the agenda report*; and
 5. agrees to make the following changes to location zoning, for the reasons set out in section 5 of the agenda report and as summarised in *Table 4: Location Status and Staff Recommendation of Attachment 2 of the agenda report*:
 - a. change 'Tomatea Reserve to Shaws Creek Bridge' to 'Beach adjacent to Northern Boundary of Tomatea Reserve to the Shaws Creek Bridge'; and
 - b. change 'Pakawau Beach Northern end of Pakawau Beach campground to 1km south' to 'Pakawau Beach – Tomatea Reserve to 1km south of Pakawau Beach campground'; and
 - c. remove boat ramp and car park from 'Ruatanui Inlet, including northern end of Collingwood beach round to Elizabeth Street car park'; and
 - d. add an exemption for dogs contained on vessels in the Ruatanui Inlet; and
 - e. remove Collingwood Holiday Park from the Dog Control Policy and Bylaw; and
 - f. change Parawhakaohu River Mouth to a Time or Seasonally Restricted Area, as set out in Schedule 3 (Attachment 3); and
 - g. change 'Rototai from western end of golf course to Waitapu Estuary foreshore (excluding Controlled Dog Exercise area in Rototai Recreation Reserve)' to 'Rototai from western end of golf course to Waitapu Estuary foreshore (excluding Controlled Dog Exercise area in Rototai Recreation Reserve and Motupipi Beachfront Reserve); and
 - h. remove Rototai Closed Landfill from the Dog Control Policy and Bylaw; and
 - i. change 'Motupipi Reserve Beachfront: Rototai Recreation Reserve to the headland' from a leash control to a controlled exercise area; and

- j. change 'Pōhara Beach from eastern camp boundary to Selwyn Street Reserve' from seasonally prohibited to seasonal leash control as set out in Attachment 3 of the agenda report; and
 - k. remove Pōhara Top 10 Holiday Park from the Dog Control Policy and Bylaw; and
 - l. change Ligar Bay from a Time or Seasonally Restricted Area to a Controlled Exercise Area; and
 - m. remove Awaroa Vehicle Access point from the Dog Control Policy and Bylaw; and
 - n. remove Tonga, Adele and Fisherman Island from the Dog Control Policy and Bylaw; and
 - o. remove Tokongawha Reserve from the Dog Control Policy and Bylaw; and
 - p. change Little Kaiteriteri Beach from a Leash Control Area to a Time or Seasonally Restricted Area as set out in Attachment 3 of the agenda report; and
 - q. change Dummy Bay from a Leash Control Area to a Time or Seasonally Restricted Area as set out in Attachment 3 of the agenda report; and
 - r. change Stephens Bay from a Leash Control Area to a Time or Seasonally Restricted Area as set out in Attachment 3 of the agenda report; and
 - s. reduce size of mapped area for Riwaka River Mouth to Tapu Bay Reserve; and
 - t. remove Mariri Closed Landfill from the Dog Control Policy and Bylaw; and
 - u. change the seasonal restriction at Lower Moutere Recreation Reserve from November–February to December–February; and
 - v. include Old Mill Walkway in the Schedule 5 The Great Taste Trail and change mapping to reflect that this section is a controlled exercise area; and
 - w. change description of Ruby Bay to remove reference to Old Mill Walkway; and
 - x. change mapping and description from 'L.E.H Baigent Reserve and surrounding peninsula excluding campground' to 'Foreshore and Estuary around L.E.H Baigent Memorial Reserve'; and
 - y. change Hoddy Estuary Park from prohibited to prohibited on the vegetated margins of the Inlet and leash control for the remainder of the Park; and
 - z. change Railway Reserve from a leash control area to a controlled exercise area; and
6. notes that the following locations will remain as set out in the draft Dog Control Policy and Bylaw, for the reasons set out in section 5 of the agenda report and as summarised in Table 4: Location Status and Staff Recommendation (Attachment 2) of the agenda report:
- a. Waikato Inlet; and
 - b. Beach from Milnthorpe headland to Collingwood (east of township); and
 - c. Kendal Street beach access, Milnthorpe: Pathway between Kendal Street and inclusive of Milnthorpe headland; and
 - d. Parapara Inlet; and
 - e. Tukurua Beach (camp frontage); and
 - f. Onekaka Estuary; and
 - g. Patons Rock Beach (Settlement to Creek adjacent to Grant Rd Puramahoi); and
 - h. Onahau Sandspit, Wetland and Estuary; and
 - i. left of Rangihaeata Headland to Fraser Road; and
 - j. Rangihaeata Beach; and
 - k. Rototai Recreation Reserve; and
 - l. Pōhara Beach West – from Selwyn Street to Western end of the golf course; and
 - m. Tākaka Central Business Area; and

- n. Tākaka Township locations: the Village Green, Pioneer Park, the old library site and adjacent playground (noting previous resolution to change ‘the old library site’ to ‘Tākaka Memorial Reserve’; and
- o. Tata Beach; and
- p. Otuwhero Estuary and Sandspit; and
- q. Breaker Bay Beach; and
- r. Kaiteriteri Beach; and
- s. Alex Ryder Memorial Reserve; and
- t. Memorial Reserve Corner Riwaka; and
- u. Memorial Reserve Corner Footpath, Riwaka; and
- v. Motueka Sandspit – Southern End (noting description change in previous resolution); and
- w. Saltwater baths; and
- x. Trewavas Street Recreation Reserve; and
- y. York Park; and
- z. North Street Recreation Reserve; and
- aa. Batchelor Ford Road; and
- bb. Faulkner Bush Reserve - excluding the Leash Control Area, as defined on the map in Schedule 1; and
- cc. Faulkner Bush Reserve Picnic Area; and
- dd. Baigents Bush Reserve (noting amendment to reflect official name: Baigents Bush Scenic Reserve, Pigeon Valley, as per Attachment 3 of the agenda report); and
- ee. Robson Reserve; and
- ff. Kina Beach – exposed seaward side of the beach; and
- gg. Deck Road Recreation Reserve and Easement; and
- hh. McKee Memorial Domain; and
- ii. Ruby Bay - Foreshore from Seaward boundary Mapua Leisure Park to Chaytor Reserve; and
- jj. Rough Island; and
- kk. Higgs Reserve; and
- ll. Waimea Inlet Esplanade Reserve; and
- mm. Apple Valley Road Esplanade Reserve; and
- nn. Bronte Road East Esplanade Reserves; and
- oo. Westdale Road Esplanade Reserves; and
- pp. Hoddy Road Esplanade Reserves; and
- qq. Maisey Road Esplanade Reserve; and
- rr. Research Orchard Road Esplanade Reserve; and
- ss. Sand Island, Waimea Estuary; and
- tt. Shell bank by Bell Island; and
- uu. Waimea Estuary Esplanade Reserves; and
- vv. Pearl Creek Reserve; and
- ww. Pearl Creek Esplanade Reserve; and
- xx. Rabbit Island (noting name amendment to Moturoa / Rabbit Island); and
- yy. Washbourn Gardens; and
- zz. Jimmy Lee Creek Walkway; and
- aaa. Bill Wilkes Reserve; and
- bbb. Hunter Avenue Walkway; and

- ccc. Jimmy Lee Creek Walkway North (Hill Street North Entrance to Cushendell Rise); and
- ddd. Jimmy Lee Creek Walkway South in between Cushendell Rise and the Grassy Saddle; and
- eee. Will's Gully walking track to Grassy Saddle; and
- fff. Dellside Reserve including track up into Richmond Hills; and
- ggg. Borck Creek; and
- hhh. Hope Recreation Reserve and Hall; and
- iii. Bryant Road carpark to the bridge to Pugh Road; and
- jjj. Tadmor Valley Road to Quail Valley Road; and
- kkk. South side of Quail Valley Road Bridge to entrance to 437 Wakefield-Kohatu Highway; and
- III. Edward Street entrance to 320 Higgins Road; and
- mmm. 35 Sandeman Road to Lansdowne Road; and
- nnn. western end of Lower Queen Street to eastern end of 0 Redwood Road; and
- ooo. Rabbit Island, starting from western end of causeway to the ferry landing; and
- ppp. Kaiteriteri Recreation Reserve; and
- 7. agrees to replace title page information about when the Dog Control Bylaw is made with a table on the following page documenting the bylaw's review history; and
- 8. in accordance with section 155 of the Local Government Act 2002:
 - a. agrees that the proposed Tasman District Council Dog Control Policy and Bylaw, including the changes in resolutions 2-7 above, is the most appropriate form of bylaw for addressing perceived problems relating to public safety related to dog behaviour, the protection of wildlife from disturbances caused by dogs, the promotion of responsible dog ownership, and ensuring that shared public spaces are safe and enjoyable for all community members in relation to dog use and access; and
 - b. notes that the proposed Tasman District Council Dog Control Policy and Bylaw, including the changes in resolutions 2-7 above, does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
- 9. recommends that the Tasman District Council considers discounted dog registration fees for working dogs in its fees for the 2025/2026 year; and
- 10. notes that staff will propose increases in the dog registration fees in the 2025/2026 year to fund proactive education and compliance activity; and
- 11. notes that staff will continue to explore the development of a dog park within the Tasman District and report progress to the Environment & Regulatory Committee by June 2025; and
- 12. delegates authority to the Dog Control Policy and Bylaw Submissions Hearing and Deliberations Panel Chair and the Chief Executive Officer to approve any minor

changes or minor editorial amendments to the proposed Dog Control Policy and Bylaw, prior to being submitted for consideration by to Tasman District Council; and

13. confirms the [minutes](#) of the 25 September 2024 Draft Dog Control Policy and Bylaw Submissions Hearing meeting as a true and correct record.

Recommendation to the Tasman District Council

That the Tasman District Council:

1. in accordance with section 155 of the Local Government Act 2002:
 - a. agrees that the proposed Tasman District Council Dog Control Policy & Bylaw 2024 is the most appropriate form of bylaw for addressing perceived problems in relation to public safety related to dog behaviour, the protection of wildlife from disturbances caused by dogs, the promotion of responsible dog ownership, and ensuring that shared public spaces are safe and enjoyable for all community members in relation to dog use and access; and
 - b. notes that the proposed Tasman District Council Dog Control Policy & Bylaw 2024 does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
2. pursuant to section 145 and 146 of the Local Government Act and section 10 of the Dog Control Act 1996, makes the Tasman District Council Dog Control Policy & Bylaw 2024 (Attachment 1 to the agenda report) with effect from 31 March 2025; and
3. authorises staff to publicly notify the Tasman District Council Dog Control Policy and Bylaw 2024 and the date it has effect from; and
4. notes that the Tasman District Council Dog Control Policy and Bylaw 2024 will need to be reviewed before 11 December 2029; and
5. confirms the minutes of the 20 November 2024 Draft Dog Control Policy and Bylaw Deliberations meeting as a true and correct record.

4. Background / Horopaki

- 4.1 The Dog Control Bylaw was last amended in 2020, although this focused on provisions for the Golden Bay area.
- 4.2 The Dog Control Policy and Bylaw is scheduled to be made in December 2024. This means it will fall just outside the designated review period. Bylaws have a two year 'grace period' for which they are still valid and can be enforced. However, the bylaw made in December 2024 will be considered a new bylaw. As such, the Council will be required to review it within five years.
- 4.3 As several changes to zoning are proposed, staff consider it best practice to review the new bylaw within five years regardless of the legal requirement to do so.

- 4.4 Staff recommend that the policy and bylaw come into effect on 31 March 2025. This will allow time for signage to be improved/updated and will avoid confusion during months where some locations have different regulations over the summer months.
- 4.5 The need to review the Dog Control Bylaw was raised with elected members at a workshop in October 2023, and draft content was subsequently workshopped in May 2024 alongside early engagement results.
- 4.6 The Draft Dog Control Policy, as required by section 10 of the Dog Control Act 1996, is being reviewed in conjunction with the Draft Dog Control Bylaw, with the intent that these two documents will be combined when adopted. Staff sought and received confirmation that this approach is legally sound.
- 4.7 Early engagement was carried out in November/December 2023, using the Shape Tasman platform. This was advertised through Newsline and social media.
- 4.8 Stakeholders such as the Department of Conservation, Forest & Bird, local veterinarians and dog interest groups were notified of the early engagement and encouraged to participate.
- 4.9 Over 500 people contributed to the social map as part of the early engagement and over 200 offered free text feedback on a range of issues relating to dogs. This feedback was taken into consideration during the drafting process.
- 4.10 The policy content has been updated to reflect that it will be included in the same document as the bylaw.
- 4.11 Points of duplication (such as the interpretations section and designated areas for leash control, controlled exercise, seasonal and/or time restriction and prohibition) now refer to the appropriate clause within the bylaw.
- 4.12 In the online submission form available through Shape Tasman, submitters were asked how much they agree with the proposed plans in each ward. They were also asked their preference of alternative options being considered in Tata Beach, Ligar Bay Beach and Little Kaiteriteri. These results are discussed in detail in section five of this report.
- 4.13 In accordance with Section 10 (2) of the Dog Control Act 1996, registered dog owners were notified of the draft policy and bylaw and the consultation process.
- 4.14 Stakeholders with an interest in the bylaw (including those who registered their interest on Shape Tasman during early engagement) were identified and received an email notifying them of the consultation, encouraging them to make a submission.
- 4.15 Important areas for wildlife consideration were derived from spatial information either collected by the Council or publicly available. This included a shapefile output from the coastal bird survey of the Tasman District led by local and national ornithologists (McArthur, N.; Melville, D.S. and Schuckard, R. 2022), existing data collected from the Native Habitat Tasman project, and little blue penguin records on iNaturalist and targeted surveys. This data was analysed using ArcGIS Pro for Desktop to identify areas of strong public preference and mapped against sensitive areas for wildlife consideration.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

- 5.1 Submitters were asked how much they agreed with the proposed plans for each of the wards. The options were:
 - 5.1.1 Mostly Agree
 - 5.1.2 Somewhat Agree
 - 5.1.3 Somewhat Disagree
 - 5.1.4 Mostly Disagree
 - 5.1.5 No Opinion
- 5.2 One of the limitations to these questions was that when a submitter mostly or somewhat disagreed, it could be for a wide range of reasons. When free text comments were left staff were able to identify circumstances where submitters either disagreed because they felt the bylaw was too restrictive for dogs, or because they felt that the restrictions hadn't gone far enough.
- 5.3 In some locations these sentiments have been quantified, but staff acknowledge that this is not possible when free text comments have not been left.
- 5.4 There were also comments left which indicated some submitters were not necessarily well informed of what was being proposed, but selected Mostly Disagree for all wards as they felt strongly about a change occurring in their own area.
- 5.5 These factors have made analysis challenging; however, the free text option has provided Council with ample material to consider the varying views of the community. Free text feedback has been summarised in terms of general themes across the District, followed by location specific feedback and staff advice.

General themes

Opposition to dog restrictions

- 5.6 Many submitters strongly opposed the proposed restrictions, particularly with regards to their negative impact on dog owners' enjoyment of public spaces. They believed that banning or restricting dogs would reduce the quality of life for both dogs and their owners.
- 5.7 A common sentiment was that responsible dog owners were being unfairly penalised for the actions of a few irresponsible individuals. These submitters argued that the Council should not prioritise complaints from a vocal minority over the broader community's needs.
- 5.8 Many submitters felt the proposed rules were excessive and represented overregulation. They believed that existing rules were sufficient, and further restrictions were unnecessary, particularly in light of declining dog-related complaints.
- 5.9 Several submitters questioned the accuracy of claims regarding the impact of dogs on wildlife, particularly seabirds and penguins. They argued that other factors, such as human activity, vehicles, and other predators, may play a larger role in wildlife disturbances and advocate for evidence-based decision-making.
- 5.10 Many submitters believed that better enforcement of current rules, combined with community education, would be more effective than introducing additional restrictions. They suggested holding irresponsible dog owners accountable through fines or penalties, rather than imposing new regulations on all dog owners.

- 5.11 Submitters expressed frustration with the limited off-leash areas available and called for more spaces or time periods where dogs could run freely. They argued that a lack of exercise could lead to behavioural issues in dogs, such as increased barking and aggression.
- 5.12 Several submitters proposed solutions such as mixed on-leash and off-leash zones, time-limited restrictions (e.g., off-leash in the early morning or evening), and improved signage, rather than outright bans. They also suggested expanding off-leash areas to more accessible spaces, such as open fields or riverbeds.
- 5.13 Many submitters viewed dogs as integral members of their families and argued that restrictions limited their ability to enjoy outdoor activities together. They emphasised the importance of accessible public spaces where dogs could exercise safely and under control.
- 5.14 Submitters stressed the need to balance wildlife protection with the rights of dog owners. They believed that flexible, location and time-based solutions could protect wildlife while allowing responsible dog ownership. Many suggested that a balanced approach would avoid unintended consequences like civil disobedience or increased behavioural issues in dogs.
- 5.15 Some submitters expressed concerns that stricter restrictions could discourage dog owners from visiting the area, particularly during off-peak seasons, potentially negatively impacting the local economy.
- 5.16 Several submitters suggested that restrictions could be relaxed during off-peak seasons when local residents, who they considered were typically more responsible dog owners, were the primary users of public spaces.

Socio-emotional benefits of dog walking

- 5.17 Several submissions outlined the socio-emotional benefits of dogs and their role in supporting individual and community wellbeing. Key sentiments included:
 - 5.17.1 Regular dog-walking promotes physical activity, which improves cardiovascular health, reduces obesity risks, and supports recovery from surgeries or injuries.
 - 5.17.2 Dogs help reduce loneliness and anxiety, offering companionship and emotional stability. Walking dogs in nature is a therapeutic activity that fosters relaxation and stress relief, especially for those managing demanding jobs or personal challenges.
 - 5.17.3 Walking dogs provides opportunities for social connection, particularly for the elderly or those isolated, contributing to a sense of community. Dog owners often form social bonds while walking, which can alleviate isolation.
 - 5.17.4 Dog ownership encourages children to develop empathy, responsibility, and cognitive skills.
 - 5.17.5 Restricting dog access could lead to overcrowded spaces and hinder these socio-emotional benefits. Many submitters call for balanced policies that protect both wildlife and the well-being of dog owners, advocating for accessible, off-leash spaces where these benefits can be maximised.
- 5.18 These submitters maintained that dog-walking fosters physical health, emotional support, social engagement, and community cohesion, which submitters argued should be considered in policy decisions.

Conservation concerns

- 5.19 Several submitters advocated for banning dogs from coastal areas to protect vulnerable wildlife, particularly native species like the kororā (little blue penguin) and other coastal birds. They said dog attacks on wildlife often went unreported, highlighting the urgent need for stricter regulations and enforcement.
- 5.20 There was a strong demand for improved enforcement of dog control bylaws, with residents feeling that the lack of consequences for non-compliance undermined public safety and wildlife protection. Calls for enhanced policing and accountability for dog owners were common.
- 5.21 Submitters were concerned that the growing number of dogs in public spaces was contributing to environmental degradation, including disturbances to sensitive habitats like sand dunes. Submitters expressed concern over the disregard shown toward these fragile ecosystems.
- 5.22 Some submitters increasingly felt that the rights of dogs were prioritised over their safety and the protection of wildlife.
- 5.23 Experts and organisations supported robust wildlife protections, emphasising the threats posed by off-leash dogs. The Department of Conservation (DOC) supported most provisions of the bylaw but stressed the need for no-dog zones in sensitive habitats and educational initiatives for dog owners. The Onekaka Biodiversity Group advocated for minimising dangers to wildlife and improving community education about the impacts of dogs.
- 5.24 Some submissions included calls for outright bans on dogs in critical habitats, the establishment of designated dog parks, and the need for clear signage and educational initiatives to inform dog owners about the impacts of their pets on local wildlife. There were suggestions for expanding wildlife protection zones and implementing stricter leash laws with the aim to prevent disturbances, especially in nesting and feeding areas.

Community division regarding dog control regulations

- 5.25 The debate surrounding dog control regulations was suggestive of a deep divide within the community between environmental advocates and dog owners. Both groups reported experiencing verbal abuse from one another, contributing to heightened tensions and a sense of community division.
- 5.26 Dog owners expressed frustration over what they perceived as an imbalance in focus, claiming that certain pro-wildlife groups had influenced policy discussions without substantiated evidence regarding the impact of dogs on wildlife. They called for transparency and verification of claims about dog-related wildlife harm, particularly concerning assertions of high percentages of bird deaths attributed to dogs.
- 5.27 Conversely, environmental advocates highlighted the necessity of protecting local wildlife, including vulnerable species like penguins. They emphasised the importance of stricter regulations to mitigate potential harm from dogs.
- 5.28 Many submissions from both sides advocated for a balanced approach that recognised the roles of both dogs as family members and the need for wildlife protection. Suggestions included maintaining existing off-leash areas during low tide to facilitate dog exercise without disturbing wildlife during critical times.

- 5.29 Both groups reported feelings of intimidation, with dog owners citing harassment when walking their pets, while wildlife advocates expressed frustration over aggressive encounters with dog owners. This mutual sense of being targeted complicates constructive dialogue.
- 5.30 There was a shared belief among many dog owners that the majority should not be penalised for the actions of a few, while wildlife advocates stressed the need for clear guidelines to protect natural habitats. Many emphasised the importance of community education and engagement to promote responsible practices on both sides.
- 5.31 Overall, the feedback underscored the complexity of balancing wildlife protection with a need to have and exercise dogs. It called for meaningful dialogue that respected and addressed the diverse perspectives of all residents, highlighting the challenges the Council faces in navigating these competing interests.
- 5.32 Staff note that representatives from 'Good Dog Owners Golden Bay' and 'Forest & Bird Golden Bay' have met to discuss where they might have common ground, which is a positive step towards addressing conflict in this area.

Dog and environmental advocates are not mutually exclusive

- 5.33 Many dog owners expressed a commitment to wildlife protection, emphasising that they were also wildlife advocates and that the two groups were not mutually exclusive.
- 5.34 Several submissions advocated for dogs to be under control during vulnerable times for wildlife, particularly during dawn and dusk, while allowing more freedom for exercise at other times.
- 5.35 Submitters suggested practical measures such as desensitisation training for local dogs in nesting areas and stricter regulations for dogs from outside the area, with necessary enforcement of bylaws.
- 5.36 Some submitters recommended fostering dialogue with local dog trainers and engaging the community to address concerns constructively.
- 5.37 A strong desire for compromise solutions was expressed, such as designated off-leash times and areas, to accommodate both dog owners and wildlife protection efforts.
- 5.38 There was a concern raised in the hearings that the Dog Control Bylaw was being used for wildlife protection by stealth.
- 5.39 **Staff Advice:** Staff can confirm that wildlife protection is one of the purposes of the bylaw, and that no attempt has been made to achieve this 'by stealth'. This is included in the text of the bylaw and was also well documented throughout the consultation material. This is consistent with the Dog Control Act 1996; one of the objects of the Act is to make better provision for the care and control of dogs by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.

Clarity of regulations

- 5.40 Several submissions emphasised the importance of clearly defining what "under control" means for dogs. Explicit rules, such as whether dogs must be leashed, are essential to prevent confusion.
- 5.41 There was a strong call for welcoming and straightforward signage that clearly indicates where dogs can and cannot go. Submissions suggested using visuals and simple language to ensure understanding for all community members.

- 5.42 Suggestions included organising community or subsidised training sessions for dog owners to promote better control and compliance with regulations, reinforcing a sense of community responsibility.
- 5.43 **Staff Advice:** The draft policy and bylaw underwent legal review before being adopted for consultation. Legal advice was to remove the definition of 'effective control' and simply refer to 'control', without defining in the interpretations section. This is to reflect that the Dog Control Act 1996 uses the term 'control' rather than 'effective control'. Control is not defined by the Dog Control Act itself, but in case law. Its meaning is determined by previous judicial decisions rather than being explicitly stated in the legal document itself. These rulings set legal precedents that provide guidance on how the term should be applied in different contexts. Case law allows for flexibility, as each situation can be evaluated on its own facts and circumstances. Courts consider the context and specifics of a case when deciding whether the term has been appropriately applied. Over time, a body of legal interpretations develops, helping to create a broader understanding of what the term means in practice.
- 5.44 Staff appreciate that it would be helpful for the public to have an understanding of what 'control' means, however, this could be better addressed outside of the bylaw in educational material.
- 5.45 Staff are currently engaged in a cross-council working group that has linked up with other external agencies to develop improved signage which will provide better clarity and, where appropriate, education for the public.
- 5.46 Staff will work on developing further educational resources to support responsible dog ownership. This may include community events in the future; however this has not yet been confirmed.

Education

- 5.47 Submitters advocated for requiring dog owners to complete an essential skills course, alongside offering free aversion training and increasing the availability of dog waste bag dispensers to promote responsible ownership and reduce littering.
- 5.48 Submissions called for measures such as a detailed education plan focused on dog care, welfare, and responsible ownership, including engaging social media content to remind owners of leash laws and the importance of cleaning up after their pets.
- 5.49 Submitters emphasised the need for educational efforts about the impact of dogs on local wildlife, advocating for responsible practices that protect vulnerable species while fostering a culture of conscientious dog ownership.
- 5.50 **Staff Advice:** Further community education is in the pipeline, currently in the early stages of planning by staff. This would particularly focus on educating the public where there may have been changes and would involve a cross-council approach to provide ecological information as well. Tools such as pamphlets and social media will continue to be used. Currently every registration letter is accompanied by an educational pamphlet.

Health and Safety Concerns

- 5.51 Several submitters have reported concerns about the lack of control over dogs in public spaces, noting instances of aggressive or uncontrolled behaviour that can create safety risks or intimidation, particularly for children and vulnerable individuals. There were also mentions of distress among residents and visitors due to these encounters.

- 5.52 Health and hygiene issues have been raised, with some submitters highlighting unsanitary conditions caused by dog waste left in public areas. Concerns about ineffective enforcement of existing dog control regulations have led to calls for stricter measures, including increased fines and more active patrolling.
- 5.53 There was a request for clearer guidelines on dog containment, with a suggestion that owners be should required to retain dogs within property boundaries unless leashed.
- 5.54 Concerns regarding excessive barking and noise disturbances in public places have also been expressed, indicating a need for better control over dog behaviour. Overall, submitters have proposed regulations that include banning dogs from specific areas during peak times, creating designated dog parks, and improving enforcement to enhance public safety and protect wildlife.
- 5.55 **Staff Advice:** Staff keep records of dog control complaints, however, as noted during the hearing process, many incidents go unreported. This makes it difficult to give an accurate picture of how extensive health and safety problems are. Most recent statistics on dog related complaints over the last 3 years can be found in report RRC24-08-4. Staff note suggestions that education around how to make a complaint and making this process more user friendly would support better reporting. Process changes are currently being worked on, which will likely take effect from mid 2025. Infringement fees are set by the Dog Control Act 1996.
- 5.56 Table 1 shows ACC statistics on dog related injuries over the last 10 years in the Tasman region. It should be noted that not all claims in this dataset are going to be dog bites as it is not possible to exclude all other dog-related injuries. The dataset is still likely to include some claims where a client tripped over a dog or collided with a dog in some way.
- 5.57 It is also not possible to determine which of these injuries occurred in public places, or whether people were injured by their own dog or someone else's dog.
- 5.58 The data indicates that dog related injuries have been relatively stable over the last 10 years, despite dog ownership increasing.

Calendar Year	New claims	Active claims	Active claim cost
2013	125	116	\$50,673
2014	113	113	\$41,603
2015	108	118	\$21,621
2016	123	120	\$29,836
2017	123	112	\$59,849
2018	109	121	\$75,013
2019	122	115	\$28,421
2020	103	106	\$17,574
2021	108	110	\$63,281
2022	124	118	\$39,008
2023	118	117	\$35,743
2024 YTD	85	87	\$18,893

Table 1: ACC Statistics on dog related injuries over the last 10 years.

Dog park requests

- 5.59 Many submitters emphasised the need for alternative exercise areas for dogs, noting that dog parks provide safe spaces for off-leash activities and reduce reliance on busy streets or beaches. It was felt that these parks offer essential socialisation opportunities, helping to prevent behavioural issues caused by isolation.
- 5.60 Safety was a concern, with submitters highlighting that controlled environments lower the risk of aggressive encounters, particularly for smaller dog owners. Some submissions suggested creating separate areas within dog parks for small and large dogs to enhance safety and comfort for all pets.
- 5.61 Establishing dog parks was also seen as a way to protect sensitive wildlife habitats by keeping dogs away from them. Convenience for dog owners was highlighted, as urban dog parks allow easy access without long travel times. It was argued that this accessibility could encourage community engagement, making dog parks social hubs.
- 5.62 Submitters proposed funding dog parks through registration fees and infringement fines, reducing the financial burden on general ratepayers.
- 5.63 Providing designated spaces for dog owners was viewed by some submitters as an equity issue, especially with rising dog ownership in the region, reflecting a desire for fairness in accommodating the growing community of dogs and their owners.
- 5.64 A few submitters opposed the idea of dog parks, citing concerns around dogs being more aggressive or forming packs in a dog park setting.
- 5.65 These are specific locations dog parks were recommended mentioned in submissions:
- 5.65.1 **Main Urban Areas:** Submitters request the creation of dog parks in all main urban areas for easier access for dog owners.
 - 5.65.2 **Near Riwaka and Motueka:** Requests for dog parks closer to Riwaka and Motueka have been made to cater to the local dog-owning population.
 - 5.65.3 **TDC Land by Golf Course in Pohara:** A specific suggestion for a dog park is made on TDC land near the golf course in Pohara.
 - 5.65.4 **Tākaka:** Submitters express a desire for dog parks in Tākaka.
 - 5.65.5 **Motueka:** Multiple requests have been made for a dog park in Motueka, emphasising the need for a safe space for local and visiting dogs.
 - 5.65.6 **Mariri Closed Landfill Area:** Suggested as a stop for dogs travelling into Motueka.
 - 5.65.7 **Kohatu Area:** Proposed as a stopping place for dogs travelling north before reaching the urban Tasman District.
 - 5.65.8 **Wakefield:** Suggestions include developing a fenced dog park in Wakefield, potentially on Council parks.
 - 5.65.9 **Richmond:** A request for a secure dog park in the Hope area of Richmond has been mentioned.
 - 5.65.10 **Marsden Valley:** Recognised as a successful example of a dog park that could inspire new locations.

- 5.66 **Staff Advice:** Staff are supportive of the creation of a dog park, and investigations of suitable locations are underway. It is important to note that even a basic dog park on land the Council already owns still comes at a significant expense. The site would require deer fencing, a water supply, dog waste dispensers and bins, suitable parking and an adequate source of shade. A draft resolution has been added to report back to the Mayor and Councillors on progress made.

Enforcement and registration fees

- 5.67 Submitters expressed varying views on dog registration fees. One called for a 200% fee increase, citing the growing dog population, while others asked for reduced fees for pensioners and farm dogs. Federated Farmers argue that working dogs shouldn't subsidise urban dog issues.
- 5.68 Enforcement was a significant concern, with calls for more wardens, stricter fines, and better policing of leash laws and prohibited areas. Some suggested an owner licensing system to ensure responsible ownership, while others stressed enforcement should focus on problematic owners, not all.
- 5.69 Concerns over enforcement costs were raised, with some questioning whether new bylaws could be implemented without increasing rates. Some indicated support for the status quo of funding enforcement through registration fees and fines, emphasising that rules would only work with active policing.
- 5.70 **Staff Advice:** The setting of registration fees are outside the scope of the bylaw and will be considered as part of the review of the Fees and Charges Schedule. Staff are currently investigating how these fees could be more equitable.
- 5.71 The Mayor and Councillors wanted to know what percentage of dogs are farm/working dogs. Staff can confirm that 13.91% of registered dogs in the district are classified as working dogs.
- 5.72 Enforcement remains a challenge as the income from dog registration and infringement fees covers a reactive response when complaints are raised. Based on submissions, it appears that there is a desire for more proactive patrolling to both deter non-compliance and ensure that more non-compliant behaviour is targeted. While staff would like to be able to offer this service, the level of pro-active patrolling expected by the community is not currently possible within the available budget.
- 5.73 Staff issue infringements for breaches of the bylaw, including violations related to a dog's classification under the Act, offences under section 52A (dogs escaping properties or not being under control on their property), and offences under section 53 (dogs not being under control in general, typically when dogs are off their property during the offence). Infringements are also issued for unregistered dogs and failure to comply with barking abatement notices.
- 5.74 Inspectors conduct checks of Little Kaiteriteri almost daily during the summer months, usually as an add on to performing their freedom camping inspections. They also routinely stop to check on dogs at Little Kaiteriteri.

Dog doo facilities

- 5.75 Several submissions emphasised a need for more dog poo bins and bag dispensers in exercise areas and problem spots. Several submitters mentioned that the lack of bins contributed to irresponsible behaviour, with some owners leaving bags by walkways. There was frustration over bins being removed or not emptied promptly, and many called for more bins to be installed, especially in high-use areas like parks, reserves, and walkways, to help tackle the issue of dog fouling.
- 5.76 **Staff Advice:** There are currently 357 bins throughout the District's reserves and facilities. Staff note that each bin costs approximately \$1,500 to install and \$1,000 per annum to empty. Bin reduction has been considered as a potential measure for operational cost savings, but to date, elected members have not adopted this approach. In the past, we have adjusted bin placement to respond to changing demands, and this may be a suitable strategy for managing any changes to dog exercise areas. Any additional bins would require the Council to approve additional budget.

General support for proposed content

- 5.77 While the majority of submissions opposed restrictions, there were also many submissions expressing general support for the dog bylaw, with appreciation for the Council's efforts to balance the needs of dog owners, wildlife protection, and public spaces. Key reasons for supporting the bylaw included:
- 5.77.1 agreement with banning dogs from sensitive wildlife areas, particularly beaches and estuaries, to protect native birds;
 - 5.77.2 support for consolidating dog control policies and bylaws into a single document for clarity;
 - 5.77.3 approval of leash requirements in certain areas to prevent harm to wildlife, with some suggesting more dog parks or designated off-leash areas; and
 - 5.77.4 recognition of the importance of responsible dog ownership and the need for clear guidelines to report anti-social behaviour.

Calls for further restrictions

- 5.78 Submitters expressed concern about the rising dog population in Tasman (with some claiming numbers have risen by 29% since 2018). They noted that neighbouring regions like Marlborough and Wellington have implemented stricter dog bylaws, criticising Tasman for seeming lenient, which negatively impacts local and tourist experiences.
- 5.79 Many submitters found current enforcement ineffective, claiming off-leash dogs pose safety risks and disrupt the peace. Suggestions included banning dogs from beaches entirely, enforcing leash control, and creating secure dog parks. Improved signage and stricter penalties were emphasised as essential to resolving conflicts between dog owners, public safety, and wildlife protection.
- 5.80 **Staff Advice:** The proposed bylaw seeks to address key concerns raised by submitters, including public safety and intimidation, wildlife protection, and the balance between dog access and community enjoyment. Several additional protections have been incorporated, such as clear restrictions in sensitive areas. However, it is important to note that further tightening of regulations, such as banning dogs from beaches entirely or introducing stricter

leash control, would likely face significant resistance from the community, especially among dog owners. This resistance is already evident in the feedback received, where many dog owners oppose increased restrictions.

- 5.81 Introducing more stringent measures would require additional rounds of consultation, which could delay the bylaw process and potentially polarise the community further. While some neighbouring regions, such as Marlborough and Wellington, may have adopted stricter bylaws, Tasman's approach aims to strike a balance between allowing responsible dog ownership and exercise and protecting public safety and the environment.
- 5.82 It is essential to be realistic about what can be effectively enforced given the Council's limited budget and the large geographic area of the Tasman District. Implementing strict, wide-reaching measures—such as blanket dog bans or increased patrols—would require significant resources that may not be feasible with current staffing and funding levels.
- 5.83 The 2018/2019 activity report shows 11,284 dogs registered in Tasman. As of 8 October, there were 12,494, an increase of 10.72%.

Playgrounds and picnic areas

- 5.84 A submitter raised concerns about restrictions preventing dog owners from sitting at public park picnic tables while their dogs were leashed. They questioned whether this applies to Easby Park, where tables are near playground equipment, impacting their ability to sit with their dog while their grandchildren play. The submitter asked for clarification on the logic behind such rules and requested the installation of tables further from playgrounds to accommodate families who considered their dogs part of the family.
- 5.85 **Staff Advice:** The bylaw is primarily focused on protecting children playing in these areas and preventing dog fouling near playgrounds and around picnic tables. While placing tables further away from playgrounds to allow families to sit with leashed dogs may address the submitter's concerns, the bylaw is not the appropriate mechanism for making changes to park infrastructure. This issue could be considered as part of future park planning or design initiatives.

Summer months definition

- 5.86 A few submitters noted that they disagreed with the proposed change of the summer months definition to also include November, as beaches tend to not become busy with people until December. This was also critiqued for not being well publicised in the consultation materials.
- 5.87 **Staff Advice:** The definition of summer months was proposed to be extended to include November so that wildlife would be further protected during critical times such as nesting. These seasons generally start earlier in the year (September), but staff have only proposed an additional month in acknowledgement that further months could be seen as too restrictive in some places.
- 5.88 There are locations which do not fit into the definition of summer months as they have their own bespoke arrangement, such as Tata Beach. Staff are also proposing different arrangements for other locations.
- 5.89 Staff recommend removing the definition for summer months and instead stating the time or seasonal restrictions alongside the location in the bylaw. This will help mitigate any confusion and negates the need for the public to flip back and forth through the bylaw to identify the rules for their local area.

- 5.90 Each area with a time or seasonal based restriction has been assessed as to whether the restriction is for wildlife purposes, to avoid dog nuisance/safety issues during crowded times or a combination of both. The recommendations can be found in conjunction with the advice for each area.

Other queries from hearings

- 5.91 Questions were raised about why dog rangers were not approached during the drafting of the bylaw. Staff did approach rangers for their insights on particularly contentious sites, such as Rototai, however, not all rangers were approached. Staff note this feedback and will ensure all rangers are involved in the process early in the review process in the future.
- 5.92 It was raised that public spaces that weren't otherwise zoned by the bylaw are essentially controlled exercise areas by default. A submitter queried why the Council would bother to designate controlled exercise areas if this was the case. Staff consider that it is still important to designate exercise areas to avoid confusion and give suggestions of where people can take their dogs for controlled exercise. Unzoned areas are still subject to the requirements under the Dog Control Act 1996.
- 5.93 Holiday homeowners who have dogs registered with other councils queried why they weren't notified as stakeholders directly. The Council does not hold a database of dogs that are registered with other councils and visit seasonally. The only way to notify these dog owners directly would be to notify every ratepayer in the District. This was also not an option as the Privacy Act (Information Privacy Principle 10) requires the Council to only use personal information for the purposes it was gathered. As required by Section 10 of the Dog Control Act, the Council informed every registered dog owner in the District about the consultation, using the registration database. This is a significant stakeholder awareness measure that would not usually be undertaken for any other consultation. Staff consider the voices of dog owners to be adequately represented in the consultation.

Area specific feedback and advice

Golden Bay

- 5.94 Submitters were asked 'How much do you agree with the proposed plans for the Golden Bay Ward?'
- 5.94.1 Mostly Agree – 68 submitters chose this option
 - 5.94.2 Somewhat Agree – 50 submitters chose this option
 - 5.94.3 Somewhat Disagree – 72 submitters chose this option
 - 5.94.4 Mostly Disagree – 165 submitters chose this option
 - 5.94.5 No Opinion – 176 submitters chose this option

Pūponga

- 5.95 Individual submitters and organisations such as Forest & Bird and the Ornithological Society of New Zealand expressed concerns about the exclusion of the Pūponga estuary from the proposed Dog Control Policy and Bylaws for 2024. They emphasised that these areas were crucial habitats for vulnerable wildlife, including critically endangered species like the White Heron/Kōtuku, and highlighted the need for strict protections to safeguard them from disturbances caused by dogs.

- 5.96 All submissions that mentioned this area advocated for the establishment of dog-prohibited zones in these sensitive areas, arguing that the current proposals do not adequately address the potential risks to local birdlife, seals, and other wildlife.
- 5.97 **Staff Advice:** Staff do not recommend adding additional prohibited areas to what has been proposed in the bylaw without a second consultation round. This provides those with an interest in the matter to have their say. This is also an area that is difficult for dog rangers to access at short notice if there are reports of concern. Staff suggest reassessing this location when the bylaw is next reviewed within five years, with the possibility of installing educational signage to discourage disturbance of birds in the meantime.

Taupata Point

- 5.98 Seven submitters made reference to Taupata Point, including Forest & Bird NZ. These submissions mostly requested the prohibition of dogs in this area to protect an important roosting site.
- 5.99 One submitter expressed distress around having to leash control their dog while horse riding. This area is not zoned in the draft bylaw, however this submission does represent a common misconception that the bylaw would require dogs to be on leash unless otherwise stated.
- 5.100 **Staff Advice:** The addition of a prohibited area to protect wildlife would require a second consultation. Staff recommend revisiting this site when the bylaw is reviewed within five years, and will look into educational signage for the time being.

Tomatea Point

- 5.101 Many submitters expressed disagreement with the proposal to prohibit dogs entirely at Tomatea Point. They argued that this area serves as a crucial thoroughfare for dog walkers, particularly due to dangerous road conditions, such as narrow roads, lack of footpaths, and heavy summer traffic. Residents, including the Golden Bay Responsible Dog Owners group, suggested allowing leashed access along designated routes to mitigate safety concerns without disturbing local birdlife.
- 5.102 While some submitters supported the idea of regulated access for dogs, there was also support for protecting significant bird habitats, with some proposing clearer boundaries and signage to educate dog owners about areas requiring special protection.
- 5.103 Concerns about parking at the Tomatea carpark and reserve were also prevalent. Several submissions highlighted this location as the only suitable parking area for accessing the beach, and prohibiting dogs there would limit access for local residents.
- 5.104 The DOC submission supported a relaxation of regulations at Tomatea Reserve to ensure that dogs can gain access to appropriate parts of the beach for exercise.
- 5.105 **Staff Advice:** Staff acknowledge that the inclusion of the reserve created an unintended consequence around access to the beach. It is proposed to amend Tomatea Reserve to be a controlled exercise area, and to also extend the Pākawau Beach exercise area up to the reserve. Staff have concerns around compliance if Tomatea Point was changed to an on leash area.

Pākawau

- 5.106 Most submitters agreed that the area from the northern end of the Pākawau Beach campground to 1 km south should be designated a Controlled Dog Exercise area all year round. They emphasised the importance of responsible dog ownership in this space. There was also a request to extend this area up to Tomatea Reserve.
- 5.107 There were some calls for Pākawau to be classified as a Leash Control area throughout the year. Submitters argued this was necessary to protect local wildlife and ensure public safety, citing incidents of aggressive dog behaviour.
- 5.108 **Staff Advice:** As mentioned in the Tomatea Point section, staff propose extending the controlled exercise area as far as Tomatea Point. Staff acknowledge that there are wildlife concerns in the area, however the proposal includes prioritising and protecting the most vulnerable of these sites, such as Tomatea Point. The recent coastal bird survey by McArthur, Melville, and Schuckard (2022) highlighted Tomatea Point as having international and regional importance as it provides roosting and foraging habitat for 1.5% of the global population of South Island Pied Oystercatchers, with 12 other nationally Threatened or At Risk bird species using this area for foraging & roosting.

Collingwood

- 5.109 Most submitters agreed with continuing the controlled exercise area on the main beach, however, some did raise wildlife concerns along this stretch of the beach and advocated for seasonal restrictions instead.
- 5.110 One submission questioned the complete prohibition of dogs in Ruataniwha Inlet, highlighting its use by game bird hunters and people fishing or kayaking with dogs.
- 5.111 Several residents expressed a view that local dog owners were generally responsible and that dogs did not significantly disturb birdlife. They argued that birds have coexisted with dogs for years without major issues and that other predators (like cats and stoats) pose a greater threat to wildlife.
- 5.112 There were many submissions in opposition to extending the dog prohibition to the Elizabeth Street carpark to protect roosting birds. Some residents felt that existing signage was adequate for educating dog owners about bird protection. There were also suggestions that this area could be made a leash control area rather than a prohibition.
- 5.113 Some submissions critiqued the Council's proposals as excessive and not based on solid evidence. They argued that the regulations reflect the concerns of a vocal minority rather than the majority of local dog owners.
- 5.114 Some submissions raised concerns about how these restrictions could negatively impact local businesses, particularly the Collingwood Holiday Park, which relies on being pet-friendly.
- 5.115 Residents expressed strong emotional ties to the beach and surrounding areas, highlighting their role as caretakers of the environment while also wishing to enjoy outdoor activities with their dogs.
- 5.116 Many submissions criticised the inclusion of the boat ramp carpark in the dog exclusion zone. Submitters argued that this area is often used by families for recreational activities, such as swimming and boating, and has not historically posed issues with dogs. Suggestions included reclassifying the carpark as a leash-only area rather than a total

prohibition, allowing responsible dog owners to access the area without disrupting activities.

- 5.117 The campground managers had expressed concern that their camp has been divided into two sections with some designated as leash controlled and some prohibited. They also has concerns about the viability of the camp as pet friendly accommodation when surrounded by dogs prohibited areas. Their current policy was to prohibit dogs over peak months of December–February but allow them the remainder of the year. They also noted having a dog of their own.
- 5.118 **Staff Advice:** Staff acknowledge the level of support for the proposed continuation of the dog exercise area from Milnthorpe to Collingwood. Staff remain confident that the most vulnerable wildlife areas have been protected under the proposal.
- 5.119 The prohibition of the boat ramp area was not a new proposal and was carried over from the previous bylaw. On site inspection, it has been found that there is currently no signage to reflect this, which may explain why many are raising concerns as though it is a new prohibition. Staff propose a change to the draft, so that this area is not regulated by the bylaw to allow dogs to gain access to boats, kayaks etc. As the Ruataniwha Inlet remains a prohibited area for dogs to protect wading birds etc., there will need to be an exception made in the bylaw to allow dogs in this area if they are contained on a vessel.
- 5.120 The Collingwood Campground is owned by the Council, with managers employed to run the business. The drafting of the bylaw had taken into account the encroachment of the camp onto hapu land, and was mapped to reflect the actual boundaries of the camp. However, meetings have since been held between the property team and whanau representatives, who have indicated a willingness to take a pragmatic approach as this matter continues to evolve. Staff propose the maps are amended any map restrictions to reflect where the camp is currently occupied.
- 5.121 Staff note that if the bylaw changes the campground status from leash control to seasonally prohibited this will place the manager's own dog in contravene of the bylaw over the summer period. Staff propose to remove the campground from the bylaw and encourage self-management through campground policies. Although unzoned by the bylaw, this area would still be subject to the requirements of the Dog Control Act, requiring dogs to be under control at all times.
- 5.122 Staff propose that the proposed dog prohibition area at The Point/Collingwood Roost remain in the final bylaw. There is an extensive alternative area for dogs to exercise, from Elizabeth Street to Milnthorpe, with the proposed prohibition protecting a more vulnerable site for wildlife. The alternative location is easily accessed by foot and is not considered a significant detour by staff.
- 5.123 Furthermore, this area concerns hapu land which is currently partially encroached upon. The Point has been identified as a site of cultural and historic significance. When meeting with whanau representatives, the Enterprise team has discussed the dog bylaw and have support for the prohibition based on both the area's cultural significance and wildlife values.

Milnthorpe

- 5.124 Submitters expressed a desire to continue walking their dogs on-leash along Trev's Track and the Milnthorpe track, emphasising their responsibility as dog owners and the discomfort of walking on busy roads.

- 5.125 There was a call for clear access points to the beach for recreational activities, especially for families and seniors.
- 5.126 Some residents argued against blanket closures of Golden Bay inlets to dogs, citing personal enjoyment and lack of evidence that dogs harm wildlife. They highlighted specific impacts of proposed restrictions on dog walking routes and activities like boating and picnicking.
- 5.127 Some submissions supported stronger dog control to protect local wildlife, particularly during nesting seasons. This was supported by some local residents, DOC, Forest & Bird and Manawhenua Ki Mohua.
- 5.128 Concerns were raised about excessive signage in the area leading to confusion and disregard among residents and visitors. A call for fewer, clearer signs has been made to improve compliance.
- 5.129 While there was strong support for wildlife protection, many submissions highlighted the importance of maintaining access for responsible dog owners, emphasising community health and well-being through recreational activities.
- 5.130 **Staff Advice:** Staff acknowledge the concerns around wildlife at vulnerable times such as nesting and raising young. Further restrictions such as imposing a seasonal prohibition (as opposed to the proposed leash control access) from Kendall Street to the headland would require additional consultation. It would also be impractical for a significant portion of the year as this is the main point of access for dogs and their owners going to the beach. Staff recommend revisiting this issue when the bylaw is reviewed within five years. In the meantime, it will be useful to see whether the leash control in this area is satisfactory in practice.
- 5.131 Staff are not aware of any walking tracks that have been prohibited by the proposed bylaw. The Milnthorpe Bush walking tracks are not zoned in the bylaw.
- 5.132 Milnthorpe has a history of confusion due to a misalignment in the previous bylaw. The mapping indicated that the Milnthorpe beach in front of the housing was a dog prohibited area, whereas the wording permitted dog exercise between Milnthorpe Quay and Collingwood. Due to this inconsistency, the wording took precedence over the map, and allowed dog walkers along this stretch of beach. As the original intent was to prohibit dogs from this area, staff recommend retaining what is proposed in the draft bylaw. Residents with dogs still have access to an extensive stretch of beach between the headland and Elizabeth Street, Collingwood.

Parapara

- 5.133 Some submitters advocated for increased dog restrictions to protect vulnerable bird species, particularly endorsing year-round or seasonal leash-only areas. They emphasised the importance of preserving bird habitats during nesting periods and endorsed the use of a "traffic light" system to inform dog owners about allowed areas. These submitters highlighted the importance of clear signage, public education, and enforcement, with some advocating for a complete ban on dogs in sensitive areas, such as Parapara Sandspit, to safeguard species like oystercatchers and godwits.
- 5.134 Other submitters, particularly local residents and dog owners, expressed frustration with existing or proposed restrictions. They argued that responsible dog ownership should allow for more balanced access to the entirety of Parapara Beach. Several dog owners shared personal anecdotes of their dogs coexisting peacefully with wildlife and rescuing distressed

birds, advocating for more nuanced approaches, such as restrictions only during bird breeding seasons or targeted enforcement against non-compliant dog owners rather than blanket prohibitions.

- 5.135 A common theme was the perception that current enforcement is inconsistent, with submitters noting that visitors often ignore or are unaware of restrictions, while locals feel penalised. Additionally, some residents felt the prohibition of dogs in certain areas was excessive, especially given other disruptive activities like quad biking.
- 5.136 **Staff Advice:** Staff acknowledge that signage in the area, particularly at the beach, is confusing, and intend to rectify this when the final bylaw is made. Staff note that the area of the beach which was prohibited under the previous bylaw has been classified as a cultural heritage precinct, owned by iwi. Staff recommend retaining the current restriction on this end of the beach and consider the remaining beach adequate for dog exercise.
- 5.137 Staff considered formalising the remainder of the beach as a controlled exercise area, however, it is noted that the beach shows up as an area of significance for shorebirds in our GIS records. While there are no plans to prohibit this area, staff consider it best not to advertise the rest of the beach as an exercise area.

Onekaka

- 5.138 A few submitters opposed the proposed prohibition for dogs, arguing that the nesting birds were primarily on the opposite bank, and the current dog-walking practices did not negatively impact wildlife. They stressed the importance of maintaining access for responsible dog owners, especially during summer.
- 5.139 Submitters noted that there was a discrepancy between the map shown on Shape Tasman and what is proposed in the mapping in the bylaw. The Shape Tasman map mistakenly blocks access on Washbourn Road which runs between different parts of the estuary.
- 5.140 One submitter queried whether the mapping was correct as it crosses over private property.
- 5.141 **Staff Advice:** Staff confirm that the bylaw version of the mapping is correct and that access through Washbourn Road will be maintained. This is an established prohibited zone which is being carried over from the previous bylaw to protect wildlife in the estuary; it is not a new prohibition as some have suggested. Staff are not recommending any changes to the previous bylaw in this area.
- 5.142 The Dog Control Act provides a broad definition of what constitutes a public place:
- public place—**
- (a) means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and
 - (b) includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward
- Based on this definition, our legal advice confirms that, even though the land in question is private, if the public has access to it, Council can apply the Dog Control Bylaw.

Parawhakaoho River Mouth

- 5.143 Most of those who submitted on this area opposed the total ban on dogs at the Pariwhakoho River mouth, arguing that dogs on leash should be permitted. They considered that the ban restricts walking routes and negatively impacts dog owners, particularly as there are limited areas for dog walking.
- 5.144 Several submissions suggested that a leash requirement during sensitive times (e.g., nesting periods) was a more balanced approach rather than a complete prohibition. There were mentions of other activities (e.g., fishing, quad biking) at the river mouth that may pose greater risks to wildlife than leashed dogs, highlighting a perceived inconsistency in the restrictions being proposed.
- 5.145 Some submitters supported at least partial prohibition of the river mouth to protect wildlife. The Forest & Bird Golden Bay Branch supported the prohibition while Forest & Bird NZ supported a mixed approach; dogs prohibited September to February and on leash at other times.
- 5.146 **Staff Advice:** Staff recommend making a change to align with Forest & Bird NZ's suggestion so that dogs are prohibited between September and February, and on leash the remainder of the year. Staff note that this area is recorded as an area of significance for shorebirds in our GIS records. Furthermore, the next section of beach that dog walkers are hoping to have access to is also a significant area. Staff are making recommendations to restrict dogs around the river mouth as this is the priority area, however, if access through to the next beach is restricted from September to February, shorebirds in the surrounding areas will also benefit.

Patons Rock

- 5.147 The proposed change to a controlled exercise area at Patons Rock was generally supported, including by the Forest & Bird Golden Bay Branch, with some suggestions for on-leash rules in sensitive areas.
- 5.148 One resident supported continuing the current summer restriction (30 November to 1 March) in front of the houses at Patons Rock, emphasising the need to protect penguins, which have recently returned to the area. They highlighted the risk to wildlife posed by dogs. Good Dog Owners Golden Bay also suggested a 'no dogs in the dunes' sign.
- 5.149 **Staff Advice:** The Council currently does not have records of penguins at Patons Rock, although it is certainly possible that they are there. Staff recommend continuing with this area as proposed in the bylaw. This bylaw will not explicitly ban dogs from the sand dunes, however, while curating new signage staff will consider educational signage to discourage dogs in the dunes.

Onahau

- 5.150 Good Dog Owners Golden Bay supported these restrictions, although they requested signage to direct dog owners in the right direction, as the Fraser Road to Rangihaeata Headland controlled exercise area is adjacent to this area. This was also supported by an individual submitter.
- 5.151 The prohibition was also supported (and originally suggested) by Forest & Bird NZ. One local submitter opposed the proposed prohibition.

- 5.152 **Staff Advice:** Staff note the suggestion from Good Dog Owners Golden Bay and will incorporate this feedback into signage design. Staff recommend proceeding with the proposed prohibition in this area.

Rangihaeata

- 5.153 Several submissions from local residents raised concerns about the headland being partially prohibited as this prevents them from walking all the way around to connect with a new proposed controlled exercise area. One submitter expressed the need for more clarity about the significance of the Rangihaeata headland, noting that it was a kekeno (seal) haul-out area. They disagreed with the Good Dog Owners Group's promotion of the loop walk between Frasers Road and Charlette Point, citing concerns that the headland was off-limits for good reasons. The submitter pointed out that dogs often barked at kekeno due to surprise encounters, and they highlighted the proximity of kororā (little blue penguin) and torea (oystercatcher) nesting sites, which are within a short distance from the walking area. They also emphasised the importance of the estuary as a feeding ground for various bird species. The submitter recommended placing educational signs to inform walkers about the protected wildlife and discourage bringing dogs around the headland. Forest & Bird NZ supported prohibiting dogs from this area.
- 5.154 The proposed new exercise area to the left of the headland was generally supported, including by DOC, although they noted that clarity is needed between this area and the prohibited section of headland.
- 5.155 DOC also acknowledged that there are moderate wildlife risks on Rangihaeata Beach but noted existing dog exercise expectations in this area.
- 5.156 **Staff Advice:** The headland is partially prohibited to protect wildlife and staff recommend this protection remains in place. GIS records show significant penguin observations around the headland, and the seal population is also noted. Protecting this headland can provide a refuge for wildlife as dogs are permitted to exercise off leash on the main beach.
- 5.157 The submissions suggest that the headland is a new prohibition, however staff have confirmed that it is a carry-over from the previous bylaw and has been in place for some time. Staff will also give consideration to developing educational signage in the area.

Rototai

- 5.158 Several submissions, including from Good Dog Owners Golden Bay, raised concerns regarding the use of the closed landfill in Rototai for dog exercise. Submitters raised health and safety concerns for both dogs and their humans.
- 5.159 Forest & Bird Golden Bay initially advocated for the entire area to be prohibited in the early engagement. This is a stance that has been maintained by Forest & Bird NZ, however the Golden Bay branch has submitted in opposition to the proposed leash control along the Motupipi Reserve Beachfront, supporting controlled exercise in this area. The Ornithological Society also raised concerns about risks to shorebirds posed by dogs in the Rototai area.
- 5.160 20 individual submitters and Good Dog Owners Golden Bay raised concerns about the proposed changes in the Rototai/Motopipi Beachfront Reserve area. Many dog owners emphasised that the beach is essential for off-leash exercise, socialisation, and the well-being of both dogs and owners. They argued that responsible dog ownership has not negatively impacted birdlife and suggested that the changes will unfairly punish dog

owners without solving conservation issues. Alternatives such as designated dog tracks or maintaining controlled off-leash areas were proposed. Some expressed frustration with the perception that dogs are a major threat to wildlife, pointing out other risks, such as free-roaming cats. Additionally, there was concern that restricting dog areas will concentrate dog walkers into smaller spaces, increasing potential issues.

- 5.161 **Staff Advice:** Staff acknowledge the concerns around the Rototai closed landfill. The intention had been to test the soil to ensure safety before confirming as a controlled exercise area. We have since been advised that these tests cannot be done due to budget constraints. Staff recommend removing the Rototai closed landfill from the bylaw at this time. There is potential for this site to be tested and developed for another use at a later time if budgets allow in the future.
- 5.162 Staff acknowledge the community concerns around access and exercise in this area. While the area does show up in our GIS records as having significant wildlife values, biodiversity staff have visited the site and determined that the primary places that need protecting are outside the proposed on leash zone. Staff recommend amending the bylaw so that the foreshore currently used for dog exercise is retained.
- 5.163 However, there continue to be concerns around the practicality of the current bylaw, which allows dog exercise out to 300 metres northwest of the reserve. In practice there are no clear landmarks and it is difficult to determine whether a dog is in an exercise area or a strictly prohibited area. The current exercise area comes from close to the Pōhara shoreline, where dogs are also prohibited. One of the local dog rangers has also expressed frustration around the way the previous bylaw was drafted and mapped, indicating that enforcement is difficult in this location. Staff have recommended reinstating the foreshore as an exercise area but are reluctant to reinstate the adjacent 300 metre exercise square.

Pōhara

- 5.164 15 submissions mentioned Pōhara. Submitters expressed confusion over signage at Pōhara, particularly around Selwyn Street and the golf course, making it unclear where dogs are permitted. Some supported extending on-leash areas beyond the golf course and into the estuary, especially during high tide or off-peak times, as this would offer more space without harming wildlife. Several dog walkers already use these prohibited routes currently, and they suggested formalising this access by allowing on-leash walking in these areas.
- 5.165 Some submitters feared that fewer dog-friendly areas will lead to overcrowding, creating more issues for walkers and wildlife. While there was support for seasonal restrictions, particularly near Pōhara Camp during the busy summer months, many suggested shortening the restricted period or reducing the area. Good Dog Owners Golden Bay suggested this area becomes an on leash area over the busy months of January and February as it makes no sense to leave the beach, walk through the township and then rejoin the beach.
- 5.166 DOC partially supported the removal of the Eastern end of Pōhara Beach from the bylaw. Due to high wildlife values near the Pōhara Valley stream mouth they suggested an on leash area from Pōhara Valley Road to the band rotunda.

- 5.167 **Staff Advice:** Staff agree that a seasonal leash requirement along the middle section of the beach could be more practical over the summer months. This would align more closely with recommendations we have previously made for areas such as Little Kaiteriteri. Signage would need to be clear. Staff could gather information regularly to evaluate levels of compliance ahead of the next review.
- 5.168 The Pōhara Camp leaseholders were contacted by phone following the early engagement stage. Unfortunately, staff and the leaseholders did not come away with a shared understanding of what was discussed, and have since been in email contact to rectify their position. Since the campground leaseholders are wanting something a bit more bespoke that will likely not match up with the section of beach in front of the campground staff recommend removing the campground and encouraging self management through campground policies.

Ligar Bay

- 5.169 Submitters were given a multi-choice question regarding Ligar Bay. Submitters were asked the following:
- The draft bylaw proposes that Ligar Bay Beach mostly continues with the current rules. Another option is also being considered. Please choose your preferred option.
- 5.169.1 Draft Bylaw: 1 March – 31 October: Controlled Exercise Area. Summer months: 5:00am to 9:00am: Controlled Exercise Area. 9:00am to 5:00am: Dogs Prohibited. **79 submitters chose this option.**
- 5.169.2 Controlled exercise area year round. **136 Submitters chose this option.**
- 5.169.3 None of the above. **99 submitters chose this option.**
- 5.169.4 Not sure. **146 submitters chose this option.**
- 5.170 Submitters could also enter free text to support their choice. Of those who chose 'None of the above', 13 indicated in their comments that they preferred controlled exercise year round. If these are taken into account, 149 submitters supported the controlled exercise year round option.
- 5.171 Of the 'None of the above' submitters, 11 indicated a preference for aligning with the bespoke arrangement at Tata Beach, including Good Dog Owners Golden Bay. 11 indicated a preference for dogs to be prohibited at all times, while three preferred the status quo (noting that they were opposed to the increase of what constituted summer months).
- 5.172 Several submitters noted that if dogs were seasonally prohibited over summer it would be beneficial to have a second exercise time towards the end of the day when the beach is less populated. Many submitters also requested that the definition of summer months should align with Tata Beach as the peak season isn't very long. It was also noted that Ligar is a much larger beach than Tata and that conflicts with dogs and people are less likely.
- 5.173 DOC was supportive of what is proposed in the draft bylaw, however they noted that wildlife are already disrupted during peak holidaymaker season, indicating that the presence of dogs may not have as significant an impact.

- 5.174 **Staff Advice:** Staff acknowledge the support from submitters for this area to become a controlled exercise area year round and recommend making this amendment to the bylaw.

Tata Beach

- 5.175 Submitters were given a multichoice question regarding Tata Beach. Submitters were asked the following:

The draft bylaw proposes that Tata Beach continues with the current rules. Another option is also being considered. Please choose your preferred option.

- 5.175.1 Draft Bylaw: 21 January – 19 December:
 - 5.175.2 Sunset – 8:30am: Dogs prohibited
 - 5.175.3 8:30am – sunset: Controlled exercise area
 - 5.175.4 20 December – 20 January:
 - 5.175.5 Sunset – 8:30am & 10:00am – 5:00pm: Dogs Prohibited
8:30am – 10am & 5pm – sunset: Controlled exercise area. **135 submitters selected this option**
 - 5.175.6 Dogs prohibited during summer months and controlled exercise the remainder of the year. **70 submitters selected this option.**
 - 5.175.7 None of the above. **122 submitters selected this option.**
 - 5.175.8 Not sure. **140 submitters selected this option.**
- 5.176 Of those who selected 'none of the above' or 'not sure', 11 indicated in the free text field that they preferred the status quo (which is what is proposed in the draft). If these are included, 146 submitters favour what is proposed in the draft bylaw. Twelve submitters indicated they preferred for dogs to be prohibited from Tata Beach, and nine indicated they preferred the beach to be zoned as controlled exercise year round.
- 5.177 DOC provided similar feedback as for Tata Beach, offering support for what was proposed, while acknowledging that wildlife are already disrupted during peak holidaymaker season, indicating that the presence of dogs may not have as significant an impact.
- 5.178 **Staff Advice:** Staff acknowledge the extensive community review initiated by the Golden Bay Community Board which resulted in the current rules. Many comments also acknowledged this and staff recommend retaining what is proposed in the bylaw.

Tākaka

- 5.179 Five submissions mentioned the Tākaka township. While there was only one change from the previous bylaw (the removal of the dogs prohibited zoning in the library car park), there was resistance to 'adding any more restrictions'. Two lamented that they couldn't take their dog through the town, with one suggesting it should at least be on leash, and others felt that it was unreasonable to have any restrictions on where dogs could go within Tākaka.
- 5.180 **Staff Advice:** The current bylaw and the proposed bylaw already allow dogs to go through most areas of Tākaka with leash control. The panel could consider making other prohibited areas leash control areas, such as the village green, however there has not been significant feedback regarding this to warrant a change.

Abel Tasman

- 5.181 DOC supported the inclusion of Abel Tasman's National Park Foreshore Reserves on Tonga, Adele and Fisherman Island in the Dog Control Bylaw, however they noted that by singling out these areas it may unintentionally suggest that dogs are permitted on other parts of the reserve. They also noted that the maps shown in the draft bylaw show the entirety of the islands as dogs prohibited areas, but the land above MHWS is classified as National Park and is therefore outside the scope of the Abel Tasman Foreshore Scenic Reserve Bylaw.
- 5.182 **Staff Advice:** These islands were carried over from the previous bylaw, despite also being covered by the Abel Tasman Foreshore Scenic Reserve Bylaw. Staff acknowledge that their inclusion in the Council's bylaw may have the unintended consequence as raised by DOC around suggesting dogs are permitted on other parts of the reserve. While DOC may be supportive of the islands' inclusion in the draft bylaw, staff consider that it is best practice not to replicate what is set out in other legislation. Staff recommend removing the islands from the Council Dog Control Bylaw. However, a note will be included in the bylaw referring the public to the relevant bylaws.

Awaroa vehicle access point

- 5.183 In its submission, DOC supported the continued leash access for this discrete part of Abel Tasman, with recommendations to make a slight adjustment to the way the mapping is represented. However, staff have corresponded with DOC since the submission and agree that as this point is also covered by the Abel Tasman Foreshore Scenic Reserve Bylaw it is best practice to remove from the Dog Control Policy and Bylaw.
- 5.184 **Staff Advice:** Staff have included a resolution to remove this point from the policy and bylaw.

Southern End of Coastal Track (Marahau End)

- 5.185 DOC also requested an additional dog prohibited area at the start of the Abel Tasman Coast Track. Making this unformed legal road a dog prohibited area would assist DOC in managing the national park and foreshore scenic reserve. This section is not subject to the National Parks Act or the bylaws that apply to the Abel Tasman National Park or Abel Tasman Foreshore Scenic Reserve. This creates a situation where dogs may be taken some distance along the coastal track, including where it is flanked by the national park and the foreshore scenic reserve.
- 5.186 **Staff Advice:** Staff do not recommend including new prohibited areas without further consultation. The request for an additional dog prohibited area at the start of the Abel Tasman Coast Track will be included for consideration at the next bylaw review within five years.

Motueka

- 5.187 Submitters were asked 'How much do you agree with the proposed plans for the Motueka Ward?'
- 5.187.1 Mostly Agree – 49 submitters chose this option
- 5.187.2 Somewhat Agree – 36 submitters chose this option

- 5.187.3 Somewhat Disagree – 54 submitters chose this option
- 5.187.4 Mostly Disagree – 161 submitters chose this option
- 5.187.5 No Opinion – 189 submitters chose this option.

Otūwhero Inlet

- 5.188 Two submitters suggested that the dogs prohibited status of Otūwhero Inlet is unnecessary, with one suggesting it could be reduced to an on leash restriction during nesting seasons. The Split Apple Rock Owners Association raises concerns about having nearby Tokongawhā Recreation Reserve classified as an exercise area, partially due to its proximity to Otūwhero Inlet and the restoration work that is occurring in this area.
- 5.189 **Staff Advice:** The dogs prohibited status of Otūwhero Inlet is a continuation of the previous bylaw, and has been identified as a site of significance for shore birds. Staff recommend retaining the current dogs prohibited status, as per both the previous bylaw and the draft.

Tokongawhā Recreation Reserve

- 5.190 Several local residents opposed the inclusion of Tokongawhā Recreation Reserve as a dog exercise area, including the Split Apple Rock Owners' Association. Many submitters emphasise the potential harm to local wildlife, particularly little penguins and wekas, which are protected species. Off-leash dogs pose a significant threat to these species, especially with the reserve's proximity to the Otūwhero Inlet and nearby beaches that serve as nesting sites for birds.
- 5.191 Several submitters highlighted issues with road safety due to narrow roads and limited visibility, which could lead to accidents if dogs are off-leash. They also noted poor compliance with leash laws in the area, sharing personal experiences of dogs attacking other dogs when off-leash.
- 5.192 The reserve is valued as the only flat, green space in the area where children can play sports and families can picnic. Turning it into a dog exercise area would make it unsuitable for these purposes, with concerns about dog waste, noise, and potential dog-owner conflicts.
- 5.193 The reserve is noted by some submitters as having poor drainage, making it boggy during rainy periods, which could be exacerbated by increased use by dogs. Submitters also expressed concerns about dog waste contaminating the area and affecting the enjoyment of other park users.
- 5.194 Several submissions pointed out that designating the reserve as an off-leash area would attract more visitors and cars, increasing congestion in the subdivision and putting additional strain on infrastructure, particularly parking and roads.
- 5.195 **Staff Advice:** Staff acknowledge the concerns of residents and recommend removing this reserve from the bylaw. This means that the area would still be subject to the requirements set out in the Dog Control Act.

Split Apple Rock / Towers Bay

- 5.196 Nine submitters specifically mentioned this area. Most submitters advocated for on-leash or dog-free areas at Split Apple Rock and Towers Bay to protect penguin habitats and other wildlife. They mentioned incidents of uncontrolled dogs, environmental harm, and public safety risks.
- 5.197 Concerns about barking, fouling, and safety issues, particularly with uncontrolled dogs rushing towards people, have led to calls for greater enforcement, including fines. Submitters argue that uncontrolled dogs detract from the natural beauty and appeal of these beaches, important to both tourists and locals.
- 5.198 A couple of submitters favoured retaining the current controlled off-leash areas for dogs, particularly noting that Split Apple Rock and Towers Bay are quiet, family-friendly beaches where dogs have historically been allowed.
- 5.199 These submitters suggested allowing leashed dogs during bird nesting seasons and off-leash access at other times, emphasising a desire for a compromise that works for both dog owners and conservation efforts.
- 5.200 **Staff Advice:** While the concerns are noted, staff are mindful that several other beaches in the area are likely to have further restrictions placed on them. The beach has not been zoned as an exercise area in the bylaw so as not to encourage more people to bring their dogs to this area but remains available for those who are already using it. Staff recommends no change to the draft bylaw and to will review the location at the next bylaw review within five years.

Breaker Bay and Kaiteriteri Beach

- 5.201 Forest & Bird NZ advocated for stricter dog control at coastal zones like Kaiteriteri, citing increased dog ownership and the need to protect bird habitats. It emphasised the importance of enforcement, education, and cross-agency collaboration, and note poor compliance at Kaiteriteri.
- 5.202 Some residents expressed frustration about the lack of bylaw enforcement, particularly during the holiday season, and highlighted the disturbance caused by dogs running off-leash at Kaiteriteri, with concerns about noise and birdlife protection. One submitter argued that dogs should be allowed on Kaiteriteri Beach, as it is often empty. They called for less restrictive policies, noting that attitudes toward dogs have changed over the years, and suggested reopening both Breaker Bay and Kaiteriteri Beach with conditions similar to Little Kaiteriteri.
- 5.203 **Staff Advice:** Staff considered whether off leash controlled exercise could be allowed on Kaiteriteri Beach during the winter months during the drafting of the bylaw, as this area is less populated by penguins than Little Kaiteriteri Beach. However, Kaiteriteri Recreational Reserve Board regulations around the beach make this option unviable. Given the limited amount of feedback on this beach it also appears generally accepted by the public. Staff recommend maintaining these areas as dogs prohibited as per both the previous bylaw and the draft. .

Little Kaiteriteri Beach

5.204 Little Kaiteriteri Beach garnered the most attention in the submissions. Submitters were given a multichoice question and asked to choose their preferred option as follows:

The draft bylaw proposes that dogs will be allowed on leash at all times at Little Kaiteriteri. Some other options are also being considered. Please choose your preferred option.

- 5.204.1 Draft bylaw: Dogs on leash at all times. **106 submitters chose this option.**
- 5.204.2 Dogs prohibited between 5am and 9am, and between 5pm and 8pm. During other hours the area would be a controlled exercise area. **61 submitters chose this option.**
- 5.204.3 Dogs prohibited during summer months, except between the hours of 9am and 11am. The rest of the year would be consistent with option 2. **61 submitters chose this option.**
- 5.204.4 None of the above. **196 submitters chose this option.**
- 5.204.5 Not sure. **85 submitters chose this option.**

5.205 Of those who chose 'None of the above', 38 indicated in their comments that they preferred dogs to be prohibited entirely. 35 indicated they preferred the status quo and 10 indicated they preferred the beach to be a controlled exercise area year round.

5.206 For reference, the status quo is that during the summer months dogs can only be exercised off leash on the beach between 5.00 am and 9.00 am and prohibited the remainder of the day. The remainder of the year, dogs can be exercised off leash at any time. This was not presented as one of the options as the status quo did not offer any protection to penguins living in the area, and encouraged dog exercise during penguin commuting hours over the summer months.

5.207 Submitters could also provide free text feedback. The themes of this feedback has been summarised below.

5.208 The community is deeply divided over dog access to Little Kaiteriteri and surrounding beaches, with strong opinions on both sides. Some residents advocate for stricter restrictions, including a complete ban on dogs, citing concerns for public safety, hygiene, and the protection of penguin habitats. Others, particularly dog owners, push for more lenient rules, emphasising responsible dog ownership, the need for off-leash exercise areas, and the minimal impact of dogs on wildlife.

5.209 DOC is supportive of the on-leash requirement on Little Kaiteriteri, Dummy and Stephens Bay in order to protect penguins living in the area.

5.210 Not all opposition to dogs on beaches was related to conservation. Non-dog owners expressed frustration with how dogs disrupt their experience of the beach, citing hygiene concerns (urination and defecation), as well as safety issues with dogs running uncontrolled and intimidating people, particularly children and the elderly.

5.211 Many local dog owners opposed stricter regulations and prefer the current access arrangements. They argued that penguins are not significantly impacted by responsible dogs and that the proposed changes would unfairly punish responsible dog owners. These submitters often mentioned that other factors, such as cars and boats, pose a greater threat to penguins, not dogs.

- 5.212 Some submissions suggested that urban development in areas like Tapu Bay, Stephens Bay, and Little Kaiteriteri has made these places less suitable for wildlife, including penguins. These submitters felt it might be better to encourage penguins to relocate to areas like Abel Tasman National Park, where dogs are prohibited.
- 5.213 Some submitters suggested maintaining the current seasonal restrictions but allowing more flexibility, such as off-leash times during off-season or less busy periods. They argue that this would balance the needs of dog owners and wildlife protection, proposing better enforcement and educational signage rather than more stringent restrictions.
- 5.214 Some submissions opposed options two and three as they don't allow for dog walking outside of their working hours.
- 5.215 Many residents, especially those who have long enjoyed the freedom to walk their dogs, expressed dissatisfaction with the perceived increase in anti-dog sentiment. They felt the current rules work well and don't see a need for additional restrictions, emphasising the social and mental health benefits of dog ownership. Some questioned the evidence behind the restrictions, suggesting that the changes were driven by a vocal minority.
- 5.216 As with other areas, several dog owners raised concerns about the proposed extension to the definition of summer months to include November, arguing that this month is typically not busy with beachgoers and holidaymakers.
- 5.217 Tasman Bay Dog Owners Informal Group made an extensive submission which was largely opposed to the regulations being set out in the bylaw, with a particular focus on Little Kaiteriteri and surrounding areas. The submission raised concerns about micro-management by the Council and a perceived loss of freedom of movement in breach of the New Zealand Bill of Rights Act. The submitter felt that the bylaw will increase targeted harassment and bullying from activists and is discriminatory against dog owners. The submitter drew comparisons between the bylaw and the political climate of Germany in 1939, and the war in Ukraine. The submitter also claimed that the bylaw will result in increased incidences of dogs being left in hot vehicles while their owners are at the beach.
- 5.218 **Staff Advice:** Staff remain confident that the Dog Control Policy and Bylaw do not unreasonably impinge on people's freedom of movement and that there is no breach of the New Zealand Bill of Rights Act 1990 (NZBORA). The NZBORA regards people, not dogs, and the proposed bylaw does not restrict the movement of people based on their identity as dog owners. The NZBORA does not provide for dogs to have equal rights to humans.
- 5.219 The Dog Control Act 1996 enables the Council to make policies and bylaws which prohibit or restrict dog access in certain areas, and the proposed regulations are consistent with this framework, aiming to balance public safety, wildlife protection, and responsible dog ownership. Staff also recognise the importance of addressing concerns about harassment and discrimination. Drawing comparisons to historical events such as the political climate of Germany in 1939 is not only inappropriate but detracts from the nature of the issues at hand. Staff advise that the Panel maintain a focus on the core purpose of the bylaw rather than engaging with extreme comparisons that may inflame tensions.
- 5.220 Staff note the significant community division and that some query how many penguins have been killed by dogs, versus other causes of death. Staff also recommend setting aside the claims of misinformation, bullying and harassment, from both sides of the debate and focus on what is within scope for the bylaw.

- 5.221 Bylaws necessitate the identification and resolution of perceived issues. Little Kaiteriteri has been confirmed as a habitat for Little Blue Penguins, which are classified as at risk and experiencing a decline in population. The Council subject matter experts from the Biodiversity Team, along with reputable external organisations such as the Department of Conservation, have substantiated that dogs pose a significant threat to penguin safety. Additionally, submitters have raised concerns related to public health, safety, and nuisance, particularly during peak seasons. At the same time, the dog-owning community has expressed a strong desire to maintain the ability to exercise their dogs in this area. These competing interests present the challenges that the bylaw must address.
- 5.222 **Staff Advice:** While the leash control year-round proposal was the most popular of the options presented (106), there were nearly double this number that chose none of the above (196), for varying reasons. Staff note that there was a split vote on the two time-based options, but if added together indicate that 122 people preferred a time-based restriction. The status quo also involves time-based restrictions, and we heard from submitters who suggested that this either continue, or that it is adjusted slightly to accommodate hours where penguins are at their most vulnerable.

- 5.223 Staff propose a slight variation of option 3 as follows:

Little Kaiteriteri Beach

November–February:

Dogs prohibited, except between the hours of 8.00 am and 11.00 am.

March–October:

Dogs Prohibited between 5.00 pm and 9.00 am

Controlled Exercise Area between 9.00 am and 5.00 pm

- 5.224 These times are suggested to avoid conflict between dogs and penguins during hours when penguins are commuting between their burrows and the sea. It also reduces instances of dog related nuisance or conflict with humans over times and months when the beach is at its busiest.
- 5.225 Staff are proposing that the dogs prohibited hours be simplified to include the entire night, as dog owners are unlikely to be wanting to exercise on the beach during hours of darkness.
- 5.226 The summer months exercise hours are also proposed be slightly extended, to reflect that sunrise (and associated penguin commutes) occurs earlier in the day.
- 5.227 While November is not considered a peak time for tourism, this does coincide with nesting for penguins. Although an increase in the summer months limits overall availability of dog friendly hours, it will mean that dogs can be on the beach an hour earlier, which may be preferred by pre-workday dog walkers.
- 5.228 Staff acknowledge that while having dogs on leads at all times is a good way to ensure they won't attack penguins, allowing their presence at all times may prevent penguins from returning to their burrows during their commuting hours.

- 5.229 While the proposed change was not one of the options consulted upon, staff consider that it is similar enough to option 3 to not warrant another round of consultation. It is also a change recommended in response to submissions, many of which indicated a preference for time and seasonal-based solutions.

Alex Ryder Memorial Reserve (adjoins Little Kaiteriteri Beach)

- 5.230 Several submissions (including those from DOC and Blue Penguin Trust) emphasised the need for on-leash or total dog exclusion in Alex Ryder Reserve to protect local wildlife, particularly little blue penguins. Supporters of this view cited previous instances of dog-related harm to wildlife.
- 5.231 As with the Little Kaiteriteri beach, several submitters expressed concerns about dogs fouling the area, disturbing people in the area, and posing risks to public safety, especially children. Some residents shared personal experiences of dogs being out of control, creating unpleasant or unsafe environments. They argued for stronger enforcement and even a total ban on dogs in Little Kaiteriteri, Alex Ryder Reserve, and surrounding areas.
- 5.232 In contrast, a few submissions supported maintaining the current dog access arrangements, with off-leash freedom in Alex Ryder Reserve. These submitters suggested minor adjustments, such as slightly shifting dog-free hours to align with penguin activity, but generally argued that the existing arrangements work well.
- 5.233 **Staff Advice:** Section 5.3.5 of the Motueka Ward Reserve Management Plan (RMP) 2019, on Alex Ryder Memorial Reserve, notes that the reserve provides important habitat for penguins, weka and other wildlife. RMP policy 6 states “*As part of the next Dog Control Bylaw review, consideration should be given to designating Alex Ryder Memorial Reserve as either a dog prohibited area or leash control area, to protect vulnerable wildlife (e.g. penguin, weka) from dogs.*”
- 5.234 This area is a confirmed penguin habitat and staff recommend retaining the proposed leash control so that dogs are under control as they transit through this area to access the beach.

Dummy and Stephens Bay

- 5.235 The submissions regarding Dummy and Stephens Bay contained similar themes to those of Little Kaiteriteri Beach. DOC supported the proposed leash control requirement to protect penguins, while the Little Blue Penguin Trust preferred dogs to be prohibited from these beaches. Conversely, dog owners had strong preference for maintaining the ability to exercise their dogs off leash, at least some of the time.
- 5.236 Some submitters mentioned the confusing and contradictory signage regarding dog rules, which leads to non-compliance and frustration. They suggested clearer, more visible signage to improve adherence.
- 5.237 **Staff Advice:** Tracking south from the main Kaiteriteri Beach, the beaches such as Little Kaiteriteri, Dummy and Stephens Bay, and finally Tapu Bay, generally become less populated with people as one travels further south. Staff have taken this into consideration with more relaxations for dogs as the risk of conflict with people lowers.

- 5.238 Staff are proposing a variation of the rules at Little Kaiteriteri for both Stephens and Dummy Bay, which would allow for dog exercise during the day during the summer months:

Dummy and Stephens Bay

November–February:

Dogs prohibited between 8.00 pm and 8.00 am

Controlled exercise between 8.00 am and 8.00 pm

March–October:

Dogs prohibited between 5.00 pm and 9.00 am

Controlled exercise between 9.00 am and 5.00 pm

- 5.239 As with Little Kaiteriteri, the extended hours over the summer months would enable dog owners to take advantage of the longer days, as penguins would also be commuting at earlier/late times.
- 5.240 The proposed change for Dummy and Stephens Bay reflects a relaxation of the original draft bylaw, allowing more flexibility for dog owners while balancing the need to protect wildlife, particularly penguins, during their active hours. This adjustment, based on submitter feedback, introduces controlled exercise periods where dogs can be off-leash, addressing preferences for time and seasonal-based solutions. The variation is considered a relaxation rather than a tightening of regulations, as it provides significant off-leash time during the day in both summer and the rest of the year.
- 5.241 Given that the adjustment aligns with many submitter preferences and offers a more lenient approach, re-consultation is not necessary. The core objectives of the bylaw—to manage dog behaviour and reduce conflicts—remain intact, while the proposed changes are consistent with the overarching goals of the consultation. Additionally, the new provisions are within the scope of the existing consultation feedback, where many submitters favoured seasonal and time-based approaches over blanket restrictions.

Riwaka River Mouth to Tapu Bay

- 5.242 Many submitters expressed strong concerns about the impact of dogs on local wildlife, particularly shorebirds and penguins. Multiple accounts reported incidents of dogs disturbing or killing birds, and there were calls for stricter enforcement, with some advocating for a complete dog ban or leash control in these sensitive areas. This was emphasised by both residents and conservation groups, such as Forest & Bird, who urged the Council to prioritise wildlife protection.
- 5.243 Some submitters proposed solutions, such as designating specific areas, like Pah Beach, as controlled dog exercise zones while keeping other areas dog-free. Others suggested the creation of dog parks to provide alternatives for dog owners.
- 5.244 Dog owners expressed frustration with the proposed restrictions, arguing that they have not encountered wildlife issues themselves and felt that the regulations were excessive. They emphasised the importance of having spaces where dogs can run off-leash for proper exercise.

- 5.245 Some submissions noted the negative experiences of beachgoers with unruly dogs, with examples of dogs running at or disturbing people. There were concerns about the hygiene of allowing dogs on beaches and the potential for accidents, especially in busy areas like Tapu Bay during peak periods.
- 5.246 **Staff Advice:** Staff acknowledge that this is a shorebird habitat, and that some penguins also reside in the Tapu Bay area. However, particularly for penguins, this is more of a concern in neighbouring bays such as Dummy, Stephens and Little Kaiteriteri. Staff recommend retaining this area as a controlled exercise area, particularly as nearby bays are likely to be somewhat more restricted in terms of off leash exercise. This area is also not as populated by people during the summer months when compared to the neighbouring bays. Staff recommend reducing the size of the mapping and directing dog walkers away from the river mouth, which are generally more populated by shorebirds.

Motueka Sandspit (Southern end)

- 5.247 The Motueka Sandspit is DOC land, however it has historically been supportive of this public space being included in the Council's bylaw.
- 5.248 Feedback on the Motueka Sandspit reveals two main perspectives—wildlife protection advocates, including DOC and the Ornithological Society of New Zealand, and dog owners who valued the sandspit as an important recreational space.
- 5.249 DOC strongly supported making the southern end of the sandspit a dog-prohibited zone due to its international significance for shorebirds. It suggested clarifying the boundary with a latitude marker (41.1200) to account for the shifting nature of the sandspit. Council is aware that DOC is currently carrying out public engagement on several matters relating to the classification and management of the sandspit, which is likely to have a bearing on the appropriate level of control for dogs on the northern part of the spit. Currently this is not listed in any schedules in the draft Bylaw but is subject to the general aspects of the bylaw for control of dogs in public places. However, following public engagement, DOC will consider whether this is still appropriate or whether a higher level of control is desirable.
- 5.250 Similarly, the Ornithological Society highlighted the Motueka Sandspit as a critical habitat for "at risk" bird species such as Banded Dotterels and Variable Oystercatchers. They advocated for expanding dog-prohibited areas to protect these birds and emphasised the need for clearer signage and public education to raise awareness about bird conservation.
- 5.251 In contrast, many dog owners felt that the proposed restrictions were excessive and unfair. They argued that the sandspit is one of the few areas in Motueka where dogs can run freely, and losing access would significantly impact the community, especially those with large, active dogs. Several submitters called for a more balanced approach, suggesting that restrictions could be applied only during nesting seasons or in specific areas, rather than banning dogs from the entire sandspit.
- 5.252 **Staff Advice:** Many of the submissions indicate that there is a lack of awareness that the prohibition of dogs on the southern end of the sandspit has already been in place and is not something that is newly introduced. Similarly, there is a misconception that the entire sandspit is being prohibited. Staff note that there have been issues around the permanency of the signage (frequently washing away) which may have contributed to this lack of awareness in the community. Given the international significance of the site, staff recommend retaining the prohibition, and accepting DOC's suggested amendment to wording for better clarity.

- 5.253 During early engagement staff made contact with DOC, who indicated a preference for this part of the sandspit to remain in the bylaw, despite their ownership of the area.
- 5.254 Depending on the outcome of DOC's consultation, this area may need revisiting before the bylaw is next due for review in five years' time.

Trewavas Street and North Street Reserves

- 5.255 Limited feedback was received on this location; however, it was generally supported as a controlled exercise area.
- 5.256 **Staff Advice:** Staff recommend retaining these newly proposed controlled exercise areas as per the draft bylaw.

York Park and Batchelor Ford Road

- 5.257 DOC supported retaining these as a controlled exercise areas as there are limited exercise areas in Motueka. Batchelor Ford Road was criticised by one submitter for its small size.
- 5.258 **Staff Advice:** Staff recommend proceeding as per the draft bylaw.

Closed Mariri Landfill

- 5.259 Two submitters expressed views about the closed Mariri Landfill dog exercise area. One suggested that the proposed off-leash area at Mariri should be divided into separate fenced sections for large and small dogs, citing the successful setup at Plimmerton Domain Dog Recreation Area as a model. They also recommended making parking available for self-contained motorhomes with dogs and publicising it as a dog-friendly stop, supplementing Marchwood Park.
- 5.260 The second submission critiqued the plan, stating that the Mariri Landfill is already used by dog owners, and no new facilities were being proposed. They also raised concerns about illegal dumping and anti-social behaviour at the site.
- 5.261 **Staff Advice:** As with Rototai, the intention had been to test the soil to ensure safety before confirming as a controlled exercise area. We have since been advised that these tests cannot be done due to budget constraints. Staff recommend removing the Mariri Closed Landfill from the bylaw at this time. There is potential for this site to be tested and developed for another use at a later date, if budgets allow in the future.

Lakes-Murchison

- 5.262 Submitters were asked 'How much do you agree with the proposed plans for the Lakes-Murchison Ward?'
 - 5.262.1 Mostly Agree – 30 submitters chose this option
 - 5.262.2 Somewhat Agree – 19 submitters chose this option
 - 5.262.3 Somewhat Disagree – 9 submitters chose this option
 - 5.262.4 Mostly Disagree – 58 submitters chose this option
 - 5.262.5 No Opinion – 339 submitters chose this option

Riverside Holiday Park

- 5.263 Three submissions mentioned Riverside Holiday Park. One supported the proposed change from dogs prohibited to removing from the bylaw to allow the camp to self-manage through their own policies. They reported positive experiences and hadn't observed poor behaviour from dogs while staying there.
- 5.264 Two submitters opposed this change. One is from a neighbouring property who has concerns about dogs who have accessed his property from the camp and has concerns for livestock. The second opposing submitter also raised concerns about the neighbouring properties. They raised concerns about wildlife in the area and risks to public health and safety. They also cited two negative reviews of the campground which mentioned negative experiences with dogs.
- 5.265 **Staff Advice:** Staff noted during drafting that the previous bylaw did not align with several campground policies, which were often pet friendly. The draft aims to reconcile these inconsistencies. The campground managers/leaseholders were approached during drafting and indicated that they were happy to self-manage this space. While one submitter cites negative reviews, staff note that the campground has an overall Google rating of 4.6 out of 5, with 468 reviews. One of the negative reviews also still gave the camp a rating of 4/5. Property staff have also noted that the submitter has an interest in a competing business.
- 5.266 While staff acknowledge concerns about dogs straying onto neighbouring properties, we believe that removing Riverside Holiday Park from the bylaw is still the most appropriate course of action. The campground management has demonstrated a willingness to effectively self-manage the issue, and their pet-friendly policies are consistent with other campsites in the region.
- 5.267 Additionally, maintaining this bylaw restriction could create an unnecessary burden on both the Council and the campground. Allowing the camp to manage dogs through their own policies provides flexibility and enables more tailored enforcement suited to their specific environment. Campgrounds are also better positioned to directly handle any issues that arise, such as dogs leaving the camp boundaries, by implementing their own restrictions or enforcement measures.

Other Areas in Lakes-Murchison

- 5.268 One submitter requested leash control at West Bay Campsite, but this is DOC land and outside the bylaw's scope.
- 5.269 Another suggested leash control on all public walks to protect birdlife and ensure safety, but most walks in the Lakes Murchison area are managed by DOC and also out of scope.
- 5.270 A third submitter supported the plans provided Tee-total campsite remains dog-friendly, which is likewise DOC-managed.

Moutere-Waimea

- 5.271 Submitters were asked 'How much do you agree with the proposed plans for the Moutere-Waimea Ward?'
- 5.271.1 Mostly Agree – 44 submitters chose this option
 - 5.271.2 Somewhat Agree – 27 submitters chose this option
 - 5.271.3 Somewhat Disagree – 25 submitters chose this option
 - 5.271.4 Mostly Disagree – 104 submitters chose this option
 - 5.271.5 No Opinion – 274 submitters chose this option

McKee Memorial Recreation Reserve

- 5.272 Seven submitters mentioned this location. Submitters expressed opposition to the prohibition of dogs at McKee Memorial Recreation Reserve, arguing that the ban was an overreaction. They believed dogs should be restricted only in sensitive nesting areas for penguins and dotterels, particularly during the breeding season, but not in the reserve itself. Several submitters emphasised the importance of McKee Reserve for recreational dog-walking and long-distance beach walks, and questioned the need for continued restrictions. One submitter expressed an opinion that some wildlife concerns, such as oystercatchers, may no longer be relevant post-Cyclone Gita. They also highlighted the lack of clarity around whether dogs are permitted on the beach at low tide and the need for more off-leash exercise areas.
- 5.273 **Staff Advice:** Section 5.6.5 of the Moutere-Waimea Ward RMP on McKee Memorial Recreation Reserve outlines the ecological significance of the shoreline adjacent to the reserve: a nationally significant roost site for variable oystercatchers. These birds are vulnerable to disturbance from people and dogs. RMP policy 6 states "*Install signage to educate people about the significance of the adjoining beach for variable oystercatchers and their vulnerability to disturbance.*"
- 5.274 Staff recommend retaining this area as a dogs prohibited zone.

Ruby Bay – Old Mill Walkway

- 5.275 Submitters generally supported maintaining off-leash access along Ruby Bay beach but expressed concerns about increasing restrictions and the reduction of green zones for dog exercise. They emphasised the need for accessible, off-leash areas, particularly given the challenges posed by tidal beaches like Ruby Bay, which are only usable at low tide. Some submitters requested additional amenities, such as dog waste bins and bag dispensers, and removal of driftwood for safer beach access at the Old Mill Walkway. In contrast, Forest & Bird advocated for stricter dog control on coastlines to protect bird habitats, suggesting that Old Mill Walkway be changed to a leash control area.
- 5.276 **Staff Advice:** Retaining the status quo for the exercise area at Ruby Bay allows for continued access for dog owners while acknowledging that other areas have been identified as higher priority for wildlife protection.
- 5.277 Staff will consider additional educational signage in the area to encourage dog walkers to not let their dogs disturb birds, particularly during critical times of their life cycle.

- 5.278 Staff have also noted a conflict where a leash control section of the Great Taste Trail runs through the controlled exercise shaded area. Staff recommend that this section be included as a controlled exercise area to avoid confusion.

Māpua

- 5.279 There were few submissions relating to Māpua. Some expressed strong views on leash regulations to protect wildlife while also highlighting the needs of dog owners. Some submitters advocated for the Mapua Estuary to be designated as a "dog on leash" area, citing its importance as a habitat for various bird species and raising concerns about uncontrolled dogs threatening wildlife.
- 5.280 Conversely, some submitters argued against strict leash regulations on Mapua Beach, emphasising the lack of significant wildlife concerns and the need for adequate off-leash spaces. They expressed frustration with proposed restrictions that do not accommodate the district's growing dog owner population.
- 5.281 Additionally, there were calls for seasonal restrictions in sensitive areas rather than blanket bans, suggesting that responsible dog ownership can coexist with wildlife protection if managed appropriately.
- 5.282 **Staff Advice:** Staff do not recommend adding further restrictions to the area at this time, however this can be reassessed when the bylaw is reviewed within five years. It is unclear which area one of the opposers of leash requirements is referring to. There are no new leash control requirements in Māpua, however, a previous 'dogs prohibited' section of the Great Taste Trail, which runs from the ferry up through the precinct, has been redesignated as a leash control area. This aligns with the bylaw's general requirement to have dogs on a leash in urban areas. There is no indication from the mapping to suggest leash control is intended for any stretch of beach.

Waimea Inlet Reserves

- 5.283 Sentiments regarding dog access in the Waimea Inlet reserves are divided, reflecting concerns about both wildlife protection and community needs. Some submitters, including locals, the Waimea Inlet Forum and the Ornithological Society of New Zealand expressed robust support for prohibiting dogs in sensitive estuarine areas. The Waimea Inlet Forum would also like to see an extension of these prohibition areas out onto mudflats where shorebirds are also commonly found. They highlighted the decline of vulnerable bird species like banded rail and fernbirds due to domestic pets and advocate for dog-free zones to facilitate wildlife recovery. This perspective emphasises the need for behavioural changes among dog owners to foster bird population restoration.
- 5.284 Conversely, other submitters argued that dog owners currently use the Waimea Inlet reserves responsibly, claiming there is a lack of evidence showing that dogs are significantly impacting bird populations. They advocated for a balanced approach, suggesting designated on-lead areas instead of total bans, particularly during nesting seasons. Concerns were raised about alienating responsible dog owners and restricting access to vital recreational spaces, which they believed could harm community engagement in conservation efforts.
- 5.285 Some submissions specifically mentioned the need for controlled access rather than outright prohibitions, advocating for leash requirements during sensitive times while maintaining open spaces for dogs and their owners. Proposals to ban dogs entirely from

areas like Hoddy Estuary Park were seen as excessive, with suggestions for more reasonable regulations that would support both wildlife conservation and community use of these areas.

- 5.286 Hoddy Estuary Park garnered the most submissions of all the reserves. While a few supported the prohibition most submitters were local residents who were strongly opposed to the change, emphasising the parks role as a vital recreation space for dog owners in the community.
- 5.287 **Staff Advice:** Significant bird habitat rehabilitation work (both revegetation and pest trapping) is happening in this area. Policy 6 in section 5.1 of the Moutere-Waimea Ward RMP (2022) states that *“As part of the Council’s next Dog Control Bylaw review, consideration should be given to designating all parks and reserves bordering the Waimea/Waimeha Inlet as dog prohibited areas, to protect vulnerable wildlife (e.g. shorebirds, banded rail etc) from dogs.”*
- 5.288 Section 5.8.15 of the Moutere-Waimea RMP, on Hoddy Estuary Park, highlights the significance of this site for banded rail habitat and the risks dogs pose at this location. Section 5.8.15 of the RMP states *“Any walkway around the margins of the Inlet would pose a very serious threat to breeding banded rail. This is because nest sites are nearly always located in the upper margins of saltmarshes, where there is sufficient elevation to place them above the highest tides. Bylaws or not, wandering dogs would be the inevitable consequences of any walkway, with consequent impacts on this species.”*
- 5.289 Staff acknowledge the particularly high interest from residents regarding Hoddy Estuary Park, who have requested that this reserve be removed from the bylaw. This would mean that local residents could continue to use the park as they currently do, without advertising it as an exercise space through the bylaw. Staff acknowledge the concerns of local residents but also note the area is a nesting site for banded rail. Staff recommend reducing the size of the proposed prohibited area to only include the vegetated margins of the Inlet and provide for a leash control area in the remainder of the Park.
- 5.290 Staff are investigating educational signage to support the rehabilitation work that is occurring and to stress the importance of keeping dogs under control in this area.
- 5.291 Staff recommend that all other Waimea Inlet reserves retain their proposed prohibited classification.

Moturoa/Rabbit Island

- 5.292 Four submitters would like to see areas of Moturoa/Rabbit Island opened up, even if only seasonally. Some said the alternative at Rough Island doesn’t provide a great beach for them to swim with their dogs. The Ornithological Society of New Zealand and one individual supported the continued dogs prohibited classification, particularly as this location provides a safe roosting space away from the airport where bird strike is a risk.
- 5.293 **Staff Advice:** While staff acknowledge that dog owners would likely enjoy having a portion of this beach opened up seasonally, there are valid ecological concerns and reasons to continue safeguarding the area. The reserve status of the island makes changing the classification more challenging, and the public are generally accepting of the status quo, as seen by the low number of submissions. This is also consistent with the Moturoa / Rabbit Island RMP. Staff do not recommend a change at this time.

Rough Island

- 5.294 Three submitters supported Rough Island as a controlled exercise area, although one submitter questioned the need to prohibit dogs during fire restriction periods. One expressed anger that Rough Island is being taken away as an exercise area, however this is not what is proposed in the bylaw.
- 5.295 Forest & Bird advocated for Rough Island to be changed to a leash control area.
- 5.296 **Staff Advice:** Staff support the continuation of Rough Island as a controlled exercise area, and will look into providing further educational signage to encourage responsible controlled exercise to protect wildlife. The fire restriction ban would also apply to people in general and not just those with dogs.

Faulkner Bush Reserve

- 5.297 The three submissions regarding Faulkner Bush Reserve expressed opposition to allowing dogs in the area, emphasising that environmental values and wildlife needs should take precedence. Submitters specifically referenced Section 19 of the Reserves Act 1977, which governs the management of Scenic Reserves. They argued that allowing dogs in the reserve does not align with Section 19(2), which emphasises the preservation of indigenous flora and fauna and calls for the extermination of exotic species where possible.
- 5.298 Concerns were raised about the lack of control over dogs in the reserve, with submitters reporting instances of uncontrolled dogs being released, resulting in issues such as dog waste pollution. They highlighted the urgent need for clearer regulations and enforcement regarding leash control, particularly in sensitive areas like boardwalks and internal tracks.
- 5.299 In light of these concerns, the submissions advocate for clearer signage regarding dog regulations and stricter leash control to protect the environment and ensure public safety. Additionally, there are calls for increased resources for enforcement to effectively manage the growing number of dogs and their impact on the reserve.
- 5.300 **Staff Advice:** Faulker Bush is classified as a Scenic Reserve under s19(1)(a) of the Reserves Act 1977, which aims to protect natural and scenic values. Section 19(2) directs that as far as possible, indigenous flora and fauna, ecological associations, and natural beauty should be preserved, and for that purpose, exotic flora and fauna should be exterminated where feasible.
- 5.301 Submitters have referenced this section to argue that allowing dogs into the reserve could disrupt the preservation of wildlife, particularly indigenous species.
- 5.302 Weka have been seen in Faulkner Bush and are vulnerable to disturbances from dogs, particularly if they are not under leash control. The presence of weka aligns with the conservation goals outlined in Section 19(2), which gives added weight to the concerns about the potential impacts of dogs in the reserve.
- 5.303 However, it is important to balance this with the fact that Faulkner Bush is also a popular recreational area for local residents, many of whom use the reserve for dog walking. While some submitters call for stricter leash enforcement, the current management approach reflects an understanding that the reserve serves both environmental and community recreational purposes.

- 5.304 Given the presence of weka, staff recommend enhancing the current management approach by improving signage and education around leash control, especially in areas where weka are most likely to be present. Increased enforcement may also be necessary to ensure dogs remain under control, minimising risks to the weka population. While no submissions have explicitly supported retaining the controlled exercise area, it is likely that this reflects community complacency with the status quo, where responsible dog walking is already accepted.
- 5.305 The Dog Control Act 1996 makes no specific reference to flora as opposed to fauna.
- 5.306 Prohibiting dogs entirely would require further consultation and could lead to pushback from local residents who have long enjoyed walking their dogs there. Therefore, staff recommend retaining the status quo as proposed (i.e. controlled exercise area for most of the reserve, and leash control area for the northern corner). This approach strikes a balance between the environmental protection objectives of the Reserves Act and the practical recreational needs of the community.

Robson Reserve and Baigents Bush Scenic Reserve, Pigeon Valley

- 5.307 The same submitters also mentioned Baigent and Robson reserves, expressing concerns about dog control and its impact on the environment and wildlife. They argued that these Scenic Reserves should implement stricter leash control due to their ecological sensitivity and the presence of wildlife, such as ground birds like weka, which are at risk from uncontrolled dogs.
- 5.308 Specific calls were made for Robson Reserve to have leash control on the upper terrace, while allowing controlled dog exercise at the bottom. While many dog walkers are responsible, instances of irresponsible ownership led to issues like dog waste pollution.
- 5.309 Concerns about environmental degradation include rubbish accumulation harming wildlife and unnecessary tree removal for tracks. The submitters also advocated for accessible dog parks in urban areas to provide alternatives for dog owners, reducing pressure on scenic reserves.
- 5.310 **Staff Advice:** Robson Reserve is comprised of two land parcels: the northern half of the reserve is classified as Recreation Reserve and the southern half (where most of the native bush remnant is located) is classified as Scenic Reserve for the purposes specified in s19(1)(a) of the Reserves Act 1977. Section 5.11.4 of the Mouere-Waimea Ward Reserve Management Plan on Robson Reserve is silent on the issue of dogs. RMP policy 4 for Robson Reserve states “*Allow continued use of the open mown areas of the Recreation Reserve area for horse riding and other informal recreation activities.*” The walkway through the forested area on the upper terrace is fenced on either side.
- 5.311 The Council acquired Baigents Bush Scenic Reserve, Pigeon Valley in 2022, after the Mouere-Waimea Ward RMP (2022) was adopted. Public consultation on a proposal to classify this reserve as Scenic Reserve for the purposes specified in s19(1)(a) of the Reserves Act 1977 is planned to take place between October to December 2024. Public consultation on a new section on this reserve, to insert into the Mouere-Waimea Ward RMP, is planned to take place during the second quarter of 2025. An initial ‘seeking ideas’ consultation round for RMP content was held earlier this year. Some of the respondents mentioned dogs in their feedback. A range of views were received: four people requested that dogs be kept on leads, one person suggested that a dog park could be created at the reserve, and one person requested the reserve be a dog exercise area.

- 5.312 Staff recommend continuing with the proposal to formalise these areas for controlled exercise.

Kina Peninsula and LEH Baigent Memorial Reserve

- 5.313 Most submitters opposed the proposed prohibition of dogs at Kina Peninsula and L.E.H. Baigent Reserve. Many emphasised the area's historical dog-friendly status and argued that the actions of a few irresponsible owners should not dictate policy for the majority. They also highlighted that human activities, such as vehicles and littering, pose greater risks to wildlife than well-controlled dogs. Additionally, some submitters highlighted that the community contributed financially to the purchase and upkeep of these reserves, asserting that their investment should be considered in the decision-making process.
- 5.314 Many advocated for allowing dogs in the grassed picnic area of LEH Baigent Memorial Reserve as long as they are leashed, highlighting its popularity for picnics and water activities. However, many also opposed dogs on the beach, particularly along the eastern side of Kina Peninsula, where it serves as a crucial nesting area for shorebirds.
- 5.315 Several submitters advocated for maintaining off-lead access in designated areas while suggesting specific, seasonal restrictions during nesting seasons (August to January) to balance community use with wildlife protection. Others called for stricter leash laws and better waste management facilities to mitigate issues related to dog management.
- 5.316 **Staff Advice:** Section 5.5.1 of the Moutere-Waimea Ward RMP on LEH Baigent Memorial Reserve includes discussion on the impact of dogs on vulnerable shore birds, and policy 3 states “Work together with the Department of Conservation to actively protect shorebird nesting sites along the eastern shoreline (e.g. by educating visitors about the fragile ecosystems, vulnerable nesting sites and threats *posed by vehicles driving on the beach and disturbance from walkers and dogs*).”
- 5.317 Staff acknowledge the community concerns and recommend adjusting the map so that the dogs are prohibited from the beach area with the remainder (inland reserve area) having no dog control designation. This area will need to be renamed in the Bylaw to Foreshore and Estuary around L.E.H Baigent Memorial Reserve.

Richmond

- 5.318 Submitters were asked ‘How much do you agree with the proposed plans for the Richmond Ward?’
- 5.318.1 Mostly Agree – 50 submitters chose this option
 - 5.318.2 Somewhat Agree – 32 submitters chose this option
 - 5.318.3 Somewhat Disagree – 17 submitters chose this option
 - 5.318.4 Mostly Disagree – 73 submitters chose this option
 - 5.318.5 No Opinion – 292 submitters chose this option

Headingly Lane

- 5.319 The Waimea Inlet Forum supported the removal of this controlled exercise area from the bylaw and advocates for further restrictions along the mudflats, particularly in line with the prohibited sections of the Great Taste Trail near Sandeman Road.
- 5.320 **Staff Advice:** Making additional prohibited areas would require a second round of consultation. As the bylaw is being reviewed within five years staff recommend reassessing this option at that time.

Borck Creek

- 5.321 Five submitters mentioned Borck Creek. Some advocated for Borck Creek to be officially designated as a controlled dog exercise area due to its popularity within the local community. However, concerns have been raised about the current lack of clear signage defining “effective owner control,” especially given that many dogs in the area are not responsive to their owners. One considered this a risk, particularly during school hours when the paths serve as routes for children. Submitters also noted the absence of waste disposal facilities for dog waste, which would need to be addressed if the area becomes busier.
- 5.322 On the other hand, some submitters opposed designating Borck Creek as a controlled exercise zone. They argued that the term may create misunderstandings about the level of freedom allowed for dogs and expressed concerns about user conflicts among the various groups that utilise the shared paths. They pointed out that the area is within a residential zone, increasing the potential for incidents, particularly with an upcoming school development nearby. Environmental considerations were also highlighted, as the area serves as a habitat for native birds and eels that could be disturbed by dogs. These submitters suggested designating Borck Creek as an on-leash zone, or at least maintaining its current status as a general public space with some designated off-leash areas. It was also suggested that the lower traffic ends of the area could be designated off leash areas.
- 5.323 The Waimea Inlet Forum supported the exercise area designation, viewing it as a valuable alternative to higher-priority locations along the coastline.
- 5.324 **Staff Advice:** While Borck Creek is popular among dog owners, it is important to remember that even in a designated dog exercise area, dogs must remain under effective control. Issues with dogs not responding to their owners are a matter of enforcement, rather than a reason to change the status of the area. It is worth noting that there are no playgrounds in the immediate vicinity, and while there is a school proposed nearby, the development has been delayed and may not materialise for several years. Additionally, the school is not directly adjacent to Borck Creek, reducing the potential for conflicts. The staff recommendation is to proceed with the draft proposal as it stands. The feedback received does not provide sufficient grounds to change the initial approach.

Railway Reserve

- 5.325 Two submissions expressed strong opposition to the proposed dog changes affecting the Railway Reserve, arguing that the changes are overly restrictive and fail to address the true concerns of dog owners. One submitter criticised the lack of emphasis on educating dog owners about responsible ownership, suggesting that the proposal for increased on-lead areas contradicts the decreasing number of complaints about dogs, despite a rise in dog ownership. They warned that reducing accessible off-lead areas could lead to more complaints about barking and roaming as dogs are left at home more often.
- 5.326 Similarly, the Tasman District Gundog Society advocated for keeping the Railway Reserve section of the Great Taste Trail open for dogs under control, arguing that restrictions on public lands diminish the enjoyment for dog owners without providing substantial benefits to other users. They expressed concern about the trend of limiting access for dogs, emphasising the negative impact on the community.
- 5.327 **Staff Advice:** Other areas of the Great Taste Trail have been identified by staff, elected members or submitters as being appropriate for controlled exercise. There is plenty of space on either side of the Trail. Staff acknowledge the concerns and recommend that the area is reinstated as a controlled exercise area. Staff also recommend including this area in the Great Taste Trail Schedule instead of the controlled exercise schedule.

Hope Reserve

- 5.328 Four submitters expressed opposition to changing the Hope Reserve to a controlled dog exercise area, advocating instead for on-lead access during designated training times. They highlighted past incidents where uncontrolled dogs have caused disturbances during training sessions, raising concerns about the safety and management of the area. Members of the Nelson Dog Training Club, who have a scheduled agreement with the council to train there, emphasised that allowing off-lead dogs would disrupt their classes and increase the risk of altercations between dogs. They noted the current problem of dog waste left by non-club members and stressed the importance of maintaining a clean environment for training. Furthermore, submitters requested clearer communication from the council regarding the training club's presence and the existing rules, suggesting that the Hope Domain should remain a no-dog zone outside of training times to protect wildlife and ensure a safe space for responsible dog training.
- 5.329 **Staff Advice:** The draft bylaw proposes changing the current rule from “dogs prohibited except for the dog training club” to “dog exercise allowed except during dog training club meetings.” Staff believe this revised rule accommodates the club's activities, as dogs would not be permitted to exercise during training sessions. However, staff express concerns about granting the club exclusive dog exercise rights, given their limited use of the reserve.
- 5.330 Staff recommend revising the mapping to exclude the playground area from the designated exercise zone. Overall, it is advised that the area continues as proposed in the draft bylaw to balance the interests of the dog training club with the broader community's needs.

Jimmy Lee Creek Walkway (between Washbourne Rd and Bill Wilkes Reserve)

- 5.331 One submitter believed that there is no need for leash restrictions on this walkway, as it leads to a major dog exercise area and is well-fenced. They felt it is unnecessary to restrain dogs that are about to run free in the reserve. The submitter also expressed concern that if parts of Bill Wilkes Reserve are used as a water catchment, reducing dog exercise areas, further leash restrictions would be unfair.
- 5.332 **Staff Advice:** While this area is newly clarified as an on leash area, it would have been considered part of the umbrella requirement for dogs to be under leash control in urban areas under the previous bylaw. Staff recommend retaining the walkway as leash control, as there is an opportunity for off leash exercise.

Jimmy Lee Creek Walkway North (Hill Street northern entrance to 'kissing gate' adjacent to Cushendell Rise)

- 5.333 A submitter supported the leash requirements for the section between Hill Street and the Kissing Gate.
- 5.334 **Staff Advice:** The support is noted. Staff recommend retaining the leash control requirement on this section of the pathway.

Hart Road Richmond Reserve to Grassy Saddle / Wills Gully

- 5.335 One submitter opposed the leash requirement for this section, arguing that the track is narrow and could be dangerous for dogs on leashes.
- 5.336 Another submitter wanted the current off-leash status maintained, noting that the track is popular with dog walkers. They felt managing dogs on narrow or steep terrain is difficult with a leash and claim they had never seen issues with dogs or wildlife on the track.
- 5.337 One submitter strongly opposed the proposal to make Wills Gully on-leash, highlighting that they have used the track regularly without issues. They believed there are already limited off-leash areas near Richmond and did not want to see this further reduced.
- 5.338 Another submitter dismissed concerns about dead birds, asserting that their dogs can't catch birds and suggesting that cats, not dogs, are more likely responsible.
- 5.339 Some submitters believed that dogs should be allowed off-leash on the walkway to Hill Street, as the area is well-fenced and not a suitable habitat for native species.
- 5.340 A general concern was raised by a submitter about the number of new on-leash areas proposed in Richmond, including Jimmy Lee Creek.
- 5.341 **Staff Advice:** The narrow nature of the track was one of the reasons staff proposed the on leash requirement to mitigate conflict with other walkers. Staff recommend retaining the what is proposed in the draft bylaw.

Dellside Reserve

- 5.342 One submitter enquired about whether the area from Easby Park to Grassy Saddle would remain a dog exercise area, as they did not see it mentioned in the bylaw.
- 5.343 **Staff Advice:** Easby Park backs onto Dellside Reserve. Staff can confirm that this area of the Richmond Hills is retained as a controlled exercise area.

Great Taste Trail

- 5.344 The submissions regarding the Great Taste Trail (GTT) reflected a variety of sentiments, particularly around dog access and control measures in specific locations. In Richmond, respondents advocated for allowing dogs in carriers on all sections of the trail, and suggested that dogs should be kept on a lead along the cycleway.
- 5.345 Some users highlighted the suitability of the Great Taste Trail, which is flat and spacious, as a safe environment for cyclists, walkers, and dogs. They expressed confidence in the control of dogs, with some stating that they have not encountered any out-of-control dogs during their travels on the trails. Suggestions included allowing dogs on leads at the end of Lower Queen Street, extending access to the bridge over the Waimea River and Pearl Creek Reserve, and ensuring that all Tasman Great Taste Trail routes remain available for dog owners walking their dogs on a lead. Submitters argued that the bylaw limits access to the Rough Island Controlled Dog Exercise Area, forcing dog owners to drive on unsafe routes instead.
- 5.346 Some submitters requested clarity regarding the dog control measures, advocating for better signage along the trails where regulations change. They proposed the creation of dog parks in Richmond, suggesting locations such as Sandeman Reserve, Estuary Place near the Great Taste Trail, or the grassy area across the motorway from the aquatic centre.
- 5.347 Others expressed concern about losing off-lead areas due to increasing restrictions, noting that smaller, confined areas do not provide sufficient exercise for dogs. They mentioned safety concerns regarding fast-moving cyclists and argued that a designated dog park would alleviate potential conflicts.
- 5.348 In the Moutere-Waimea region, there was support for maintaining existing dog exercise areas along the GTT, such as the stretch along the river near Wakefield. Some respondents advocated for changing “on-lead” sections to controlled exercise areas, arguing that having dogs on leads can be dangerous while riding or running.
- 5.349 In the Motueka area, there were sentiments supporting the inclusion of leash-controlled areas along the GTT due to conflicts with cyclists. Other submitters mentioned that having dogs on leads can pose health and safety risks, particularly with cyclists who may not respect the presence of other trail users.
- 5.350 Feedback from Murchison emphasised a positive experience with dogs along the Great Taste Trail (GTT). One submitter noted that they have cycled the GTT multiple times without issues related to dogs and appreciates seeing families, including those with dogs, enjoying the trail.
- 5.351 They argued against the need for restrictions, highlighting that the GTT is mostly fenced off from adjacent farmland. Instead, they advocated for maximising the use of the trail for all community members while ensuring its maintenance and preventing motorbike access.
- 5.352 The submitter suggested allowing biking and walking with dogs on leashes in areas where dogs are not permitted to run free, emphasising the importance of making the trail accessible for everyone, including dog owners.
- 5.353 **Staff Advice:** Staff are somewhat restricted in the changes that can be recommended based on the submissions. For example, the prohibited section of the GTT starting at Lower Queen Street is in place due to an existing resource consent. The Council is also bound by pre-existing agreements with forestry companies and private landowners in the

Murchison area. These restrictions were already in place under the now lapsed Great Taste Trail Bylaw. When allowing the Great Taste Trail Bylaw to lapse it was understood that the restrictions would be absorbed into other bylaws and regulations as appropriate.

- 5.354 The area mentioned in Brightwater is already proposed to be a controlled exercise area under the draft bylaw. Staff are also recommending that the Railway Reserve area is changed from the proposed leash control area to a controlled exercise area.

Clause specific feedback

- 5.355 Some submitters suggested changes to specific clauses within the policy or bylaw. These have been addressed in detail in Attachment 1, along with a staff recommendation as to whether a change should be made.
- 5.356 Several submissions suggested improving provisions for wildlife protection. Staff support incorporating these changes to align with the bylaw's objectives.
- 5.357 There was a request to expand public education on responsible dog ownership and the impact of dogs on the environment. This is supported by staff.
- 5.358 Minor amendments were proposed to correct errors and clarify location names and descriptions. These changes are recommended.
- 5.359 Staff propose adding more specific details on areas with time or seasonal restrictions to enhance clarity for dog owners. These are included in the resolutions.
- 5.360 A request to include regulations on dogs in hot vehicles is not recommended, as it is already covered under other legislation.
- 5.361 Suggestions for dog registration discount schemes are not recommended for inclusion in the bylaw, as they will be addressed separately through the schedule of fees and charges review. A note to review registration fees has been included in the resolutions.
- 5.362 The standard proposed by some submitters regarding when a dog should be leashed was considered too restrictive. They argued that requiring a leash based on the possibility that someone "may" be distressed was unrealistic. Instead, they suggested amending the clause so that a dog must only be leashed if it becomes apparent that a person or animal is actually distressed or in danger.
- 5.363 However, staff recommended retaining the existing wording of clause 18.3, which prioritises preventive action rather than waiting until distress or danger is evident. The current clause ensures a more proactive approach to safety, whereas the proposed change would risk delaying action until harm is imminent. Additionally, existing legislation under the Dog Control Act already covers situations where distress or danger has occurred.

6. Options / Kōwhiringa

6.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Accept staff recommendations to matters raised in the submissions.	Staff, including subject matter experts, have considered the submissions and have made recommendations on changes to make to the bylaw.	Some submitters may still feel that their concerns have not been addressed.
2.	Makes changes to the staff recommendations on the matters raised in submissions.	Elected members demonstrate they have exercised their governance responsibilities by critically assessing staff recommendations. Other advantages will depend on the changes the Council makes.	Some submitters may still feel that their concerns have not been addressed. The disadvantages will depend on the changes the Council makes.
3	Do not make any changes to the draft bylaw.	Administrative ease.	The views of submitters following consultation may not have been adequately addressed.

6.2 Option one is recommended. Where the hearing and deliberation panel seek potential changes to the recommendations, staff will provide advice on these at the meeting.

7. Legal / Ngā ture

- 7.1 At the Council meeting on 1 August 2024 the Council adopted the Draft Dog Control Policy and Bylaw for consultation.
- 7.2 Section 156 of the LGA sets out the consultation requirements when making a new bylaw. Public consultation on the policy and bylaw was carried out under the Special Consultative Procedure (SCP), which satisfies the LGA requirements.
- 7.3 Section 10 of the Dog Control Act requires the Council to adopt a policy on dogs in accordance with a Special Consultative Procedure. The Council must give effect to the policy adopted under Section 10 by making the necessary bylaws under Section 20, which must come into force not later than 60 days after the policy is adopted. This will be achieved through the concurrent adoption timeframe.

- 7.4 Section 20 of the Dog Control Act allows the Council to make bylaws to regulate the following purposes:
- a. prohibiting dogs, whether under control or not, from specified public places;
 - b. requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;
 - c. regulating and controlling dogs in any other public place;
 - d. designating specified areas as dog exercise areas;
 - e. prescribing minimum standards for the accommodation of dogs;
 - f. limiting the number of dogs that may be kept on any land or premises;
 - g. requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise;
 - h. requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
 - i. requiring any bitch to be confined but adequately exercised while in season;
 - j. providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act;
 - k. requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against section 53); and
 - l. any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.
- 7.5 Section 155(1) of the LGA 2002 requires the Council to determine whether a bylaw is the most appropriate way of addressing a perceived problem.
- 7.6 The Dog Control Policy and Dog Control Bylaw aim to address issues related to the management of dogs to ensure public safety, protect wildlife, and promote responsible dog ownership. These regulatory frameworks are guided by the Dog Control Act 1996, which outlines key objectives and provides councils with powers to manage dogs in their jurisdictions. The problems this policy and bylaw seek to address include:
- 7.6.1 **Public Safety and Nuisance Prevention:** The Dog Control Act 1996 prioritises protecting the public from the dangers posed by uncontrolled or dangerous dogs. The bylaw and policy focus on minimising risks such as dog attacks, aggressive behaviour, and nuisance issues like barking, fouling, or wandering.
 - 7.6.2 **Wildlife Protection:** In areas with sensitive wildlife habitats, such as penguin nesting areas, the dog control policy aims to prevent dogs from disturbing or harming wildlife. The bylaw may restrict or prohibit dog access to specific areas to ensure the safety of native species.
 - 7.6.3 **Dog Owner Responsibilities:** The legislation seeks to promote responsible dog ownership by outlining duties for dog owners, such as registering their dogs, keeping dogs under control, preventing them from causing harm or nuisance, and cleaning up after them.
 - 7.6.4 **Hygiene and Environmental Impact:** The policy & bylaw can address hygiene concerns, requiring dog owners to remove their dog's waste from public places. This helps maintain clean public spaces and reduces the negative impact on the environment.

- 7.6.5 Public Enjoyment of Spaces: By regulating where and when dogs can be off-leash or restricted, these measures balance the interests of dog owners with those of other community members who use shared public spaces, ensuring that everyone can enjoy parks, beaches, and other areas safely.
- 7.7 Section 155(2)(b) requires the Council to determine whether the proposed bylaw is the most appropriate form of bylaw and gives rise to any implications under the New Zealand Bill of Rights Act (NZ BORA) 1990.
- 7.8 Staff have considered the proposed changes and remain confident that the bylaw is in the most appropriate form. Staff advise that the bylaw does not give rise to any implications or inconsistencies under the NZ BORA 1990.

8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

- 8.1 Iwi were informed of the consultation via the Council's Iwi Engagement Portal and encouraged to make a submission. Iwi that indicated they would like to be involved in this project were also emailed directly and invited to make a submission. Where local hapu and Whanau interests relate to a specific area of land, this has been referred to in the appropriate part of the report.

9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

- 9.1 At its meeting on 1 August 2024, it was determined that the provisions of the bylaw would be of moderate to high interest to the general public, and that it would have a higher level of significance for people who own dogs and those who are environmental advocates.
- 9.2 The decision for the Panel to consider in this report is whether to make any changes to the draft bylaw as a result of public feedback, and to recommend to the Council that it makes the Dog Control Policy & Bylaw (including any recommended changes) at its meeting on 11 December 2024.
- 9.3 These decisions may be of higher significance to some members of the community and moderately significant to the general public. However, the decisions have been consulted on through an appropriate process and the deliberations at this meeting are in response to that consultation. The changes recommended by staff are not a substantial departure from what was consulted on. Staff consider that the Panel can make the amendments without further consultation.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	High	The early engagement and consultation attracted a significant number of responses from the community. There are some highly contested areas where community division on the best way to proceed has been identified.

	Issue	Level of Significance	Explanation of Assessment
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Moderate	It impacts community safety, responsible pet ownership, and environmental cleanliness, all of which are important but not critical issues.
3.	Is there a significant impact arising from duration of the effects from the decision?	Moderate	The policy and bylaw will be in place until the next review within five (5) years. The Council could choose to review the policy and bylaw at any point but there are resourcing implications of doing so.
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
5.	Does the decision create a substantial change in the level of service provided by Council?	No	
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	Dog control activities are entirely covered by registration fees and infringements issued under the Dog Control Act.
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater or particular consideration of current legislation relating to water supply, wastewater and stormwater infrastructure and services?	No	

10. Communication / Whakawhitiwhiti Kōrero

- 10.1 Public communication and consultation on the bylaw was carried out under a special consultative procedure.
- 10.2 In accordance with Section 10 (2) of the Dog Control Act 1996, registered dog owners were notified of the draft policy and bylaw and the consultation process.
- 10.3 Stakeholders with an interest in the bylaw (including those who registered their interest on Shape Tasman during early engagement) were identified and received an email notifying them of the consultation, encouraging them to make a submission.
- 10.4 Stakeholders included (but were not limited to) the SPCA, Dog Owner interest groups, local vets and conservation advocacy groups.
- 10.5 If the bylaw is approved for adoption, a public notice will be issued in Newsline and on the Council's website that the bylaw has been adopted. This is sufficient to meet the public notification requirements for bylaws in section 157 of the LGA.
- 10.6 New and improved signage will be installed in all necessary locations as the bylaw comes into force to ensure the public are aware of any changes to the previous bylaw.
- 10.7 Other means of communication will continue, such as educational pamphlets. Staff are in the early stages of planning for community events which will support education around the reasons why some of the regulations have been put in place.

11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

- 11.1 The draft policy and bylaw does not have any material financial or budgetary implications for rates. Dog regulation is entirely funded by dog registration fees and infringements issued under the Dog Control Act. Several signs around the district need to be replaced which incurs an expense. It is planned that this will be covered by the Animal Control budget.
- 11.2 The need for enhanced education about dog issues and compliance activity has been identified through the bylaw development process. These activities are fully funded through dog registration and enforcement fees.
- 11.3 Staff consider that both education and compliance activity should be more proactive. We propose to develop a plan for this work and will propose higher dog registration fees in the 2025/2026 year to fund this work.
- 11.4 The table below provides a comparison of our dog registration fees with some other councils.

Council	Standard Registration Fee - Neutered	Standard Registration Fee - ENTIRE	Rural Dog Registration Fee	Approved owner (special for each council)	Extra working dogs
Tasman District Council	\$65	\$65	\$45		
Nelson City Council	\$110	\$115	\$64		

Marlborough District Council	\$65	\$96	\$23		\$12 for 11 th dog onwards
Gisborne District Council	\$95	\$105	\$58 (\$53 neutered)	\$73 (\$66 neutered)	
Kapiti District Council	\$109	\$212	\$77	\$182 (\$77 neutered)	\$46 for 2nd onwards
Napier City Council	\$132		\$60	\$90	
New Plymouth DC	\$184		\$67	Entire - \$143 Neutered - \$93.5	\$34 for 3rd onwards
Buller District Council	\$69.5	\$89.5	\$67.5 (neutered \$52.5)		
Hurunui District Council	\$47		\$33	30% less than standard \$33	

12. Risks / Ngā Tūraru

- 12.1 Failing to progress with the bylaw review will delay the process and potentially risk a lapsed bylaw that is not enforceable. This is considered a low risk as the bylaw would not officially lapse until the end of the two-year grace period, which started in September 2024.
- 12.2 The timeline has the bylaw being made in late December 2024. This means it will be treated as a new bylaw and as such will need to be reviewed within five years.
- 12.3 Given the nature of the changes proposed, staff consider that a review within five years would be best practice, regardless of the legal requirement to do so.
- 12.4 The Dog Control Bylaw must be consistent with the Dog Control Policy. This has been addressed by combining the policy and bylaw in one document to ensure that any changes consider both aspects. Rather than duplicating content, which increases the risk of inconsistency when changes are made, the policy now refers to the appropriate clause within the bylaw.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

- 13.1 The policy and bylaw are unlikely to have any impact on the Council or the Tasman District's carbon footprint.
- 13.2 Implementation of the policy and bylaw is not likely to be impacted by the effects of climate change. Over time climate impacts may affect wildlife locations and behaviour which will need to be further considered in future reviews of the policy and bylaw.
- 13.3 The policy and bylaw neither aligns nor detracts from the Council and Government's plans, policies and legal obligations relating to climate change.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūrarū

- 14.1 The draft policy and bylaw has taken relevant reserve management plans into consideration, including the proposal to prohibit dogs from reserves bordering the Waimea Inlet. This is a result of Policy 6 in Section 5.1 of the Moutere-Waimea Ward Reserve Management Plan.
- 14.2 The Moutere-Waimea Ward Reserve Management plan has also been referenced in relation to Faulkner Bush Reserve, Robson Reserve, Baigents Bush Scenic Reserve, L.E.H Baigent Memorial Reserve.
- 14.3 The Reserves Act has also been referred to support recommendations in relation to Faulkner Bush Reserve.
- 14.4 The dogs prohibited status of Moturoa/Rabbit Island is consistent with what is set out in the areas Reserve Management Plan.
- 14.5 The draft policy and bylaw are designed to work in conjunction with the Council's enforcement policy, emphasising an education-first approach for instances of non-compliance that are not serious.

15. Conclusion / Kupu Whakatepe

- 15.1 The proposed Dog Control Policy and Bylaw 2024 aim to regulate and control the ownership, behaviour, and welfare of dogs within the Tasman District. It aims to ensure public safety, protect property and wildlife, promote responsible dog ownership, and mitigate nuisances and hazards caused by dogs in public places. Additionally, it provides guidelines for the licensing of kennels and outlines penalties for violations of the bylaw.
- 15.2 In response to submissions staff have recommended a number of changes for the Panel's consideration.
- 15.3 Staff will incorporate the changes that the Panel request and, if the Panel recommends, prepare the final policy and bylaw for adoption by the Council at its meeting on 11 December 2024.
- 15.4 The policy and bylaw will be reviewed within five years.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

Date	Process
11 December 2024	Final Dog Control Policy & Bylaw presented to the Council meeting for approval and adoption.
24 January 2025	Public notice in Newsline and on the Council's website advising that the bylaw has been adopted.
31 March 2025	Date the Policy & Bylaw will come into effect.

17. Attachments / Tuhinga tāpiri







- | | | | |
|----|---|--|----|
| 1. |   | Clause changes for deliberations - dog control policy & bylaw | 63 |
| 2. |   | Table of location status - dog control policy & bylaw deliberations report | 73 |
| 3. |   | Dog Control Policy & Bylaw - Deliberations version with marked up changes | 81 |

Table 1: Clause changes in response to submissions

Section	Draft Bylaw Text	Proposed Change	Reason For Change (submission references in brackets)
3		3.8 To minimise risks to the welfare of wildlife.	These additions support object 4(a)(iv) of the Dog Control Act 1996 to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.
6	6.1.2 Conduct animal care and education programmes in schools and places of business. These include general dog control, animal welfare, bite prevention, and hygiene.	6.1.2 Conduct animal care and education programmes in schools and places of business. These include general dog control, animal welfare, bite prevention, wildlife protection , and hygiene. 6.1.6 Educate the public on the environmental impacts of dogs on local wildlife and ways to mitigate risks.	Provides alignment with the purpose of the Bylaw. (33963) (34059)
16		Working Dog has the same meaning as in Section 2 of the Act;	For clarity, the definition of a working dog has been added to the interpretation section. (34492)
17	17.2 Without limiting the generality of Subsection 7(1) a dog shall, for the purposes of this Bylaw be deemed not under control if it is found at large in any public place or in	17.2 Without limiting the generality of Subsection 17.1 a dog shall, for the purposes of this Bylaw be deemed not under control if it is found at large in any public place or in any	Clause reference error corrected.

	any private way in contravention of this Bylaw. 17.3 Where a dog is not under control in terms of Subsection 7(2), a Dog Control Officer or Dog Ranger may seize the dog and cause it to be returned to its owner or impounded.	private way in contravention of this Bylaw. 17.3 Where a dog is not under control in terms of Subsection 17.2 , a Dog Control Officer or Dog Ranger may seize the dog and cause it to be returned to its owner or impounded.	(34464)
18.4	Subsection 8(3) shall not apply to any dog being used solely or principally for the purposes of herding or driving stock and is under the control of its owner or the owner's agent.	Subsection 18.3 shall not apply to any dog being used solely or principally for the purposes of herding or driving stock and under the control of its owner or the owner's agent.	Clause reference error and grammatical error corrected. (34492)
20.2a	Being used for the purpose of herding or driving stock and is a working dog (as defined by the Dog Control Act 1996);	Being used for the purpose of herding or driving stock and is a working dog or a disability assist dog (as defined by the Dog Control Act 1996);	Inclusion of disability assist dogs in exemptions from dogs prohibited areas. (34492) (34553)
20.2	Subject to clause 10.1 of this bylaw the owner of the dog or person in possession of a dog shall keep that dog under control at all times.	Subject to clause 17.1 of this bylaw the owner of the dog or person in possession of a dog shall keep that dog under control at all times.	Clause reference error amended. (34464)
Schedule 4	Tākaka Township locations: the Village Green, Pioneer	Tākaka Township locations: the Village Green, Pioneer Park,	Location name amended to reflect name of reserve. (33690)

	Park, the old library site and adjacent playground.	Tākaka Memorial Reserve and adjacent playground.	
Schedule 4	Motueka Sandspit – south of a line drawn through the point NZ Map Grid 2512857.1 (easting) 6009560.9 (northing)	Motueka Sandspit – south of latitude marker 41.1200.	Changed the description of the location for clarity. (34564)
Schedule 4	Abel Tasman National Park Foreshore Reserves. The following areas are prohibited in the Abel Tasman Foreshore Scenic Reserve Bylaw 2016: <ul style="list-style-type: none"> - Tonga Island; - Adele Island; - Fisherman Island 	Other parts of the Tasman District are also prohibited to dogs under different legislation, such as the Abel Tasman Foreshore Scenic Reserve Bylaw 2016 and the National Parks Act 1980.	Previous text may have inadvertently implied that other parts of the Abel Tasman Foreshore permit dogs. As these areas are covered by other legislation staff recommend the addition to inform the public that other areas are also prohibited for dogs but not managed by the Council.

Table 2: Clause changes in response to staff recommendations

Section	Draft Bylaw Text	Proposed Change	Reason For Change
4.1	Dog owners must register all dogs in their possession over the age of 3 (three) months. All dogs, with the exception of dogs used solely or principally for the herding and driving of stock, registered for the first time in New	Dog owners must register all dogs in their possession over the age of 3 (three) months. All dogs, with the exception of dogs used solely or principally for the herding and driving of stock must be microchipped. All dogs classified as “menacing” or “dangerous” under the Act, are also required to be microchipped.	The section in bold is no longer considered necessary.

	<p>Zealand after 1 July 2006 must be microchipped.</p> <p>All dogs classified as “menacing” or “dangerous” under the Act, are required to be microchipped.</p>		
11.1	Tasman District Council makes this bylaw in accordance with Section 20 of the Dog Control Act 1996. Nothing in this Bylaw shall derogate from the Dog Control Act 1996 or its amendments.	Tasman District Council makes this bylaw in accordance with the Local Government Act 2002 and Section 20 of the Dog Control Act 1996. Nothing in this Bylaw shall derogate from the Dog Control Act 1996 or its amendments.	Specifies that while the Dog Control Act enables the Dog Control Bylaw, it is still made in accordance with the Local Government Act.
13.1	This bylaw comes into force on XX XXX	This bylaw comes into force on 31 March 2025	Place holder replaced with date.
15.1	The purpose of this bylaw is to regulate and control the ownership , behaviour, and welfare of dogs within the Tasman District. It aims to ensure public safety, protect property and wildlife, promote responsible dog ownership, and mitigate nuisances and hazards caused by dogs in public places. Additionally, it provides guidelines for the	The purpose of this bylaw is to regulate and control the ownership, behaviour, and welfare of dogs within the Tasman District. It aims to ensure public safety, protect property and wildlife, promote responsible dog management , and mitigate nuisances and hazards caused by dogs in public places. Additionally, it provides guidelines for the licensing of kennels, procedures for impounding and releasing dogs, and outlines penalties for violations of the bylaw.	The change shifts the emphasis from ownership to dog management to better reflect the Dog Control Act 1996.

	licensing of kennels, procedures for impounding and releasing dogs, and outlines penalties for violations of the bylaw.		
16	Summer Months means 1 November to 1 March inclusive	Time or Seasonally Restricted Areas are designated spaces where dogs are either prohibited or subject to specific restrictions during certain times of the day, or seasons of the year. These restrictions aim to ensure public safety, protect wildlife, and maintain the shared enjoyment of public spaces for all users.	There are several exceptions to the summer months definition. Staff recommend stating the seasonal or time based restriction that applies, following each location. This will mitigate potential confusion.

Table 3: Requested changes not recommended by staff

Section	Requested Change (submission references in brackets)	Reason For Decline
3	None relate to the identified hazard to dog welfare of <i>leaving dogs in hot vehicles</i> , which is a significant and relevant harm in the current context and is also covered under the Animal Welfare Regulations of 2018. It seems odd that TDC want to regulate and control the welfare of dogs in addition to the legal requirements but have proposed to ignore some very important existing legal controls in the bylaw. Proposed zoning changes may even increase the	This issue is adequately addressed in section 14 of the Animal Welfare (Care and Procedures) Regulations 2018.

	number of incidents of dogs left in hot vehicles while their owners are at the beach. Safety needs of dogs are ignored in this respect. (34464)	
3.1	Objective 3.4 implies that a safe environment for the public only relates to members of the public who wish to avoid interactions with dogs. There is no mention of <i>safety for dog-owners and their dogs from members of the public who might (and have) harassed them or threatened them on account of being accompanied by dogs.</i> (34464)	A bylaw under the Dog Control Act 1996 is not an appropriate tool to manage harassment between humans.
3.5	Objective 3.5 fails to mention <i>the behavioural needs of dogs</i> which specifically includes the opportunity to display normal patterns of behaviour appropriate to the dogs and their environment and circumstances. (34464)	Staff consider this adequately covered by clause 3.5: To have regard to the exercise and recreational needs of dogs and their owners.
3.7	Objective 3.7 is to 'identify' the required means of dog control in all public places. I think <i>what TDC is actually doing is to prescribe and inform the community of the required means of dog control in all public places.</i> Making and enforcing rules is not 'identifying'. It is prescribing and enforcing. Please be clear and transparent about what you are doing. (34464)	It is appropriate to retain the current wording of Objective 3.7, as it aligns with community expectations for transparency and inclusiveness in the decision-making process.
6	Section 6 "Educate Dog Owners and the Community about Dog Management" <i>should include a method.</i>	Staff consider this adequately addressed by clause 8.2: Use Council's Service Request system to receive,

	<p>“Use a variety of means to provide details of process of reporting breaches of this bylaw to TDC (site to upload photos of dogs whose owners’ breach by-law).” (33963)</p>	<p>investigate, and resolve dog complaints from members of the public.</p> <p>Process changes are also underway to make this method of reporting breaches more user-friendly.</p>
6	<p>Reading this section, one could be forgiven for thinking that dogs must be some pretty unpleasant and dangerous creatures that humans have to ‘learn to live with’. Is this really the mentality that TDC wishes to educate the community with?</p> <p>This section <i>highlights potential harms from dogs without even an attempt to balance that with the need to educate the public</i> as to the benefits that can be reaped if people take the time to learn and understand. This section <i>fails to consider the multiple benefits of dog companionship, the many useful roles that dogs play in our society, and the long history whereby dogs and humans evolved together.</i> (34464)</p>	<p>The primary focus of Section 6 is to promote responsible dog ownership and public safety. The Dog Control Act 1996 emphasises the need to minimise risks associated with dog ownership, particularly regarding public safety and the welfare of wildlife. Our educational initiatives aim to address potential issues related to dog behaviour, such as wandering, barking, aggression, and fouling, to ensure a harmonious coexistence between dogs and the community. Equipping dog owners and the public with knowledge on dog behaviour will contribute to a safer environment for everyone.</p> <p>The benefits of dog companionship and the valuable roles dogs play in society are undeniable, but the explicit objective of this section is to foster responsible dog ownership and minimise any danger, distress, or nuisance. Education about the positive aspects of dog ownership is important but is not a requirement under the Dog Control Act 1996 or the specific objectives outlined in this policy.</p> <p>Staff efforts will continue to focus on balancing public safety with responsible pet ownership, fostering an environment where the benefits of having dogs can be appreciated alongside the necessary controls to ensure community well-being.</p>

<p>7.1.4</p>	<p>Suggestion for <i>responsible owners discount</i>, which would include an inspection to ensure that the property is adequately fenced. (34064)</p> <p>Could there be a scheme whereby with <i>proof of some elementary training there is a small discount in Registration fees</i>, or similar incentive? (33698)</p> <p>Federated Farmers requested that Policy 7.1.4 is rewritten to include the <i>new category of Farm Working Dog</i>, to <i>pave the way for a reduction in registration fees for this category of dog</i>, and that the registration fee for Farm Working Dogs is 50% of the standard fee (reflecting the lack of need for control by council, discussed below), with a further reduced fee for dog numbers in excess of 5. (34543)</p>	<p>Discounts for responsible dog owners and working dogs will be considered by staff and any changes will be implemented through the Annual Plan/schedule of fees and charges process.</p> <p>Staff will recommend a resolution to consider such a discount when the schedule of fees and charges are reviewed for the 2025/2026 year.</p> <p>The policy can then be amended if and when a revised schedule of fees and charges is adopted by Council.</p>
<p>8.6.2</p>	<p>You specify that dogs should be housed in suitable dry and warm conditions but not that <i>the dog should be contained within the boundaries of the owner's property</i>. (34064)</p>	<p>This is covered by clause 17.2... for the purposes of this Bylaw be deemed not under control if it is found at large in any public place or in any private way in contravention of this Bylaw.</p>
<p>8.6.2</p>	<p>A technical point – it is not TDC that will prescribe the minimum standard, it is the Animal Welfare Act and Regulations. <i>TDC can and should build these minimum standards into the bylaw and enforce them, but not in excess of the Animal Welfare Act because that could prove very difficult to enforce in the courts.</i></p>	<p>While exact terminology has not been used, clause 8.6.2 reflects what is set out in section 13 of the Animal Welfare (Care and procedures) Regulations 2018: Dogs must have dry and shaded shelter.</p>

	Animal Welfare Act minimum standards have been developed through a rigorous process and are based on sound science and evidence as well as consultation with experts. <i>TDC should by all means refer to these standards, but not try to embellish them.</i> (34464)	The additional wording is to ensure this shelter is not situated in a position that causes nuisance to another person, which reflects section 5e of the Dog Control Act 1996.
8.6.3	I think there should be a law <i>prohibiting people to have their dogs on the deck of their trucks</i> . Leashed or not leashed. It is very hazardous to the dogs and other drivers. (34423)	Clause 8.6.3 requires all dogs riding on the open tray of a vehicle on any road or public place to be restrained at all times by a tether that is sufficiently short in length as to prevent the dog from reaching beyond the tray. While a more enclosed environment may be preferable, this must be balanced with the practical realities of farming in a rural district.
	We would like to take this opportunity to express what we and many of our friends consider to be, is an <i>antiquated stipulation (law) that regardless of circumstances, no dog within the perimeters of the owners house, is permitted to defend the occupancy should a person or persons attempt to enter the premise unlawfully</i> i.e. house invasion. (34542)	Staff do not recommend a bylaw clause allowing dogs to attack intruders because the Dog Control Act 1996 already provides a framework for managing dangerous and aggressive dogs. Under the Act, a dog may be classified as dangerous if it poses a threat to public safety, regardless of the circumstances. Encouraging dogs to attack intruders could lead to unintended harm and liability for dog owners. Additionally, the law emphasises responsible dog ownership and public safety, and other legal avenues, such as the Crimes Act 1961, provide protection for homeowners in cases of unlawful entry without relying on a dog's aggressive behaviour.
18.3	But the standard placed on owners that people or animals "may" be distressed is unrealistically high.	Staff recommend retaining the current wording of clause 18.3, as it prioritises prevention over reaction.

	<p>Effectively any stranger approaching “may” become distressed and therefore dogs must always be on a lead when strangers are present. I submit <i>Section 18.3 be amended to read “Every dog owner must immediately place their dog on a leash once it becomes apparent that any person or stock (etc) is distressed or in danger from the dog.</i> (34399)</p> <p><i>18.3 specifically is more restrictive than the DC Act, which requires people to keep dogs under control but leaves the specific method to the owner.</i> (34464)</p>	<p>The requested change would allow owners to wait until distress or danger is apparent, which could lead to harm before action is taken. Clause 18.3 aims to prevent incidents, alongside enforcement discretion, and section 57A of the Dog Control Act 1996 already covers situations where distress or danger has occurred.</p>
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Table 4: Location Status and Staff Recommendation

Location	Draft Bylaw Status	Staff Recommendation
Golden Bay		
Tomatea Reserve to Shaws Creek Bridge	Dogs Prohibited	Retain draft proposal, except for clarifying the description and mapping to: Beach adjacent to Northern Boundary of Tomatea Reserve to the Shaws Creek Bridge
Pakawau Beach Northern end of Pakawau Beach campground to 1km south.	Controlled Exercise Area	Adjust boundaries and description; Pakawau Beach – Tomatea Reserve to 1km south of Pakawau Beach campground
Waikato Inlet	Dogs Prohibited	Retain draft proposal
Ruataniwha Inlet, including northern end of Collingwood beach round to Elizabeth Street car park	Dogs Prohibited	Retain draft proposal, except for clarifying the mapping change to remove boat ramp and car park from the prohibited zone, and additional note: (dogs are permitted in the inlet if contained on a vessel).
Collingwood Holiday Park	Leash Control	Remove from Policy & Bylaw
Beach from Milnthorpe headland to Collingwood (east of township)	Controlled Exercise Area	Retain draft proposal
Kendal Street beach access, Milnthorpe: Pathway between Kendal Street and inclusive of Milnthorpe headland.	Leash Control	Retain draft proposal
Parapara Inlet	Dogs Prohibited	Retain draft proposal
Tukurua Beach (camp frontage)	Time or Seasonally Restricted	Retain draft proposal

Onekaka Estuary	Dogs Prohibited	Retain draft proposal (clarifying that the draft bylaw map is confirmed as opposed to incorrect Shape Tasman map)
Parawhakaoho River Mouth	Dogs Prohibited	Time or Seasonally Restricted Area
Patons Rock Beach (Settlement to Creek adjacent to Grant Rd Puramahoi)	Controlled Exercise Area	Retain draft proposal
Onahau Sandspit, Wetland and Estuary	Dogs Prohibited	Retain draft proposal
Left of Rangihaeata Headland to Fraser Road	Controlled Exercise Area	Retain draft proposal
Rangihaeata Beach	Controlled Exercise Area	Retain draft proposal
Rototai from western end of golf course to Waitapu Estuary foreshore (excluding Controlled Dog Exercise area in Rototai Recreation Reserve).	Dogs Prohibited	Retain draft proposal, except to note a change in description to reflect exception along Motupipi Reserve Beachfront
Rototai Closed Landfill	Controlled Exercise Area	Remove from Policy & Bylaw
Rototai Recreation Reserve	Controlled Exercise Area	Retain draft proposal
Motupipi Reserve Beachfront: Rototai Recreation Reserve to the headland	Leash Control	Controlled Exercise Area
Pōhara Beach West – from Selwyn Street to Western end of the golf course	Controlled Exercise Area	Retain draft proposal
Pōhara Beach from eastern camp boundary to Selwyn Street Reserve	Time or Seasonally Restricted Area	Change seasonal prohibition to seasonal leash control
Pōhara Top 10 Holiday Park	Time or Seasonally Restricted	Remove from Policy & Bylaw
Tākaka Central Business Area	Leash Control	Retain draft proposal

Takaka Township locations: the Village Green, Pioneer Park, the old library site and adjacent playground.	Dogs Prohibited	Retain draft proposal, except to note a change of name from 'old library site' to 'Tākaka Memorial Reserve'.
Tata Beach	Time or Seasonally Restricted	Retain draft proposal
Ligar Bay	Time or Seasonally Restricted	Controlled Exercise Area
Abel Tasman		
Awaroa Vehicle Access Point	Leash Control	Remove from Policy & Bylaw
Tonga, Adele and Fisherman Island	Dogs Prohibited	Remove from Policy & Bylaw (managed under Abel Tasman Foreshore Scenic Reserve Bylaw 2016).
Motueka		
Otuwhero Estuary and Sandspit	Dogs Prohibited	Retain draft proposal
Tokongawha Reserve	Controlled Exercise Area	Remove from Policy & Bylaw
Breaker Bay Beach	Dogs Prohibited	Retain draft proposal
Kaiteriteri Beach	Dogs Prohibited	Retain draft proposal
Little Kaiteriteri Beach	Leash Control	Time or Seasonally Restricted Area
Alex Ryder Memorial Reserve	Leash Control	Retain draft proposal
Dummy Bay	Leash Control	Time or Seasonally Restricted Area
Stephens Bay Beach	Leash Control	Time or Seasonally Restricted Area
Riwaka River Mouth to Tapu Bay Reserve	Controlled Exercise Area	Retain controlled exercise area but reduce size of mapped area
Memorial Reserve Corner Riwaka (excluding Tasman's Great Taste Trail, which is on leash).	Dogs Prohibited	Retain draft proposal
Memorial Reserve Corner Footpath, Riwaka	Leash Control	Retain draft proposal

Motueka Sandspit – Southern End	Dogs Prohibited	Retain draft proposal, except to clarify a change in description to: Motueka Sandspit (Southern End) - south of latitude marker 41.1200.
Saltwater Baths	Dogs Prohibited	Retain draft proposal
Trewavas Street Recreation Reserve	Controlled Exercise Area	Retain draft proposal
York Park	Controlled Exercise Area	Retain draft proposal
North Street Recreation Reserve	Controlled Exercise Area	Retain draft proposal
Batchelor Ford Road	Controlled Exercise Area	Retain draft proposal
Mariri Closed Landfill	Controlled Exercise Area	Remove from Policy & Bylaw
Moutere-Waimea		
Lower Moutere Recreation Reserve	Time or Seasonally Restricted Area	Change seasonal restriction from November – February to December - February
Faulkner Bush Reserve - excluding the Leash Control Area, as defined on the map in Schedule 1	Controlled Exercise Area	Retain draft proposal
Faulkner Bush Reserve Picnic Area	Leash Control	Retain draft proposal
Baigents Bush Reserve	Controlled Exercise Area	Retain draft proposal, noting amendment to reflect official name: Baigents Bush Scenic Reserve, Pigeon Valley
Robson Reserve	Controlled Exercise Area	Retain draft proposal
L.E.H Baigent Reserve and surrounding peninsula excluding campground	Dogs Prohibited	Amend mapping and description to: Foreshore and Estuary around L.E.H Baigent Memorial Reserve.
Kina Beach – exposed seaward side of the beach: Finishes at	Controlled Exercise Area	Retain draft proposal

Northern end of Kina Esplanade Reserve		
Deck Road Recreation Reserve and Easement	Controlled Exercise Area	Retain draft proposal
McKee Memorial Domain	Dogs Prohibited	Retain draft proposal
Old Mill Walkway, Ruby Bay - Foreshore from Seaward boundary Mapua Leisure Park to Chaytor Reserve	Controlled Exercise Area	Retain draft proposal. Reference Old Mill Walkway as a Controlled Exercise Area in Schedule 5 Great Taste Trail
Ruby Bay – Foreshore from Seaward boundary Mapua Leisure Park to Chaytor Reserve	Controlled Exercise Area	Retain draft proposal
Rough Island: Hunter Brown and Greenslade Park – year round Events and Equestrian Park – Year round except at times when this would disrupt specific equestrian events. Forestry areas – access roads and tracks within or alongside forestry blocks, when harvesting or other forestry operations are not underway and fire restrictions are not in place.	Controlled Exercise Area	Retain draft proposal
Higgs Reserve Waimea Inlet Esplanade Reserve	Dogs Prohibited	Retain draft proposal

Apple Valley Road Esplanade Reserve Bronte Road East Esplanade Reserves Westdale Road Esplanade Reserves Hoddy Road Esplanade Reserves Maisey Road Esplanade Reserve Research Orchard Road Esplanade Reserves Sand Island, Waimea Estuary Shell bank by Bell Island Waimea Estuary Esplanade Reserves Pearl Creek Reserve Pearl Creek Esplanade Reserve		
Hoddy Estuary Park	Dogs Prohibited	Adjust prohibited section so that just the shoreline edge of the reserve is prohibited with leash control for the remainder of the Park.
Rabbit Island	Dogs Prohibited	Retain draft proposal, noting name amendment to Moturoa / Rabbit island
Richmond		
Washbourn Gardens	Leash Control	Retain draft proposal
Jimmy Lee Creek Walkway	Leash Control	Retain draft proposal
Bill Wilkes Reserve	Controlled Exercise Area	Retain draft proposal
Hunter Avenue Walkway	Leash Control	Retain draft proposal

Jimmy Lee Creek Walkway North (Hill Street North Entrance to Cushendell Rise)	Leash Control	Retain draft proposal
Jimmy Lee Creek Walkway South in between Cushendell Rise and the Grassy Saddle	Controlled Exercise Area	Retain draft proposal
Will's Gully walking track to Grassy Saddle	Leash Control	Retain draft proposal
Dellside Reserve including track up into Richmond Hills	Controlled Exercise Area	Retain draft proposal
Borck Creek	Controlled Exercise Area	Retain draft proposal
Hope Recreation Reserve & Hall – note that use of this area for controlled exercise is not permitted when dog obedience and training classes are taking place.	Controlled Exercise Area	Retain draft proposal
Great Taste Trail		
Railway Reserve	Leash Control	Controlled Exercise Area
Old Mill Walkway	Leash Control	Controlled Exercise Area
Bryant Road carpark to the bridge to Pugh Road	Controlled Exercise Area	Retain draft proposal
Tadmor Valley Road to Quail Valley Road	Dogs Prohibited	Retain draft proposal
South side of Quail Valley Road Bridge to entrance to 437 Wakefield-Kohatu Highway	Dogs Prohibited	Retain draft proposal
Edward Street entrance to 320 Higgins Road	Dogs Prohibited	Retain draft proposal
35 Sandeman Road to Lansdowne Road	Dogs Prohibited	Retain draft proposal

Western end of Lower Queen Street to eastern end of 0 Redwood Road	Dogs Prohibited	Retain draft proposal
Rabbit Island, starting from western end of causeway to the ferry landing	Dogs Prohibited	Retain draft proposal
Kaiteriteri Recreation Reserve	Dogs Prohibited	Retain draft proposal



Tasman District Council

Dog Control Policy Dog Control Bylaw 2024

~~**Dog Control Policy Made by Resolution of Council on
XXX**~~

~~**Dog Control Bylaw Made by Resolution of Council on
XXX**~~

Action	Approved	Reference	In Force
Bylaw and Policy made	28/11/2024	[add report #]	01/02/2025
Next review to be completed by	28/11/2029		

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PART A: Dog Control Policy

This policy is made in accordance with Section 10 of the Dog Control Act 1996.

1 Introduction

- 1.1 The Dog Control Act 1996 contains obligations that require all owners to register their dogs, ensure they are kept under control, and ensure that they do not cause a nuisance to any person, cause damage to property, or injure, endanger, or cause distress to any person, stock, poultry, domestic animal, or protected wildlife.
- 1.2 The Council has powers under the Act to assist dog owners to meet these obligations and to address situations where those obligations are not met. Section 10 of the Dog Control Act 1996 requires the Council to adopt a policy on dogs within its district so that these powers are used effectively and form part of the Council's approach to the management of dogs.
- 1.3 Tasman District Council's Dog Control Policy reflects existing practices and states how the community wishes to live with dogs (Objectives), what needs to be done to achieve the objectives (Policies), and what the Council can do to ensure the community achieves those policies (Methods).

2 Interpretation

- 2.1 Refer to Section 16 Interpretation of the Dog Control Bylaw.

3 Objectives (Community Expectations)

- 3.1 To educate and assist owners to act responsibly with their dogs and ensure their dogs are given proper care, shelter, and sustenance as determined by the Act.
- 3.2 To minimise any danger, distress, and nuisance to the community generally.
- 3.3 To avoid the inherent danger in allowing dogs to have uncontrolled access to public places frequented by children.
- 3.4 To provide a safe environment for the public to use streets and public amenities without unwanted interactions with dogs.
- 3.5 To have regard to the exercise and recreational needs of dogs and their owners.
- 3.6 To identify any land which is a National Park as constituted under the National Park Act 1980, or is a controlled or open dog area under Section 26ZS of the Conservation Act 1987.

3.7 To identify required means of dog control in all public places.

3.7.3.8 To minimise risks to the welfare of wildlife.

Policies and Methods (Actions to achieve Objectives)

4 Identify the Owner of Every Dog

- 4.1 Dog owners must register all dogs in their possession over the age of 3 (three) months. All dogs, with the exception of dogs used solely or principally for the herding and driving of stock, ~~registered for the first time in New Zealand after 1 July 2006~~ must be microchipped. All dogs classified as “menacing” or “dangerous” under the Act, are also required to be microchipped.

Methods:

- 4.1.1 Maintain a register of dogs as required by the Act, set registration fees, ensure information is uploaded to the National Dog Database on a daily basis, and provide relevant information on this process for dog owners.
- 4.1.2 Carry out education and information campaigns to encourage registration and microchipping in accordance with the Act.
- 4.1.3 Send an annual invoice/reminder to all known dog owners to register their dogs in accordance with the Act.
- 4.1.4 Take enforcement action against owners of unregistered dogs.

5 Make Provision for Dog Access to Public Places

- 5.1 Dog owners must be provided with a reasonable level of access to public places without compromising the safety and comfort of members of the community generally.

Methods:

- 5.1.1 The planning or making of a bylaw controlling the access of dogs to public places by Council will include:
- 5.1.2 Recognising the dog owner as a user of public places.
- 5.1.3 Ensuring controls on access of dogs to particular areas are clearly defined and obvious on the ground to both dog owners and the general public by way of signage and maps.
- 5.1.4 Aiming to provide a range of opportunities for the control of dogs both on and off the leash.

5.2 The Council will make a bylaw that:

- 5.2.1 Requires dogs to be under leash control at all times in specific areas as defined in Part C, Schedule 1 of the Dog Control bylaw and the whole of the Great Taste Trail, except for the areas specified in Schedule 5 of the Dog Control Bylaw.
 - 5.2.2 Allows dog owners to freely exercise their dogs without a leash, whilst still under control and with the owner carrying a leash at all times, in specific areas as defined in Part C, Schedule 2 and Schedule 5 (3) of the Dog Control Bylaw.
 - 5.2.3 Prohibits dogs from specific areas as defined in Part C, Schedule 4 and Schedule 5 (2) of the Dog Control Bylaw..
 - 5.2.4 Prohibits dogs during specific seasons and/or times in specific areas as defined in Schedule 3 of the Dog Control Bylaw.
 - 5.2.5 In all public places, not specified in Part C of the Dog Control Bylaw, requires dogs to be under control at all times so that the person in charge of the dog is able to obtain an immediate and desired response from the dog by means of a leash, voice commands, hand signals, whistles, or other effective means.
 - 5.2.6 Recognises that working dogs while working, are not prohibited from public places or required to be on a leash.
 - 5.2.7 Requires the owner of any dog that defecates in a public place, or on land or premises other than that occupied by the dog owner, to immediately remove the faeces.
- 5.3 Inform dog owners which land, if any, within the district is included in a controlled or open dog exercise area under the Conservation Act 1987 (currently there are none) and land which is a National Park 1980 by way of section 10 of this Policy. No Council bylaw is required in respect of these areas and they are set out for information purposes only.
- 5.4 The Council may take enforcement action against owners who breach the Act or bylaw.

6 Educate Dog Owners and the Community about Dog Management

- 6.1 Promote responsible dog ownership to dog owners and awareness in the community of how to live with dogs, minimising danger, distress, and nuisance.

Methods:

- 6.1.1 Use a variety of means to provide information on dealing with wandering dogs, barking, aggression, fouling, etc. (making hard copy and online website brochures available, using radio and newspaper articles.)
- 6.1.2 Conduct animal care and education programmes in schools and places of business. These include general dog control, animal welfare, bite prevention, wildlife protection and hygiene.
- 6.1.3 Encourage owners to utilise dog obedience clubs and classes available within the community. For example, NZKC Canine Good Citizen programme, and

programmes offered by Nelson Dog Training Club, and puppy and dog training offered by vets.

- 6.1.4 Perform targeted property visits annually to check for compliance and to provide an opportunity for Dog Control Officers to discuss relevant educational or welfare issues with dog owners and to interact with members of the public who may have concerns relating to dog registration and control.

6.1.5 The Council may appoint Honorary Dog Rangers whose primary role would be an educational one. They may also assist in surveillance in dog exercise and prohibited areas.

6.1.56.1.6 Educate the public on the environmental impacts of dogs on local wildlife and ways to mitigate risks.

7 Set Fees and Charges in Order to Provide Adequate Funding for Managing Dog Control

- 7.1 –Council must ensure adequate funding is available for the management and enforcement of the Dog Control Act 1996 and Bylaw, covering such issues as welfare, dog control, education, and ensuring dogs do not cause a nuisance in the community. Dog registration fees and other user charges shall cover 100% of the funding requirements for the dog control activity.

Methods:

- 7.1.1 Annually set fees for registration and other dog control services provided by the Council.
- 7.1.2 Determine registration fees based on the size of the property where the dog resides.
- 7.1.3 Impose a higher registration fee for the late registration of dogs.
- 7.1.4 Offer a reduced or zero registration fee for Disability Assist, Police, and Search & Rescue dogs.

8 Enforce Dog Owner Obligations

- 8.1 Utilise enforcement ~~the powers of enforcement~~ under the Dog Control Act 1996 so as to ensure the safety of the community generally and to penalise (and so deter) irresponsible dog ownership.

Methods:

- 8.2 Use Council's Service Request system to receive, investigate, and resolve dog complaints from members of the public.
- 8.3 Use powers of the Dog Control Act 1996 to issue infringement notices, prosecute owners, use menacing or dangerous dog classifications, and probationary and disqualified owner classifications as required.

- 8.4 Use powers of the Dog Control Act 1996 to remove dogs threatening public safety and comfort.
- 8.5 May require the neutering of any dog classified as “menacing” under Section 33A of the Dog Control Act 1996.
- 8.6 The Council will make a bylaw that:
 - 8.6.1 Requires a licence to be obtained where the number of dogs allowed to be kept on any land or premises exceeds a specified maximum dependent upon the zoning and size of the land.
 - 8.6.2 Prescribes minimum standards for the accommodation of dogs so that every dog owner is required to provide his or her dog with suitable housing or kennelling which is weatherproof, dry, clean, and gives the dog adequate space, warmth, and shade, and is situated in a position that does not cause a nuisance to any person, in accordance with the Animal Welfare Act 1999.
 - 8.6.3 Requires all dogs riding on the open tray of a vehicle on any road or public place to be restrained at all times by a tether that is sufficiently short in length as to prevent the dog from reaching beyond the tray.
 - 8.6.4 Requires that all owners of dogs which are infected with any contagious disease to suitably contain that dog on his or her property.

9 Gather Information to Assess the Effectiveness and Fairness of Our Dog Control Policy

- 9.1 Information must be gathered to determine if our methods are working towards achieving our objectives.

Methods:

- 9.1.1 Meet the Act’s requirement to report on Council’s administration of the Dog Control Policy and its dog control activity by publishing an annual report.

10 National Parks and other Department of Conservation Administered Lands

- 10.1 There are three National Parks within the Tasman District. They are Kahurangi National Park, Abel Tasman National Park and Nelson Lakes National Park. Dogs are generally prohibited from National Parks under the National Parks Act 1980 (except in certain specified circumstances). National Parks are administered by the Department of Conservation.
- 10.2 Controlled Dog Areas and Open Dog Areas on public conservation lands are declared by the Minister of Conservation and regulated by the Department of Conservation under the Conservation Act 1987. Currently there are none in the Tasman District.
- 10.3 For more information on dog control in National Parks, or the Department of Conservation’s policy on Controlled or Open Dog Areas on public conservation lands, please contact the

Department of Conservation. The web address for the Department of Conservation is www.doc.govt.nz

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Part B: Dog Control Bylaw

11 Introduction

- 11.1 Tasman District Council makes this bylaw in accordance with the Local Government Act 2002 and Section 20 of the Dog Control Act 1996. Nothing in this Bylaw shall derogate from the Dog Control Act 1996 or its amendments.

12 Title

- 12.1 The title of this bylaw is the Tasman District Council Dog Control Bylaw.

13 Commencement

- 13.1 This bylaw comes into force on 31 March 2025.

14 Revocation

- 14.1 The Tasman District Council Consolidated Bylaw Chapter 2 Dog Control Bylaw 2014 is revoked on the coming into force of this bylaw.
- 14.2 The revocation of the Dog Control Bylaw 2014 Bylaw does not affect liability for an offence or for a breach of the Dog Control Bylaw 2014 Bylaw committed before the revocation of the Dog Control Bylaw 2014 Bylaw. The Dog Control Bylaw 2014 Bylaw continues to have effect as if it had not been revoked for the purpose of:
- a. commencing or completing proceedings for the offence or breach; and
 - b. imposing a penalty for the offence or breach.

15 Purpose and application

- 15.1 The purpose of this bylaw is to regulate and control the ~~ownership~~, behaviour, and welfare of dogs within the Tasman District. It aims to ensure public safety, protect property and wildlife, promote responsible dog ~~management~~~~ownership~~, and mitigate nuisances and hazards caused by dogs in public places. Additionally, it provides guidelines for the licensing of kennels, procedures for impounding and releasing dogs, and outlines penalties for violations of the bylaw.
- 15.2 This bylaw shall apply to Tasman District.

16 Interpretation

16.1 In this bylaw, unless the context otherwise requires:

Act means the Dog Control Act 1996.

Bylaw means the Tasman District Council Dog Control Bylaw.

Controlled Dog Exercise Area means a public place within the District, as identified in Schedule 2, where a dog may be exercised off the leash but must still be under effective control.

Council means the Tasman District Council.

District means the area administered by the Tasman District Council.

Disability Assist Dog has the same meaning as Section 2 of the Dog Control Act 1996.

- a) Hearing Dogs for Deaf People New Zealand:
- b) Mobility Assistance Dogs Trust:
- c) New Zealand Epilepsy Assist Dogs Trust:
- d) Royal New Zealand Foundation of the Blind:
- e) Top Dog Companion Trust:
- f) Any other organisation which has been recognised by Council as meeting the required criterion.

Dog includes any dog male or female whether or not spayed or neutered and of any age.

Dog Control Officer means an officer appointed under Section 11 of the Act.

Dog Prohibited Area means a public place within the District, as identified in Schedule 3, Schedule 4 or Schedule 5, where a dog is prohibited either generally or at specified times.

Dog Ranger means a ranger appointed under Section 12 of the Act and includes an Honorary Dog Ranger.

Leash means an adequate restraint capable of restraining a dog.

Leash Control means that the dog is kept under control by means of a leash (described above) which is secured or is held by a person capable of restraining the dog so that the dog cannot break loose.

Leash Control Area means a public place within the District, as identified in Schedule 1, where a dog is required to be kept under continuous leash control.

Owner has the same meaning as defined in Section 2 of the Act

Protected Wildlife means any animal that is absolutely or partially protected in accordance with the Wildlife Act 1953 and any marine mammal within the meaning of the Marine Mammals Protection Act 1978.

Public Place has the same meaning as in Section 2 of the Dog Control Act 1996

~~**Summer Months** means 1 November to 1 March inclusive.~~

~~**Time or Seasonally Restricted Areas** are designated spaces where dogs are either prohibited or subject to specific restrictions during certain times of the day, or seasons of the year. These restrictions aim to ensure public safety, protect wildlife, and maintain the shared enjoyment of public spaces for all users.~~

Urban Area means an area which is either within or adjacent to the built-up area of a town, village or settlement.

~~**Working Dog** has the same meaning as in Section 2 of the Act;~~

17 Control of Dogs in Public Places

- 17.1 In any public place not specified in Schedule 1, 3, 4 or 5, the owner of any dog, or person being in possession of any dog, shall keep that dog under control at all times.
- 17.2 Without limiting the generality of Subsection ~~17.1(4)~~ a dog shall, for the purposes of this Bylaw be deemed not under control if it is found at large in any public place or in any private way in contravention of this Bylaw.
- 17.3 Where a dog is not under control in terms of Subsection ~~17.27(2)~~, a Dog Control Officer or Dog Ranger may seize the dog and cause it to be returned to its owner or impounded.
- 17.4 The provisions of Section 69 of the Act shall apply to the impounding of any dog.

18 Leash Control Areas and Leash Control Operations

- 18.1 Every dog owner must carry a leash when with their dog in a public place.
- 18.2 Every dog shall be kept under continuous leash control while that dog is in a Leash Control Area.
- 18.3 Every dog shall be kept under continuous leash control in circumstances when the dog may injure, endanger, or cause distress to any person, stock, poultry, domestic animal, or protected wildlife;
- 18.4 Subsection ~~18.38(3)~~ shall not apply to any dog being used solely or principally for the purposes of herding or driving stock and ~~is~~ under the control of its owner or the owner's agent.

19 Controlled Dog Exercise Areas

- 19.1 Every dog shall be kept under control while that dog is in a Controlled Dog Exercise Area.

20 Dog Prohibited Areas

- 20.1 No owner of a dog, or person in possession of a dog, shall allow that dog to enter or remain on any area which is designated as prohibited unless that dog is:
- 20.2 Being used for the purpose of herding or driving stock and is a working dog or a disability assist dog (as defined by the Dog Control Act 1996); or
 - a. Being used for the purpose of hunting game birds (as defined by the Wildlife Act 1953) during the game bird hunting season (being the first full weekend in May to the last weekend in August).
- 20.3 Subject to clause ~~17.10.4~~ of this bylaw the owner of the dog or person in possession of a dog shall keep that dog under control at all times.

21 Time or Seasonally Restrict Areas

- 21.1 The Council may designate specific areas within the jurisdiction where dogs are prohibited or restricted during certain times or seasons to ensure public safety, protect wildlife, and maintain the enjoyment of public spaces for all residents and visitors.
- 21.2 Areas which are time or seasonally restricted can be viewed in Schedule 3.

22 Kennel Licence to Keep Multiple Dogs

- 22.1 A Kennel Licence is required to keep multiple dogs over the age of three months in non-residential zones if there are:
- a. three or more dogs on a property up to and including 1 hectare in area, or
 - b. six or more dogs on a property that is greater than 1 hectare in area.
- 22.2 Such licence may be issued upon or subject to such terms, conditions or restrictions as the Council may consider necessary and any breach of such terms, conditions or restrictions shall result in revocation of the licence.
- 22.3 Every application for a licence must include the information that Council requires to issue the licence and the applicant must pay any fee prescribed from time to time by resolution of the Council.
- 22.4 The fee for such a licence shall be payable in addition to the registration fees payable under the Dog Control Act 1996
- 22.5 Dogs used solely or principally for the purpose of herding or driving stock (see working dog definition, or any approved property that is used for the business of dog boarding kennels shall be exempt from this provision.
- 22.6 A Resource Consent is required if three or more dogs are kept on a property in a Residential Zone. Commercial dog kennels must also hold a specific resource consent to permit the activity.

23 Infected Dogs

- 23.1 No person being the owner of any dog or being in charge of any dog infected with an infectious disease shall take the dog or permit or suffer the dog to enter or remain in any public place.

24 Removal of Faeces

- 24.1 The owner or any person in possession of any dog that defecates in a public place or private way or on land or premises other than that occupied by the owner shall immediately remove or cause to be removed the faeces left by the dog. Where a public litter bin or similar receptacle is used to dispose of the faeces they must be suitably wrapped or contained to prevent such receptacle from being fouled.

25 Welfare of Dogs on Private and Public Property

- 25.1 Every owner of a dog shall ensure that the dog is provided with adequate food, water and shelter.

26 Dogs on Vehicles

- 26.1 No person shall allow a dog to ride on the open tray of a vehicle on any road or public place unless the dog is at all times restrained by a tether that is sufficiently short in length as to prevent the dog from reaching beyond the tray.

27 Causing Dogs to Become Unmanageable

- 27.1 Any person shall be guilty of an offence against this bylaw who behaves so as to cause any dog in any street, private street, or public place to become resistive or unmanageable.

28 Release From the Pound

- 28.1 A dog shall be released from impoundment by the Council only when;
- a) registered dogs are microchipped, as required by Section 69A of the Act; and
 - b) unregistered dogs are registered and microchipped, as required by Section 69A of the Act; and
 - c) all fees due to Council are paid.

29 Scope of Maps

- 29.1 Maps included in this bylaw are intended to represent general areas of interest and are not necessarily drawn to scale. The shading and boundaries depicted on these maps are illustrative and serve as a guide to indicate the approximate location of areas under the jurisdiction of this bylaw and the description of the relevant areas prevails over the map.

Inclusive Interpretation

- 29.2 In the event of ambiguity or dispute over the coverage of mapped areas, this bylaw shall be interpreted to include the entire extent of beaches, foreshores, estuaries, and mudflats within the designated region, even if the shading or boundary lines on the map do not precisely cover these areas.
- 29.3 Unless otherwise stated in the description, references to beaches shall include the entire sanded area, adjoining dunes and any other areas commonly thought to include a beach.
- 29.4 Unless otherwise stated in the description, references to reserves shall include the entire extent of the reserve apparent to users of the area.

Priority for Comprehensive Coverage

- 29.5 The bylaw's intent is to ensure comprehensive environmental protection and governance over coastal and intertidal areas. Therefore, any interpretation of mapped boundaries

should err on the side of inclusivity to encompass entire beach systems, foreshores, estuaries, and mudflats.

30 Offences and Penalties

- 30.1 Every person who fails to comply with this bylaw commits an offence under section 20 (5) of the Dog Control Act 1996 and is liable on conviction to the penalty prescribed by section 242(4) of the Local Government Act 2002.
- 30.2 Penalties for these offences may include warnings and fines. Individuals may be liable on summary conviction to a fine not exceeding \$20,000 or be issued with an infringement notice. Repeat offenders may face increased penalties or further legal action.

31 Council Resolution

This bylaw was made by Tasman District Council at a meeting of the Council on []

The common seal of the Tasman District Council is attached in the presence of:

Mayor

Chief Executive

DRAFT

PART C: Schedules of Controlled Areas

Schedule 1 - Leash Control Areas

Every dog shall be kept under continuous control by means of a leash which is secured or held by a person capable of restraining the dog so that the dog cannot break loose.

In any urban area or cemetery

Golden Bay

~~Collingwood Holiday Park~~

Kendal Street beach access, Milnthorpe: Pathway between Kendal Street and inclusive of Milnthorpe headland.

~~Motupipi Reserve Beachfront: Rototai Recreation reserve to the headland.~~

Takaka Central Business Area

~~Awaroa Vehicle Access Point~~

Motueka

~~Little Kaiteriteri Beach~~

Alex Ryder Memorial Reserve

~~Dummy Bay~~

~~Stephens Bay Beach~~

Memorial Reserve Corner Footpath, Riwaka

Richmond

~~Railway Reserve~~

Washbourn Gardens

Jimmy Lee Creek Walkway

Hunter Avenue Walkway

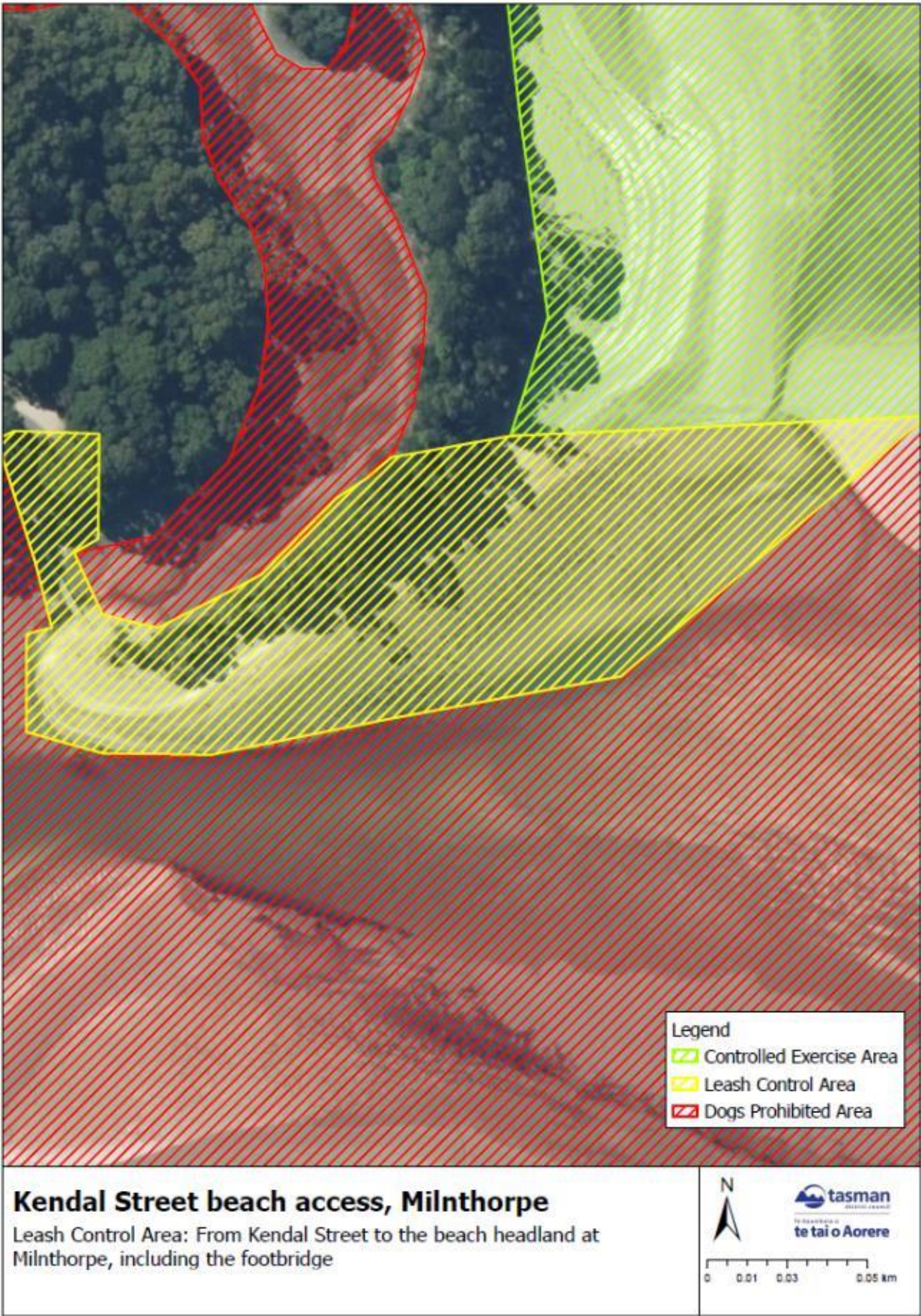
Jimmy Lee Creek Walkway North (Hill Street north entrance to Cushendell Rise)

Will's Gully walking track to Grassy Saddle

Moutere-Waimea

Faulkner Bush Reserve Picnic Area

[Hoddy Estuary Park – central area of park excluding the vegetated margins of the Inlet](#)











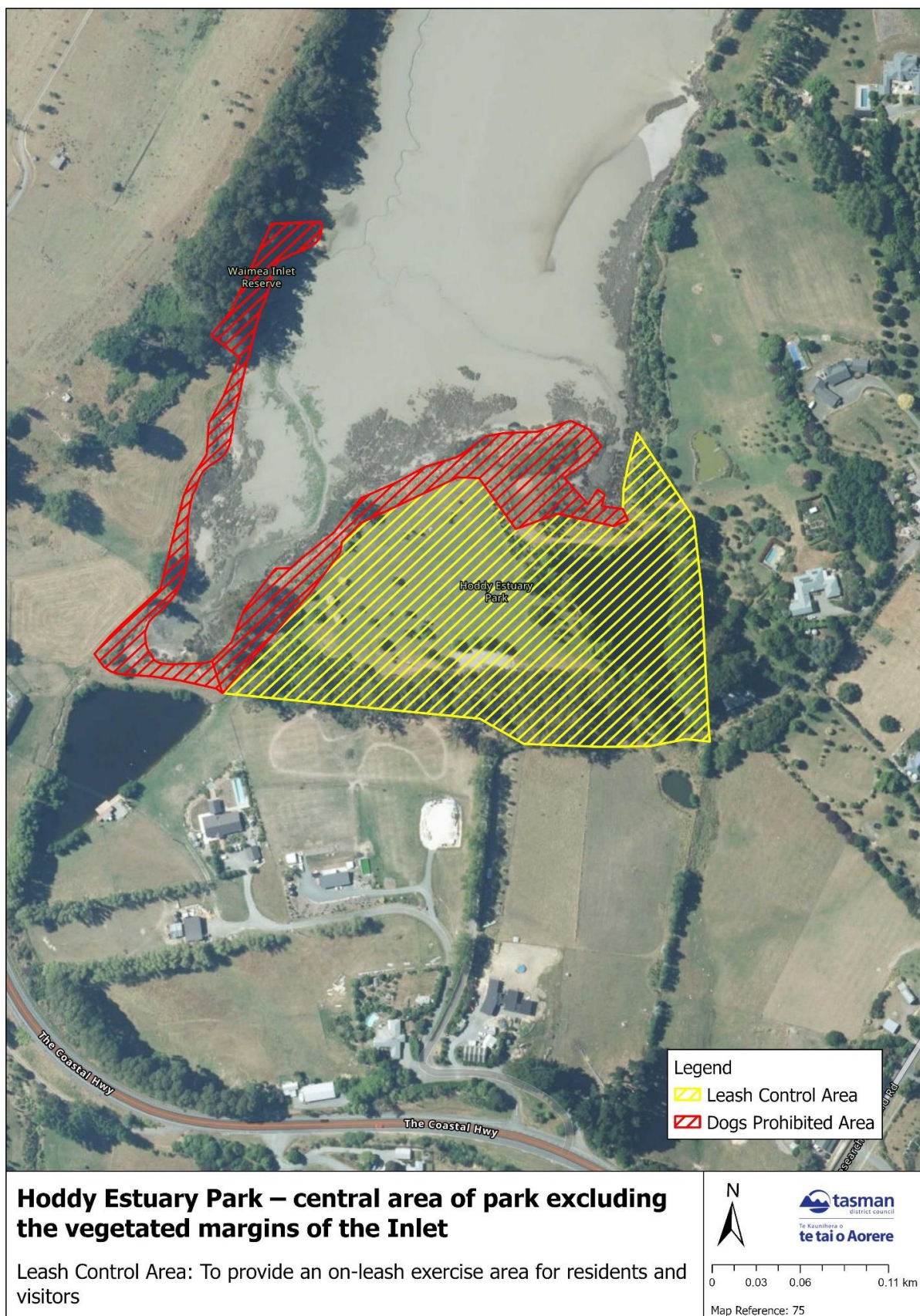












Schedule 2 - Controlled Exercise Areas

Every dog shall be kept under the control of a responsible person, responding to voice commands, whistles, hand signals or other effective means. Dog owners must carry a leash at all times.

NOTE: ON ANY OCCASION A DOG IS LIKELY TO INJURE, ENDANGER, OR CAUSE DISTRESS TO ANY STOCK, POULTRY, DOMESTIC ANIMAL OR PROTECTED WILDLIFE IT SHALL BE KEPT UNDER CONTINUOUS LEASH CONTROL.

Golden Bay

Pakawau Beach – ~~Northern end of Pakawau Beach campground~~ Tomatea Reserve to 1km south of Pakawau Beach campground

Beach from Milnthorpe headland to Collingwood (east of township)

Patons Rock Beach – Settlement to Creek adjacent to Grant Rd Puramahoi

Left of Rangihaeata Headland to Fraser Road

Rangihaeata Beach

Pohara Beach West – from Selwyn Street to Western end of the golf course

Rototai Recreation Reserve

Motupipi Reserve Beachfront: Rototai Recreation Reserve to the headland

~~Rototai Closed Landfill~~

Ligar Bay

Motueka

~~Tokongawha Reserve~~

Riwaka River Mouth to Tapu Bay Reserve

Trewavas Street Recreation Reserve

York Park

North Street Recreation Reserve

Batchelor Ford Road

~~Mariri Closed Landfill~~

Moutere-Waimea

Kina Beach – exposed seaward side of the beach: Finishes at Northern end of Kina Esplanade Reserve

Deck Road Recreation Reserve and Easement

Moutere-Waimea

~~Old Mill Walkway~~, Ruby Bay - Foreshore from Seaward boundary Mapua Leisure Park to Chaytor Reserve

Baigents Bush Scenic Reserve, Pigeon Valley

Faulkner Bush Reserve - excluding the Leash Control Area, as defined on the map in Schedule 1

Robson Reserve

Richmond

Rough Island:

- Hunter Brown and Greenslade Park – year round
- Events and Equestrian Park – Year round except at times when this would disrupt specific equestrian events.

31.1 Forestry areas – access roads and tracks within or alongside forestry blocks, when harvesting or other forestry operations are not underway and fire restrictions are not in place.

Richmond

Borck Creek

Bill Wilkes Reserve

Dellside Reserve including track up into Richmond Hills

Hope Recreation Reserve & Hall – note that use of this area for controlled exercise is not permitted when dog obedience and training classes are taking place.

Jimmy Lee Creek Walkway South in between Cushendell Rise and the Grassy Saddle

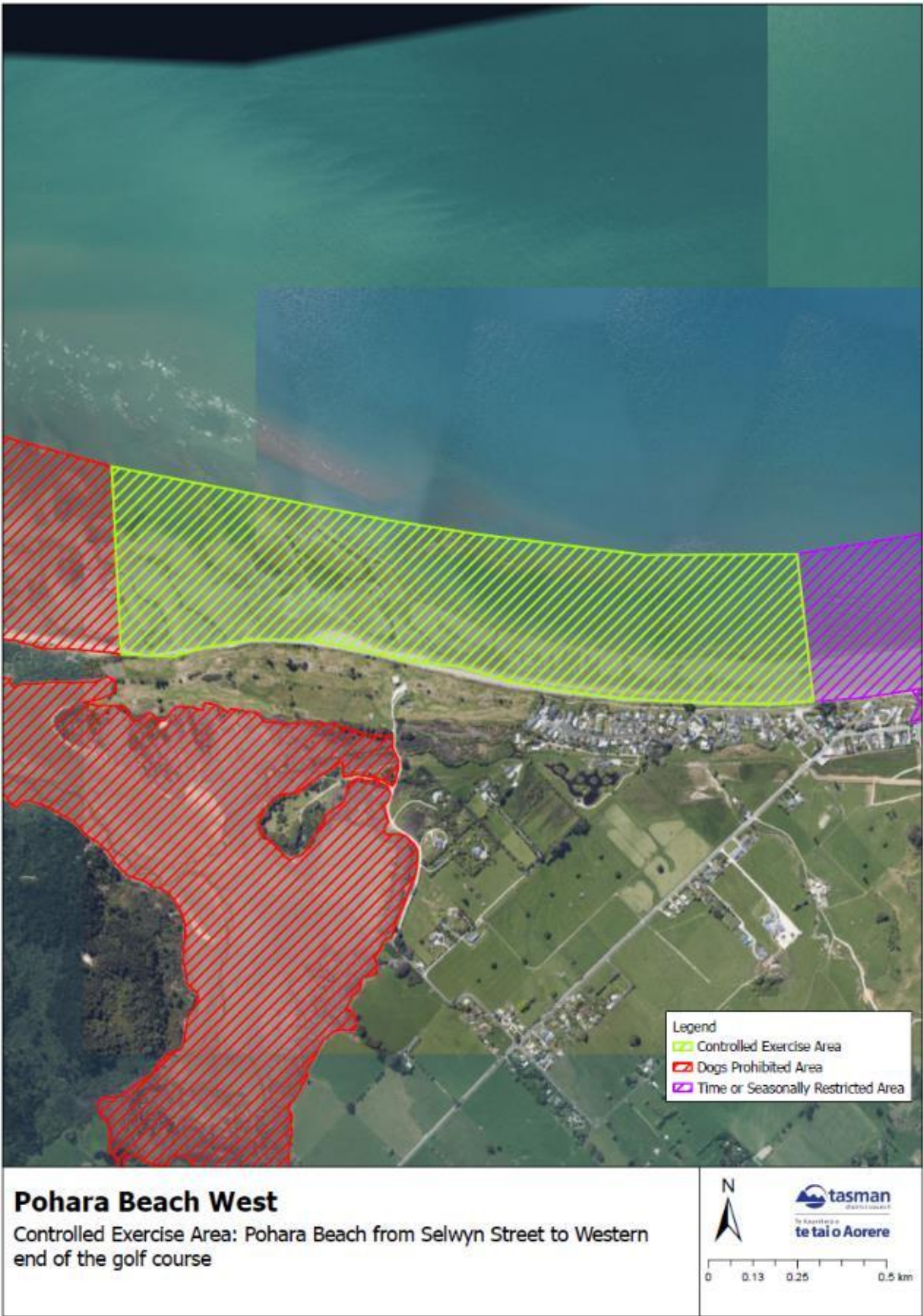




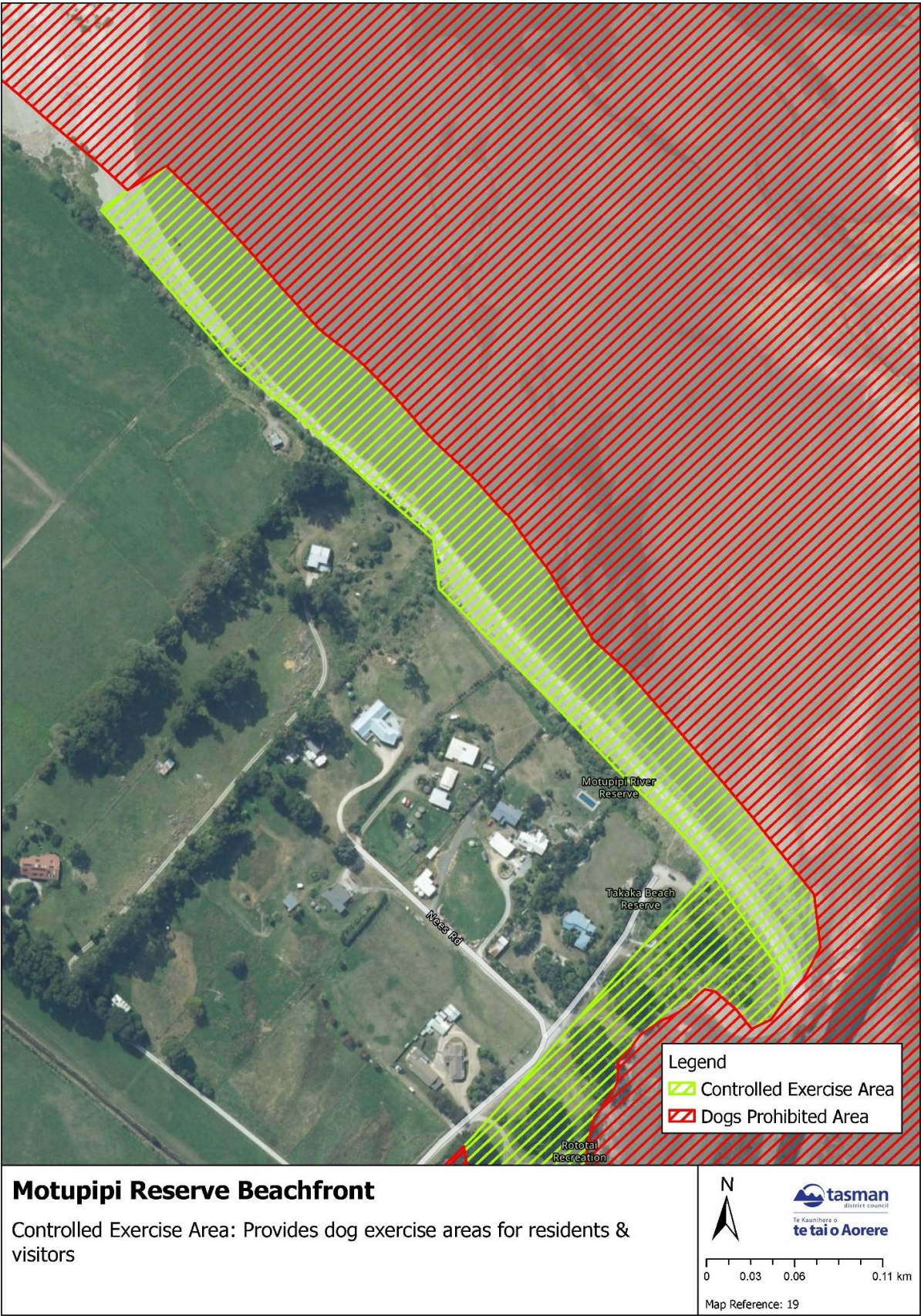










































Bill Wilkes Reserve

Controlled Exercise Area: Offers a large open area for off leash controlled dog exercise

Legend

- Controlled Exercise Area
- Leash Control Area



0 0.01 0.03 0.05 km







Schedule 3 – Time or Seasonally Restricted Areas

Dogs are prohibited from the following areas during the following times ~~summer months~~:

Tukurua Beach (camp frontage) November – February inclusive

Pōhara Beach from eastern camp boundary to Selwyn Street Reserve: dogs must be under leash control from November – February inclusive

~~Pohara Top 10 Holiday Park~~

Parawhakaoho River Mouth:

September – February inclusive: Dogs Prohibited.

March – August inclusive: Leash control

Lower Moutere Recreation Reserve: dogs prohibited December – February inclusive – except for Dog Obedience and Tracking classes

The following areas have multiple time and date restrictions:

Tata Beach

21st January – 19th December inclusive:

Sunset - 8:30am: Dogs prohibited.

8:30am – sunset: Controlled exercise area.

20th December to 20th January inclusive:

Sunset - 8:30am and 10am - 5pm : Dogs prohibited.

8:30am - 10am and 5pm – sunset: Controlled exercise area.

Little Kaiteriteri Beach

November – February inclusive:

Dogs prohibited, except between the hours of 8:00am and 11:00am.

March – October inclusive:

Dogs Prohibited between 5:00pm and 9:00am

Controlled Exercise Area between 9:00am and 5:00pm

Dummy and Stephens Bay

November – February inclusive:

Dogs prohibited between 8:00pm and 8:00am
Controlled exercise between 8:00am and 8:00pm

March – October inclusive:

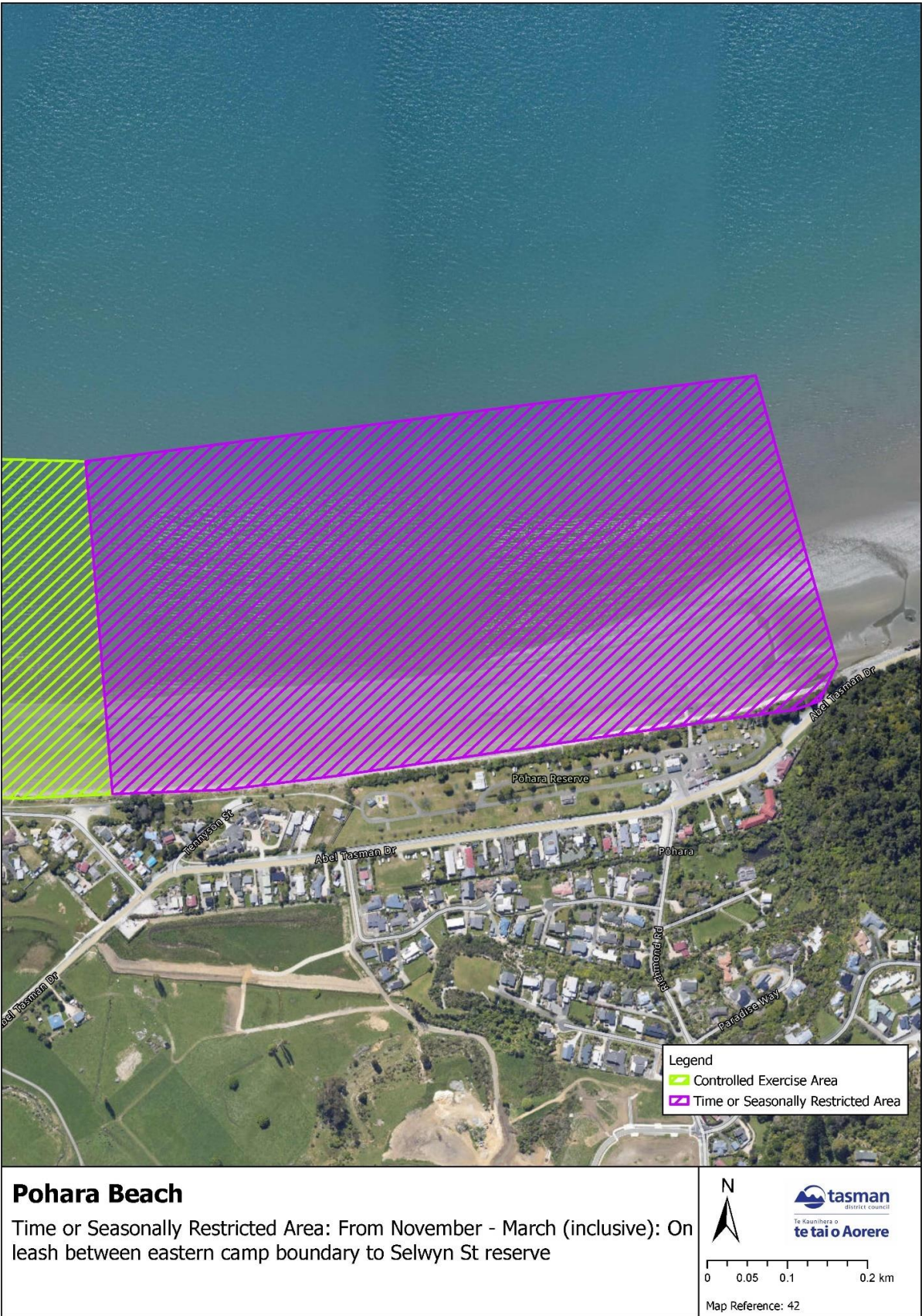
Dogs prohibited between 5:00pm and 9:00am
Controlled exercise between 9:00am and 5:00pm

Ligar Bay

~~1 March – 31st October inclusive:~~
~~Controlled exercise area~~

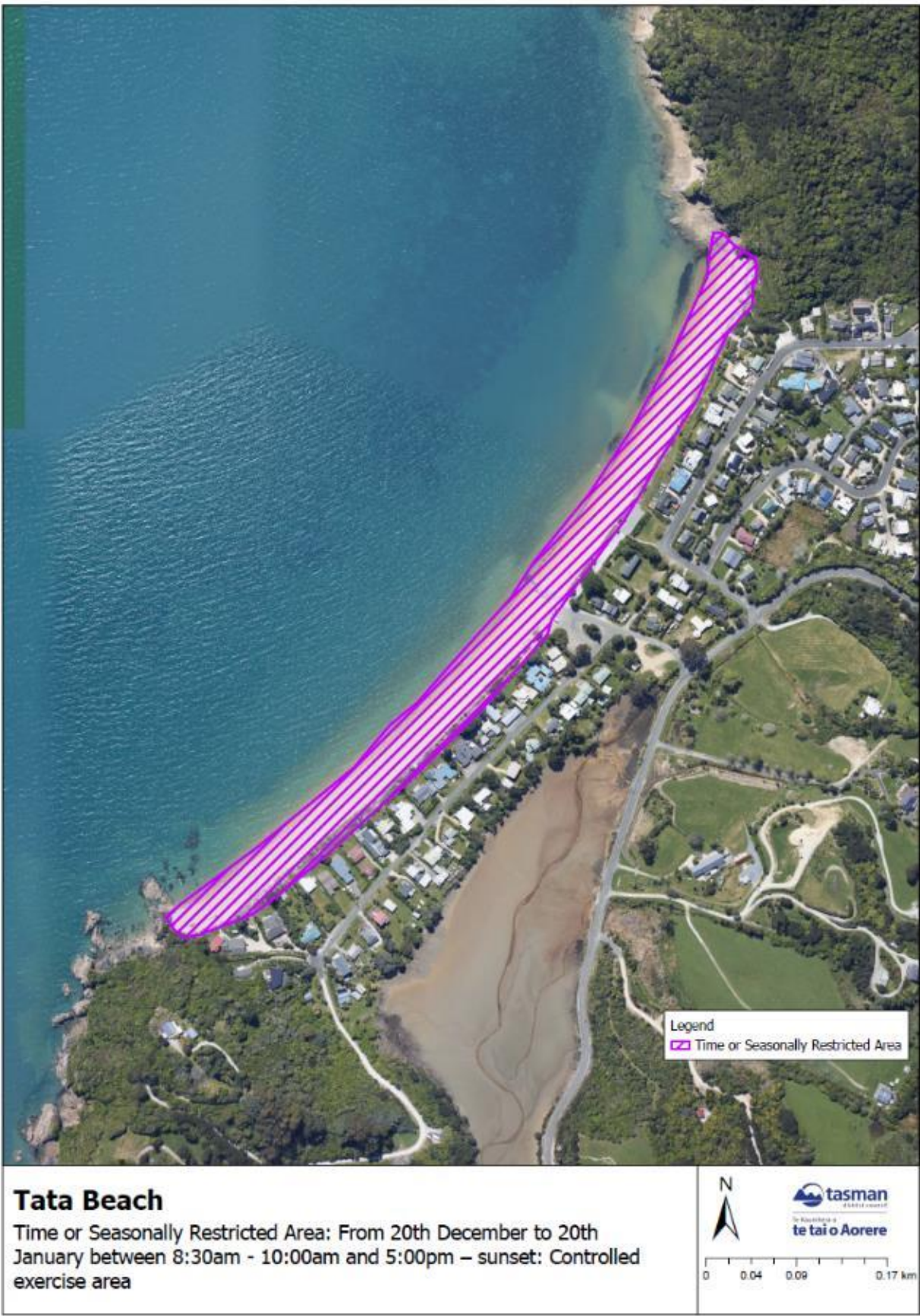
~~Summer months:~~
~~5:00am – 9:00am: Controlled exercise area~~
~~9:00am – 5:00am: Dogs prohibited~~

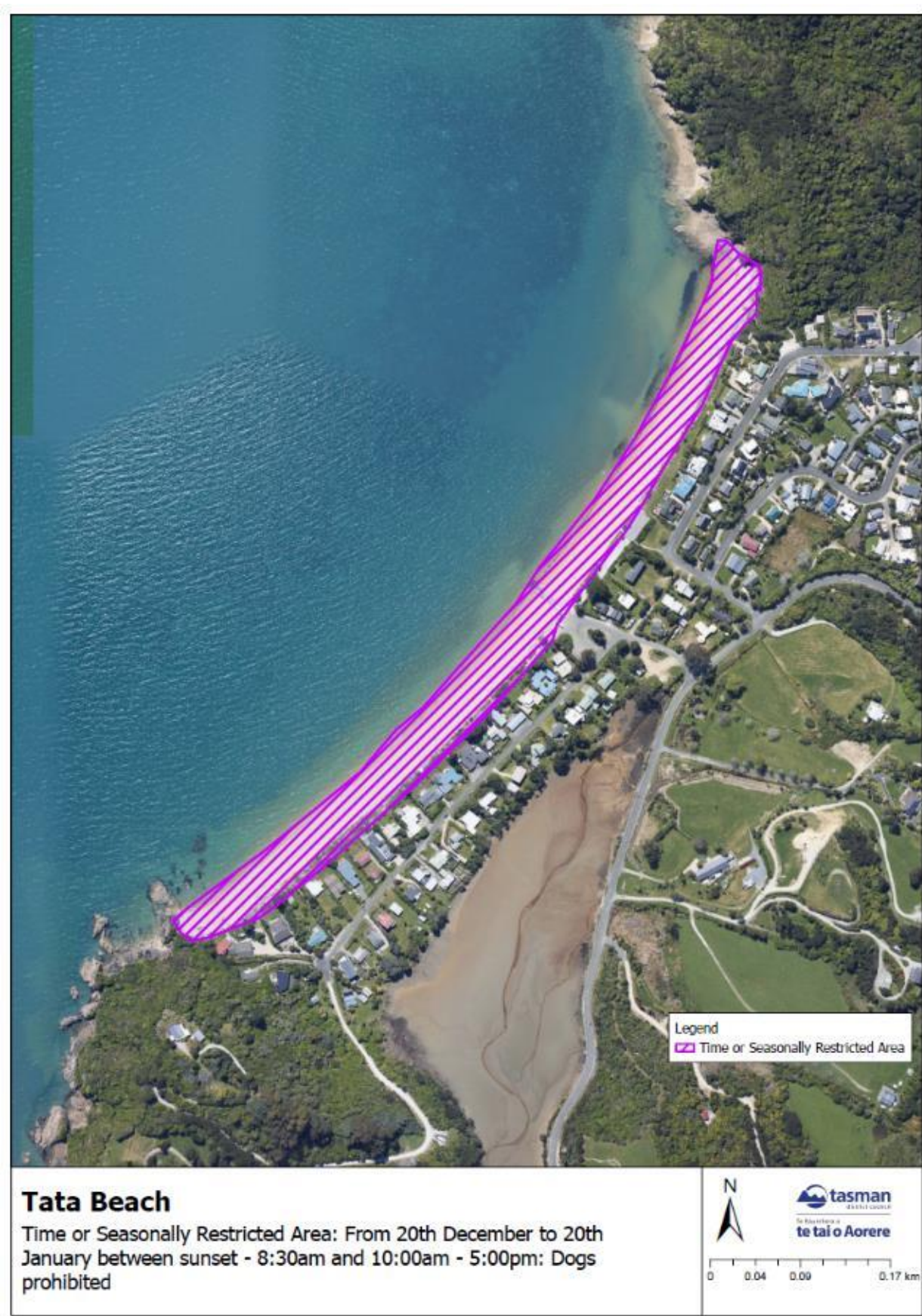




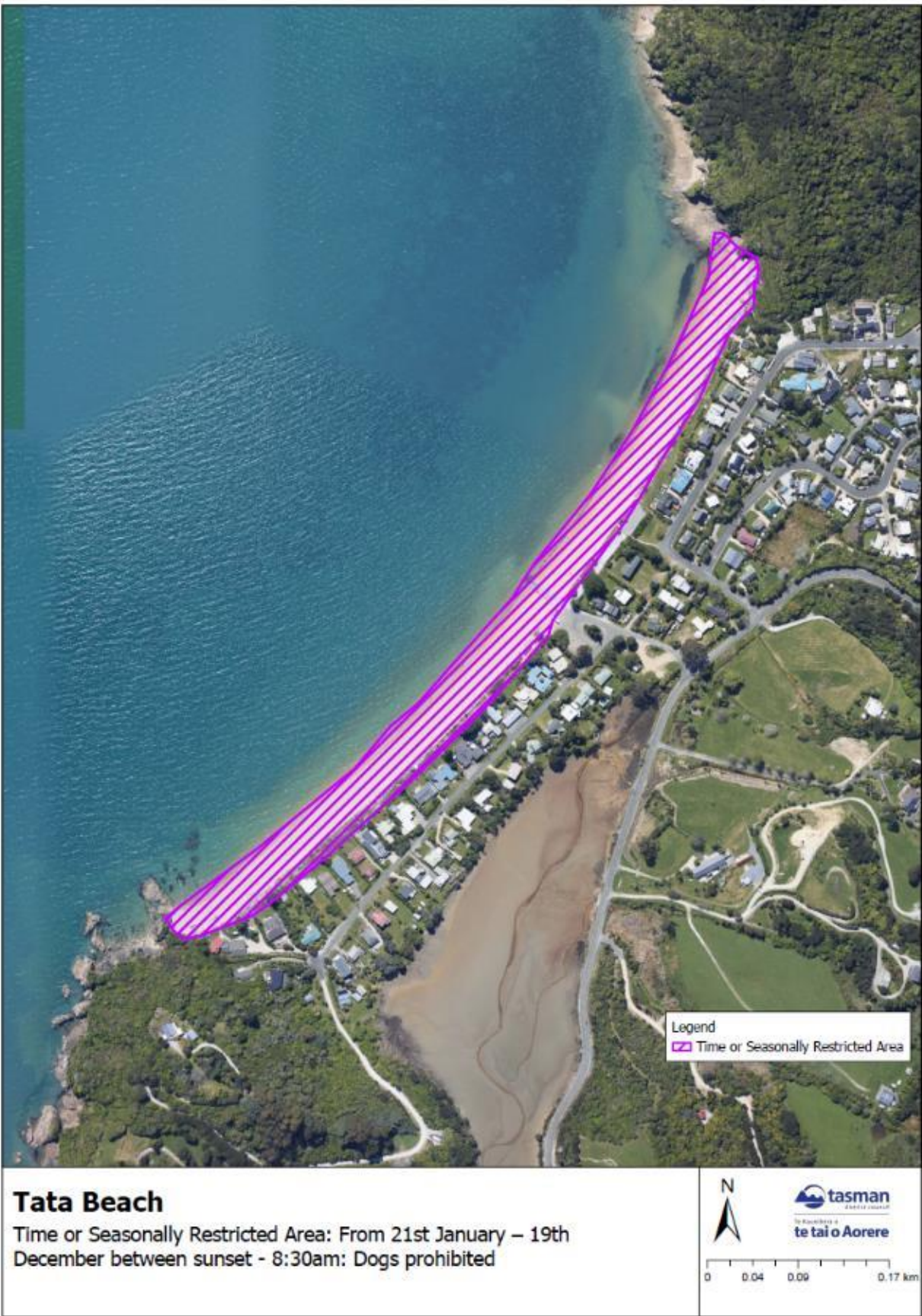




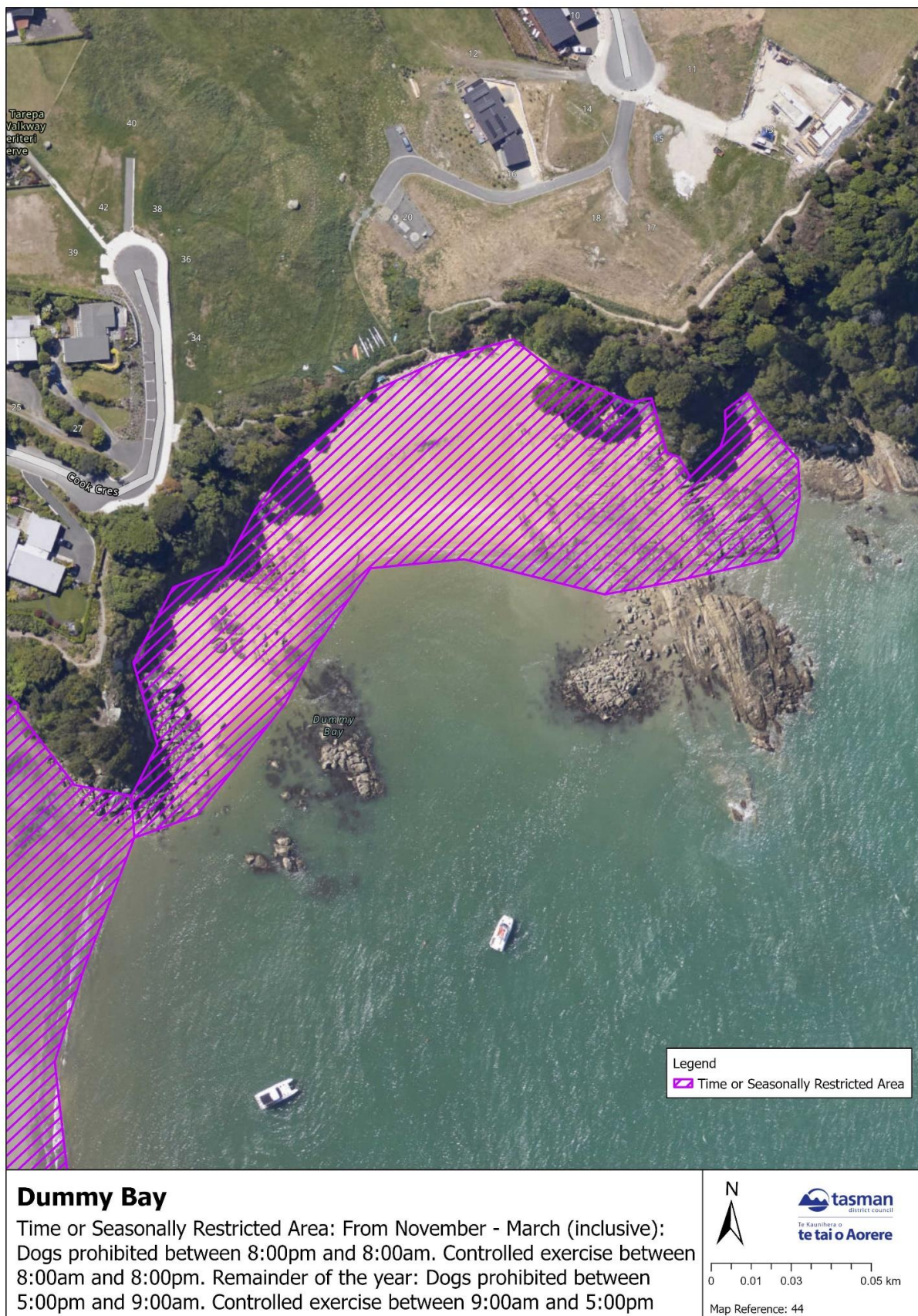

















Stephens Bay Beach

Time or Seasonally Restricted Area: From November - March (inclusive): Dogs prohibited between 8:00pm and 8:00am. Controlled exercise between 8:00am and 8:00pm. Remainder of the year: Dogs prohibited between 5:00pm and 9:00am. Controlled exercise between 9:00am and 5:00pm

Legend

 Time or Seasonally Restricted Area

N



Te Kaitiaki o
te tai o Aorere

0 0.01 0.03 0.05 km

Map Reference: 45

Schedule 4 - Dogs Prohibited Areas

Dogs are prohibited on all Council sports fields and complexes, and within 10 metres of playground equipment and picnic tables and in the following areas:

Golden Bay

Beach adjacent to Northern Boundary of Tomatea Reserve to the Shaws Creek Bridge

Waikato Inlet – including beach area to Ruataniwha Inlet

Ruataniwha Inlet, including northern end of Collingwood beach round to Elizabeth Street car park
(dogs are permitted in the inlet if contained on a vessel).

Parapara Inlet including Milnthorpe Quay Reserve

Onekaka Estuary

~~Parawhakeho river mouth~~

Onahau Sandspit, Wetland and Estuary

Rototai from western end of golf course to Waitapu Estuary foreshore (excluding Controlled Dog Exercise area in Rototai Recreation Reserve and Motupipi Reserve Beachfront).

Takaka Township locations: the Village Green, Pioneer Park, Tākaka Memorial Reserve ~~the old library site~~ and adjacent playground.

Motueka

~~Abel Tasman National Park Foreshore Reserves. The following areas are prohibited in the Abel Tasman Foreshore Scenic Reserve Bylaw 2016:~~

~~31.2 — Tonga Island;~~

~~31.3 — Adele Island;~~

~~31.4 — Fisherman Island —~~

Otuwhero Estuary and Sandspit

Breaker Bay Beach

Kaiteriteri Beach

Memorial Reserve Corner Riwaka (excluding Tasman's Great Taste Trail, which is on leash).

Motueka Sandspit (Southern End) – south of ~~a line drawn through the point NZ Map Grid 2512857.1 (easting) 6009560.9 (northing) latitude marker 41.1200~~

Saltwater Baths – Motueka

Moutere-Waimea

~~L.E.H Baigent Reserve and surrounding peninsula (excluding campground)~~

Foreshore and Estuary around L.E.H Baigent Memorial Reserve.

Richmond

McKee Memorial Domain

Moturoa / Rabbit Island (including the beach)

Higgs Reserve

Waimea Inlet Esplanade Reserve

Apple Valley Road Esplanade Reserve

Bronte Road East Esplanade Reserves

Westdale Road Esplanade Reserves

Hoddy Road Esplanade Reserves

Maisey Road Esplanade Reserve

Research Orchard Road Esplanade Reserves

Sand Island, Waimea Estuary

Shell bank by Bell Island

Waimea Estuary Esplanade Reserves

Hoddy Estuary Park- – shoreline edge of Reserve

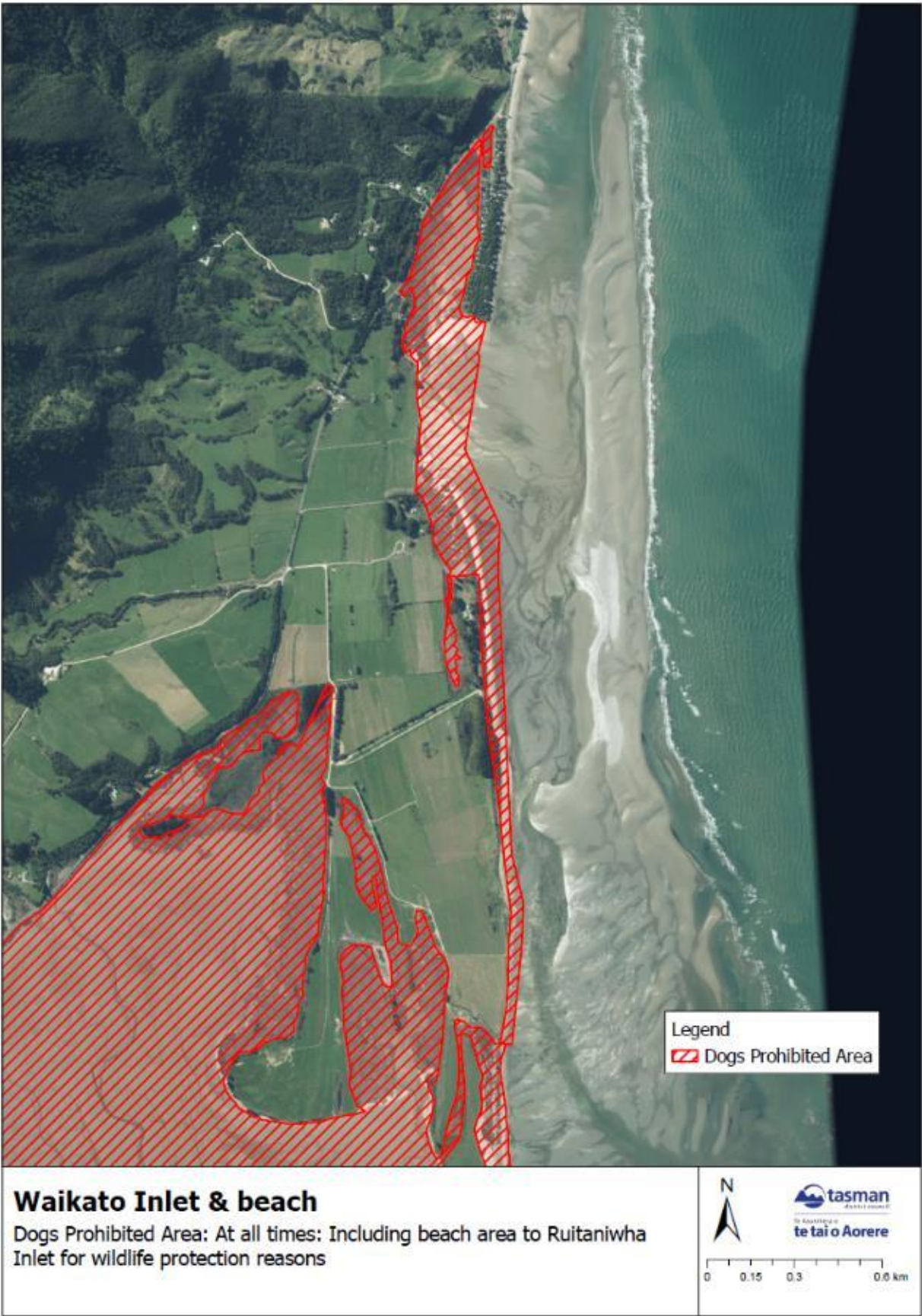
Pearl Creek Reserve

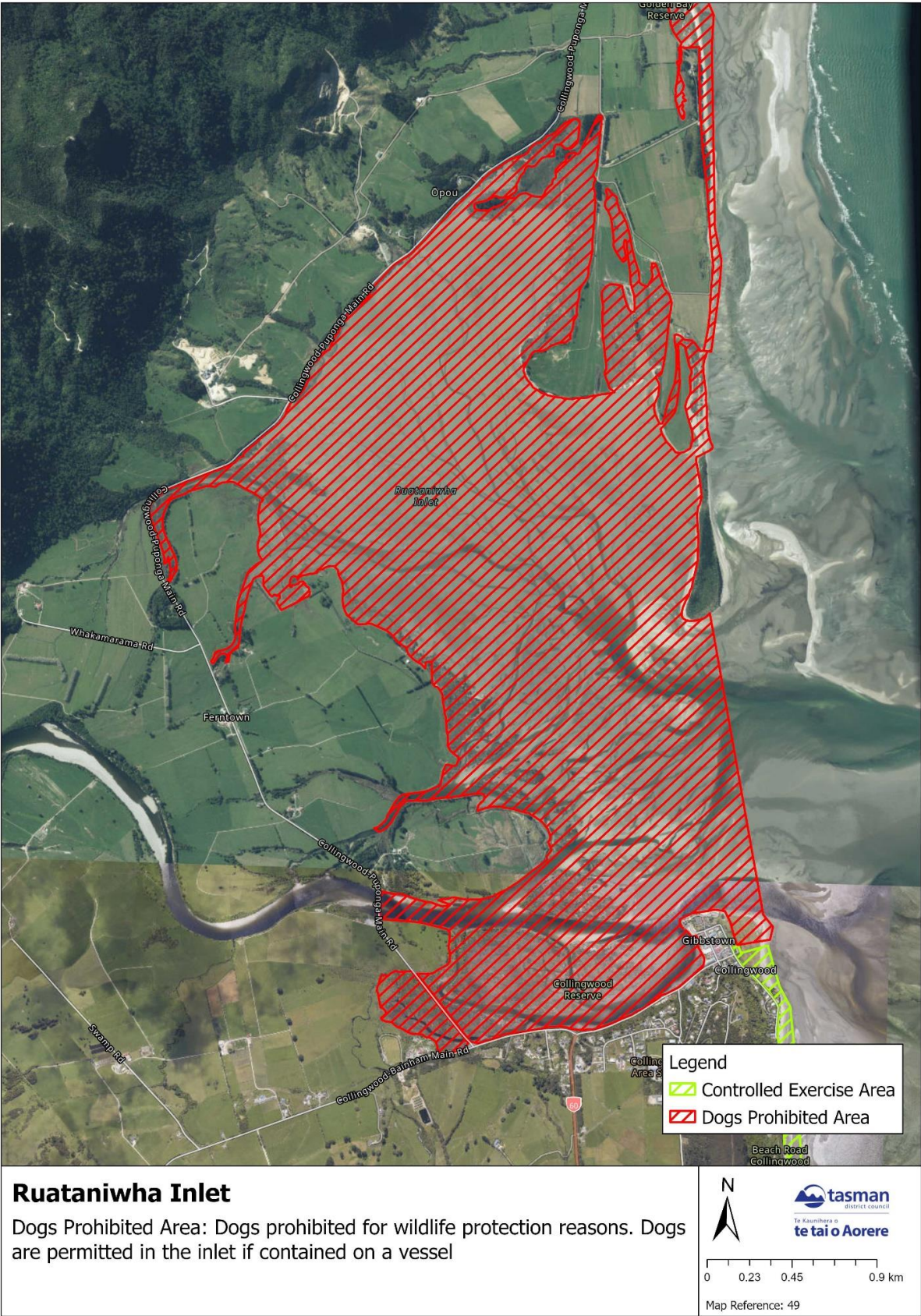
Pearl Creek Esplanade Reserve

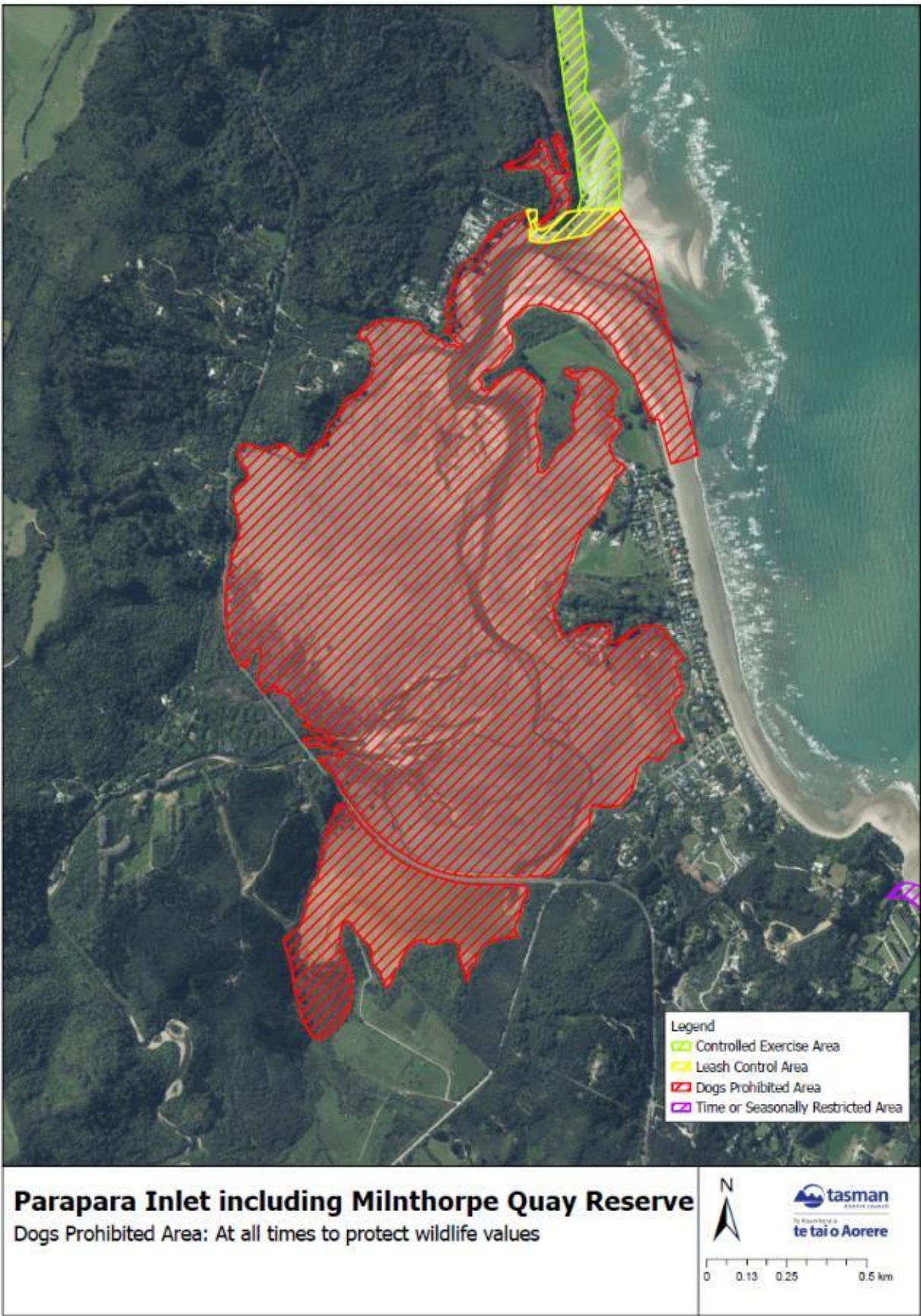
Other parts of the Tasman District are also prohibited to dogs under different legislation, such as the Abel Tasman Foreshore Scenic Reserve Bylaw 2016 and the National Parks Act 1980.

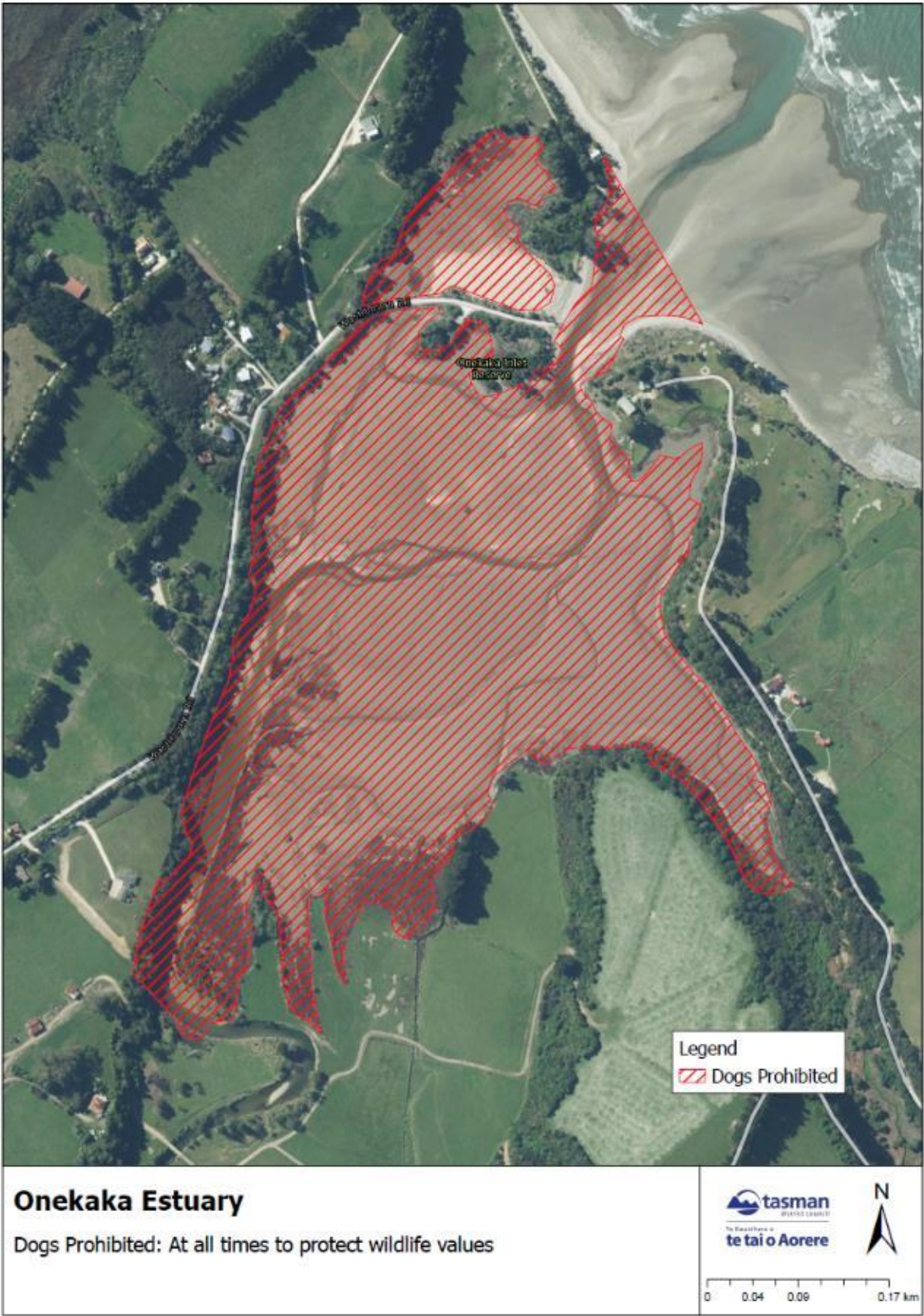
Exception to Dog Prohibited Areas: This prohibition of dogs from specified areas does not apply to game hunting dogs engaged in bona fide hunting activities during the official hunting season.

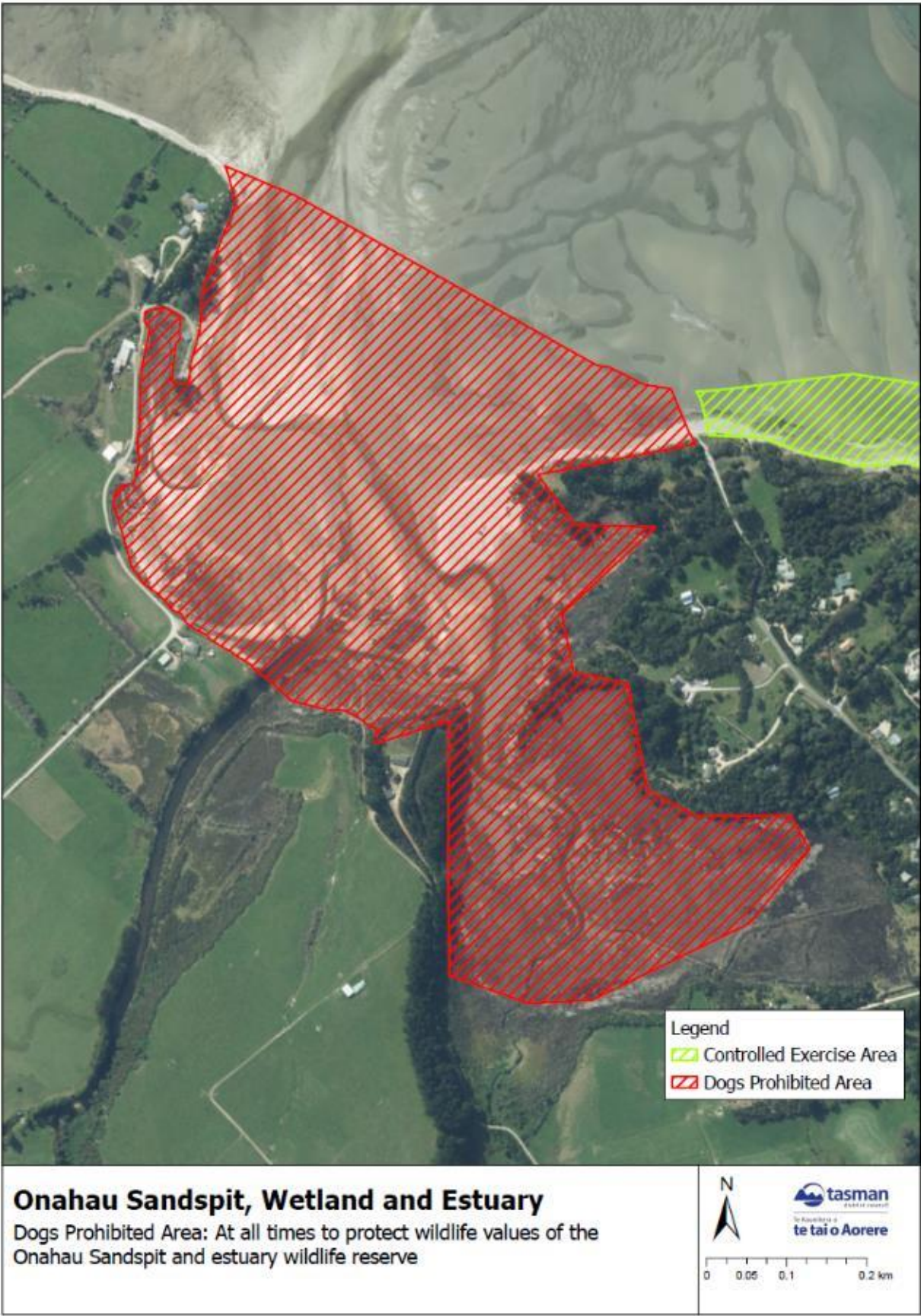


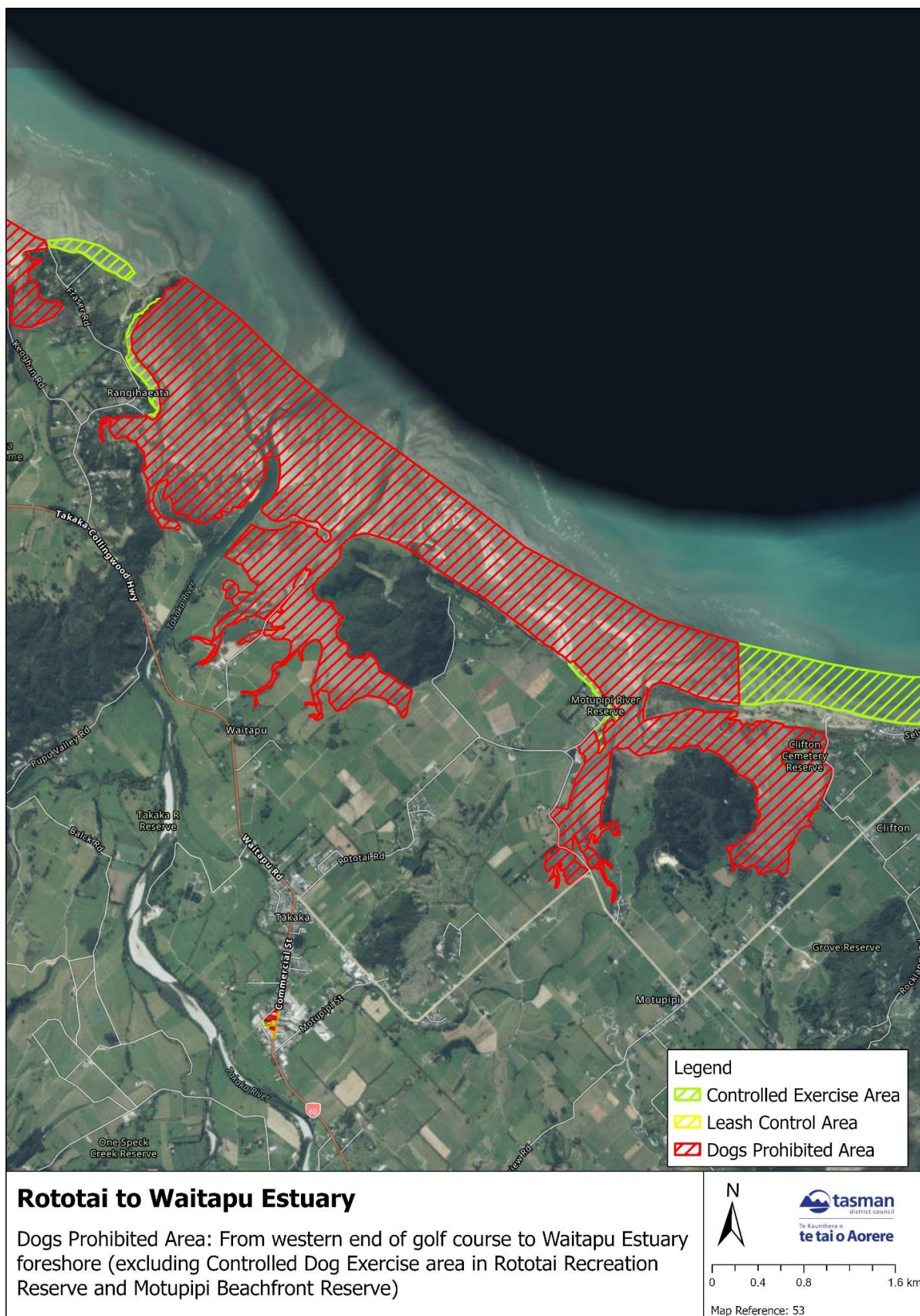




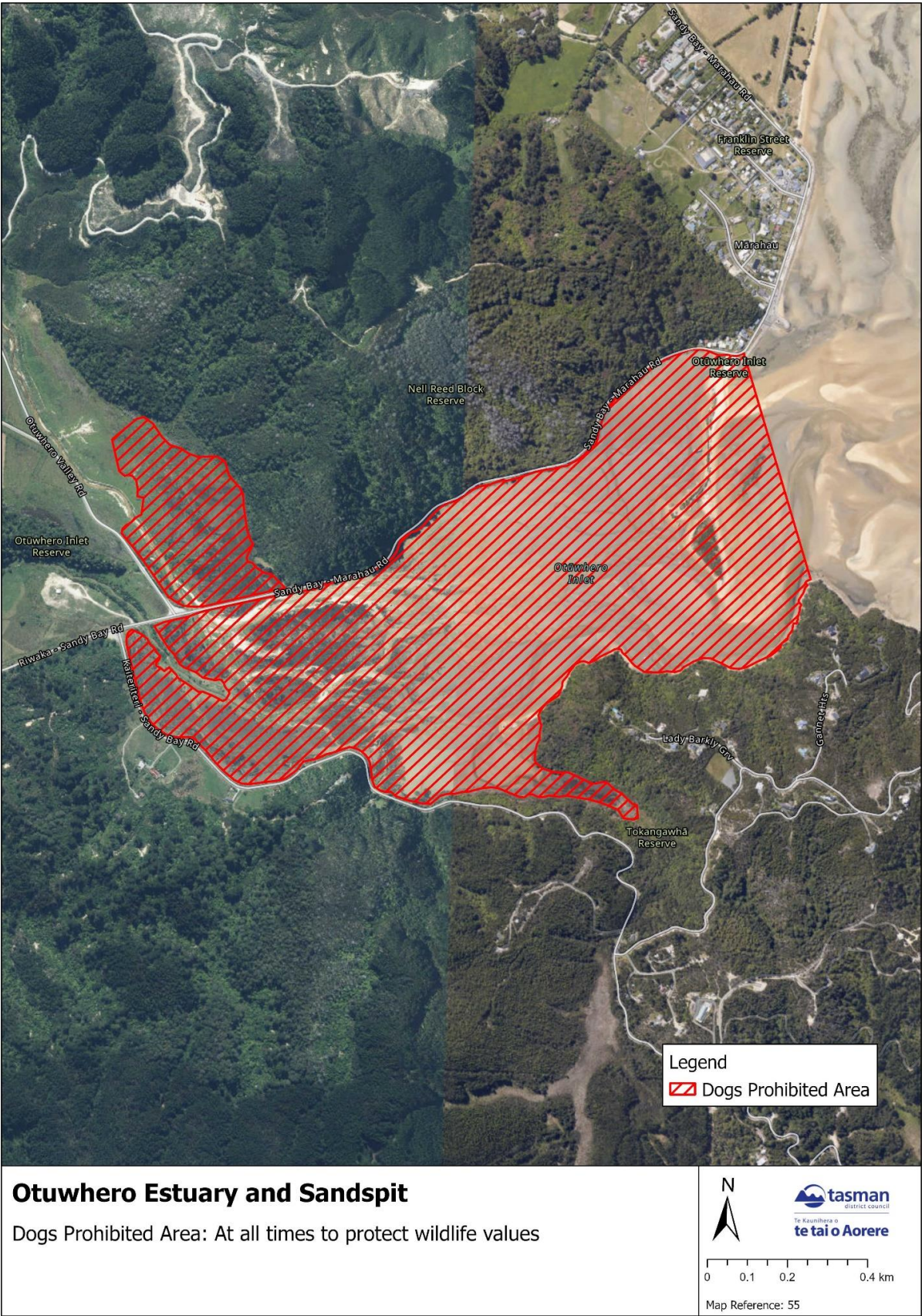




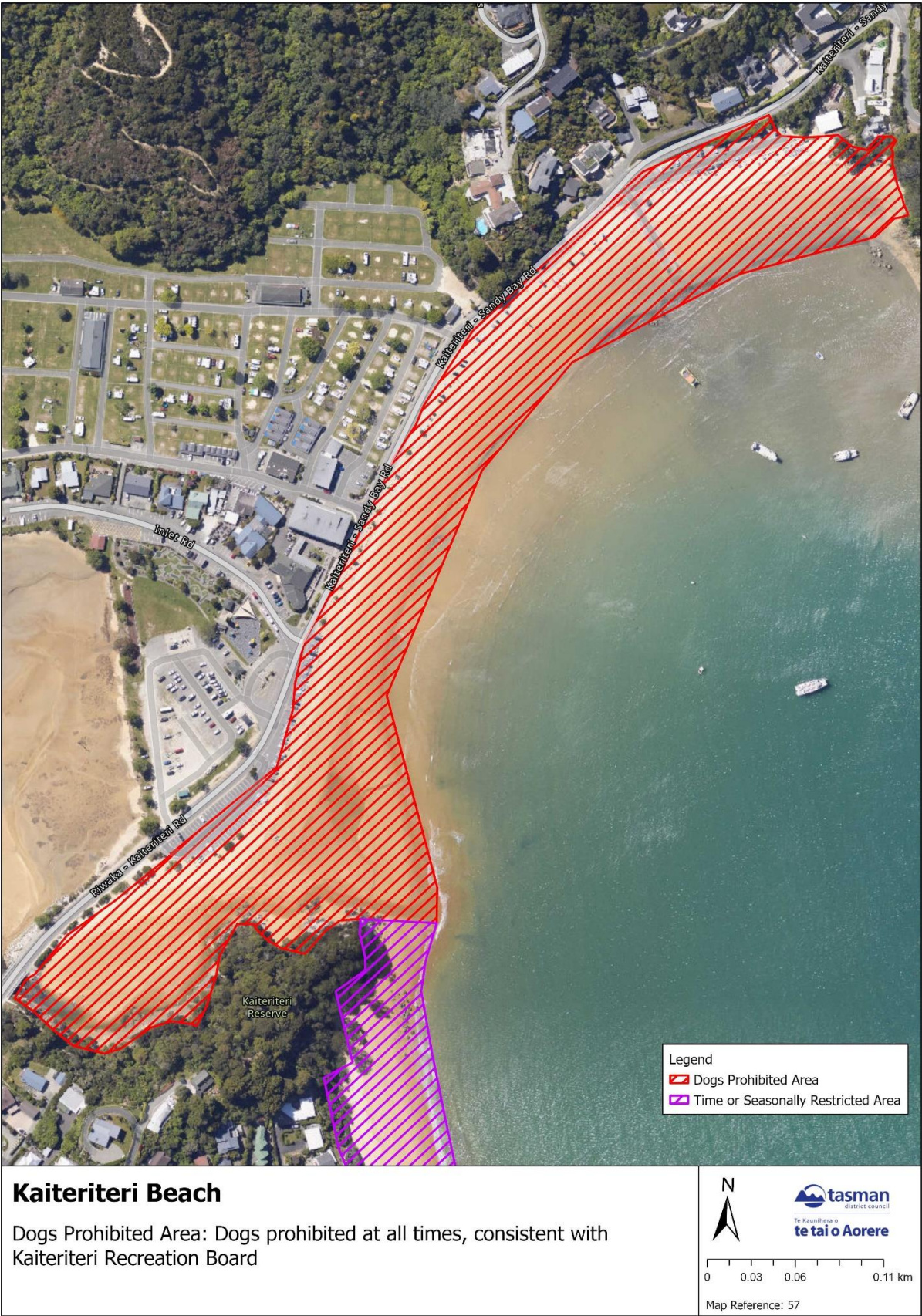




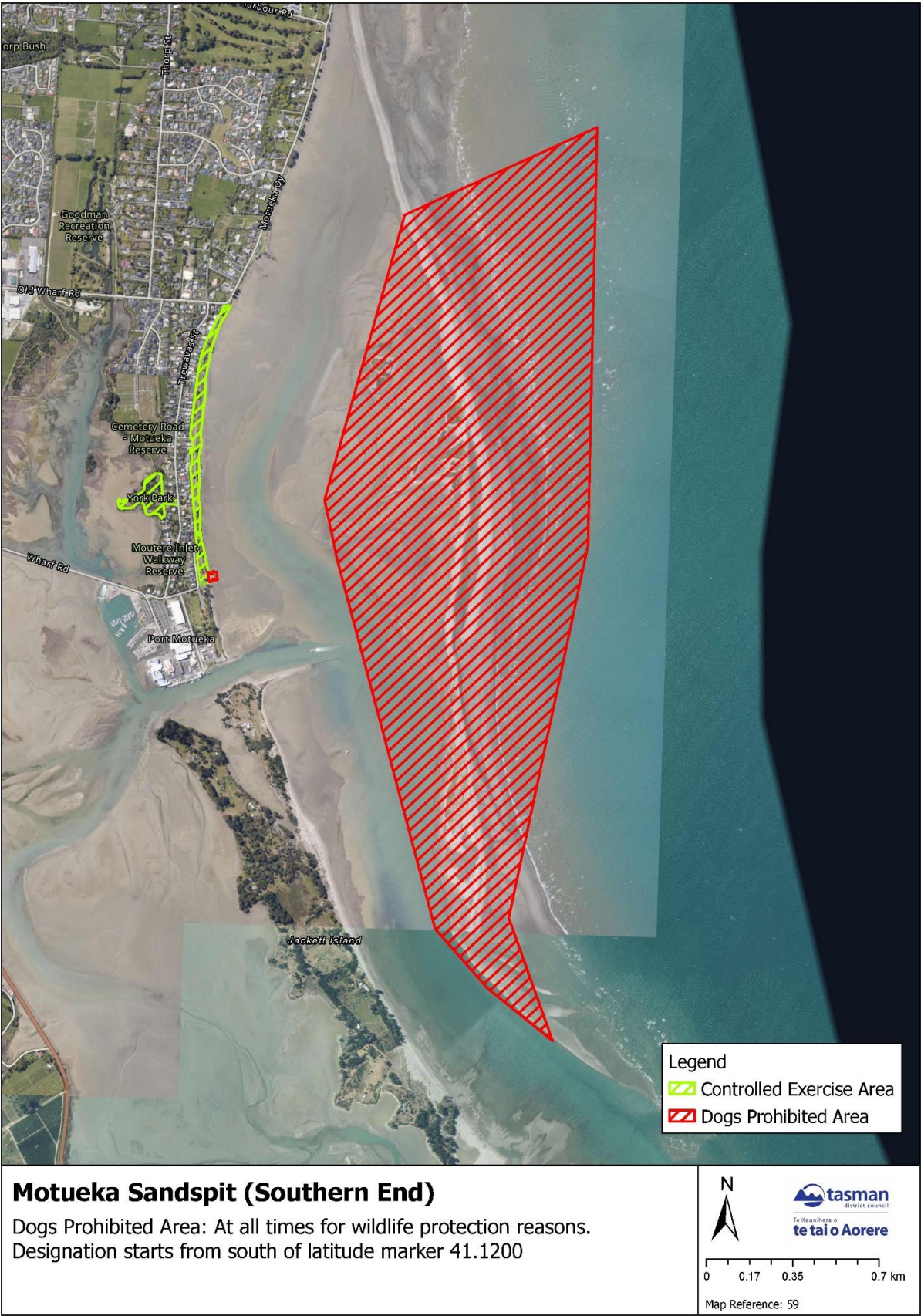








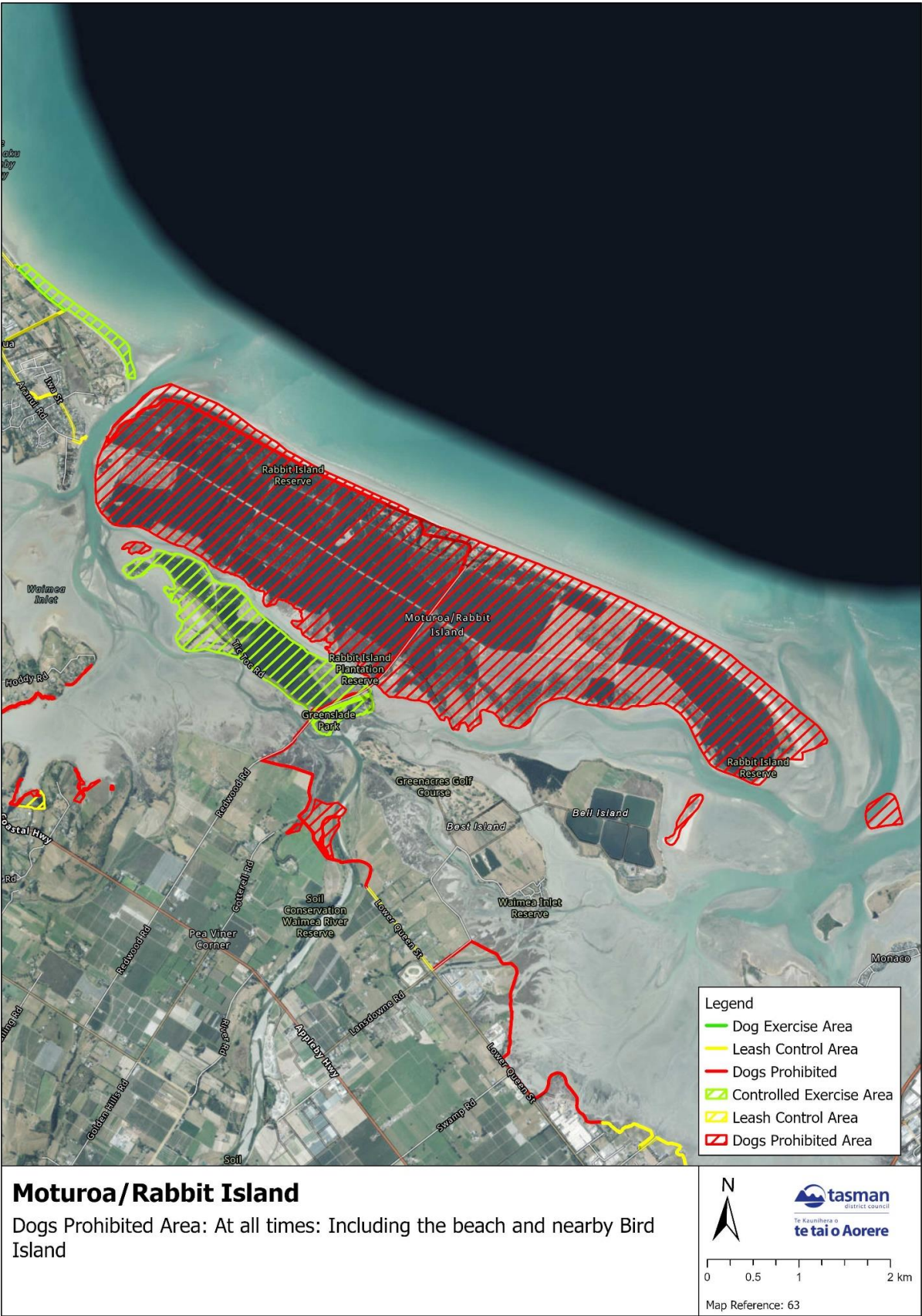


















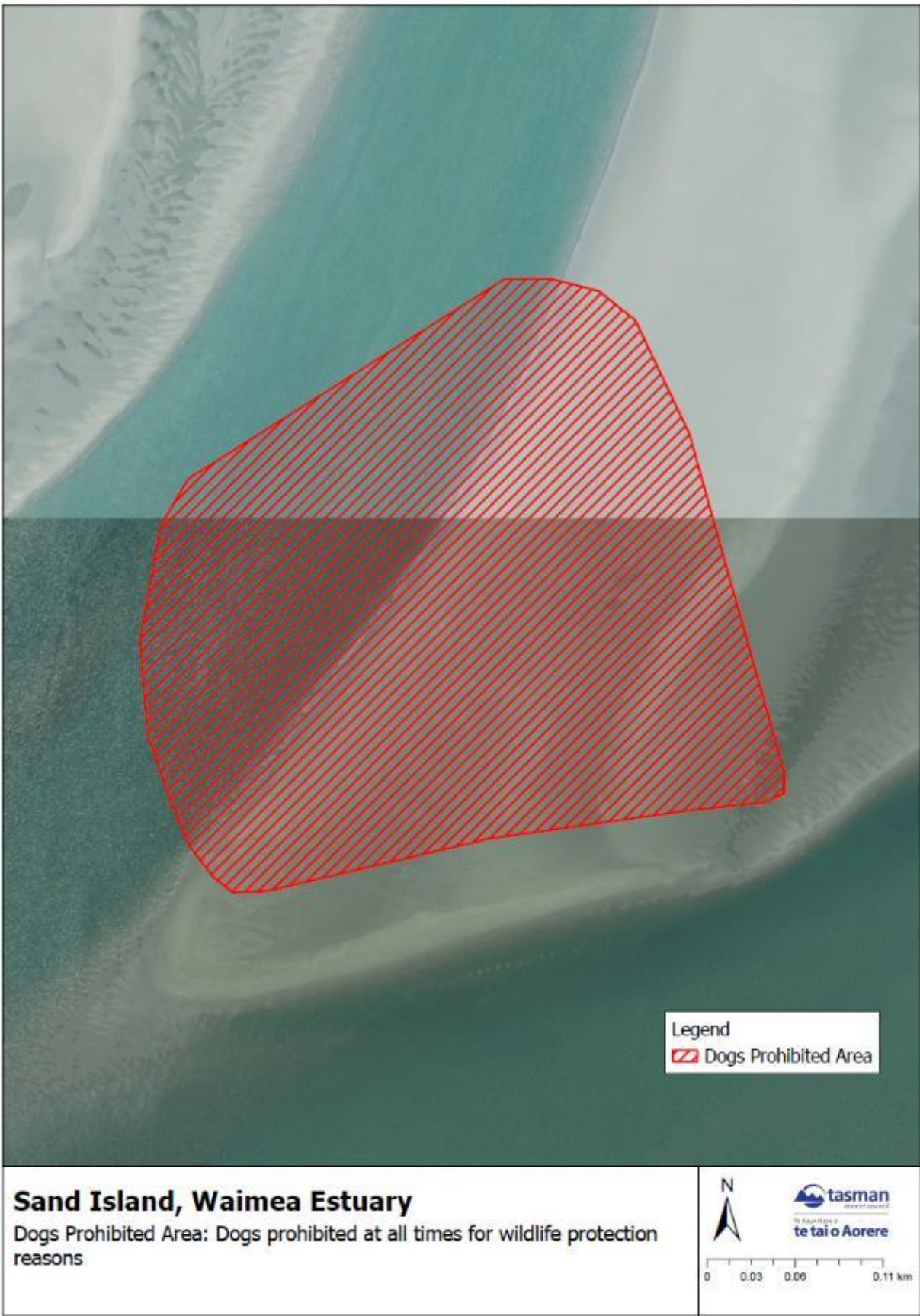






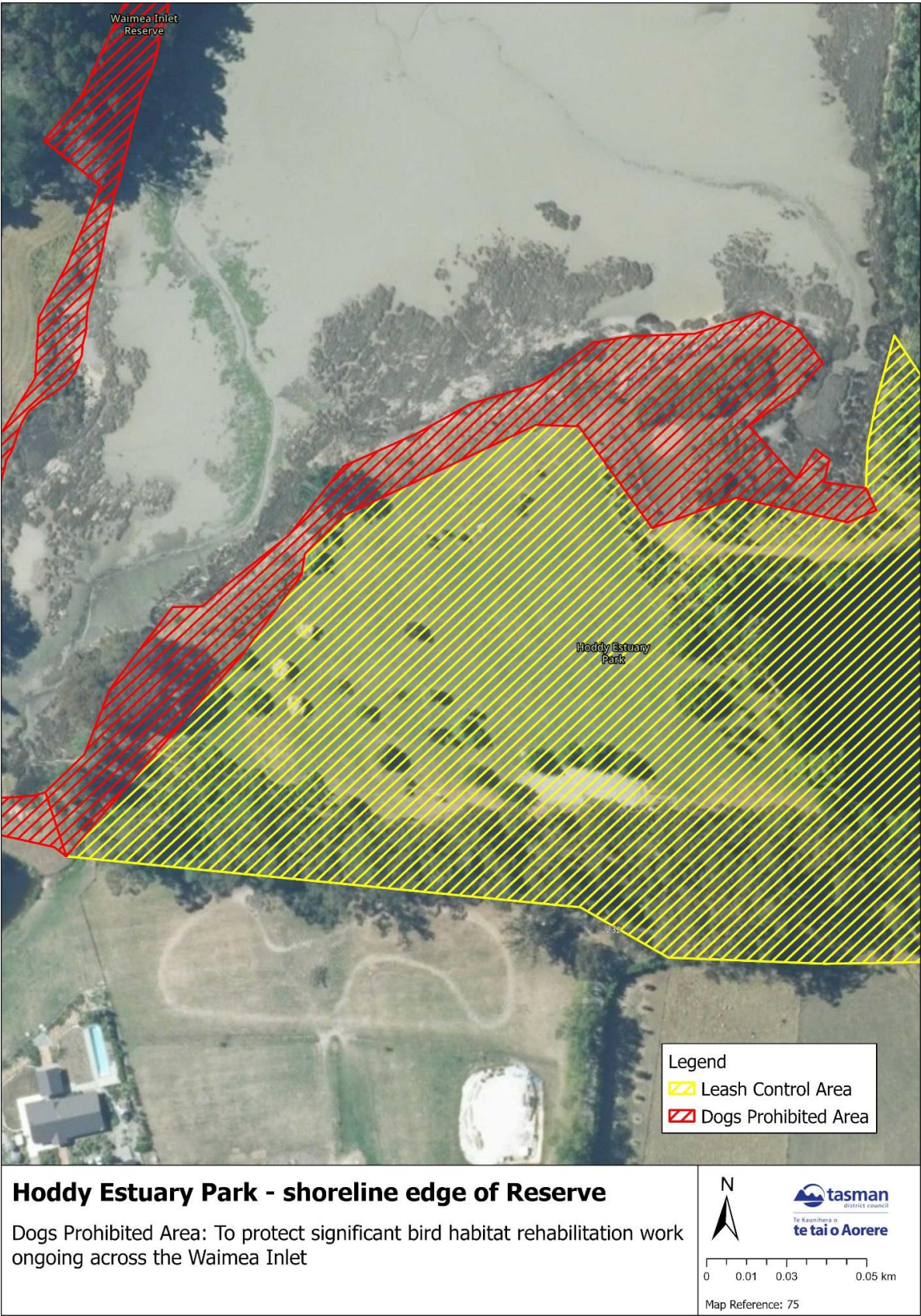


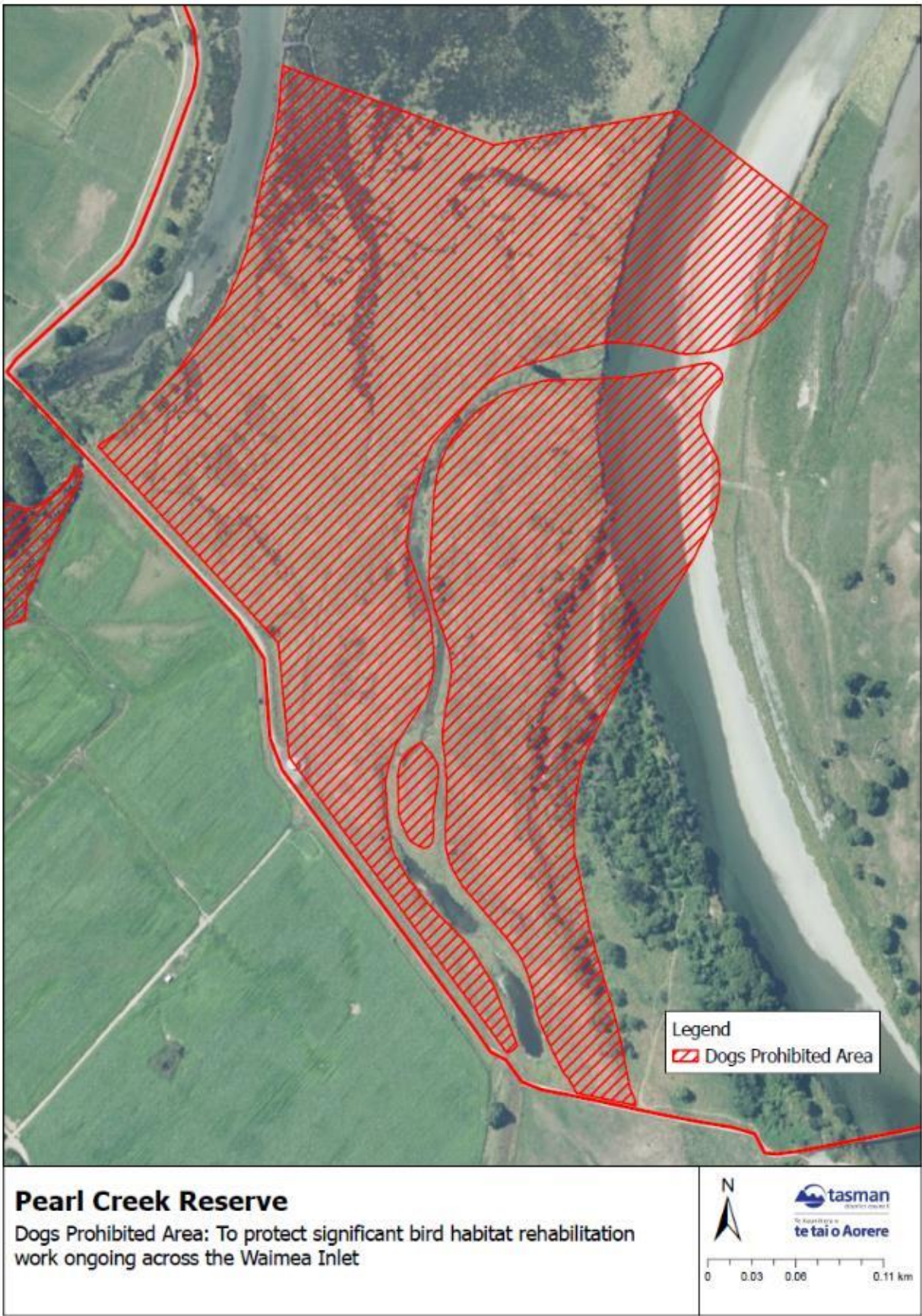














Schedule 5 – Tasman's Great Taste Trail

- (a) Unless stated otherwise in the prohibited section or the controlled exercise section below, Tasman's Great Taste Trail (TGGT) is a leash control area.
- (b) Dogs are prohibited along several discrete sections of this trail. Prohibited areas are shown with a solid red line on the maps included in this section of the bylaw and listed below:
- i. Tadmor Valley Road to Quail Valley Road
 - ii. South side of Quail Valley Road Bridge to entrance to 437 Wakefield-Kohatu Highway
 - iii. Edward Street entrance to 320 Higgins Road
 - iv. 35 Sandeman Road to Lansdowne Road
 - v. Western end of Lower Queen Street to eastern end of 0 Redwood Road
 - vi. Moturoa / Rabbit Island, starting from western end of causeway to the ferry landing
 - vii. Kaiteriteri Recreation Reserve

(c) ~~The section of~~ the following sections of Tasman's Great Taste Trail are controlled exercise areas:

~~(e)(d) from Bryant Road carpark to the bridge to Pugh Road is a controlled exercise area.~~

(e) Railway Reserve

~~(d)(f)~~ Old Mill Walkway

