

Notice is given that a Submissions Hearing meeting will be held on:

**Date:** Wednesday 25 September 2024  
**Time:** 9.00 am - Draft Dog Control Bylaw  
**Meeting Room:** Tasman Council Chamber  
**Venue:** 189 Queen Street, Richmond  
**Zoom conference link:** <https://us02web.zoom.us/j/85718127801?pwd=tRC7ZablRZRfccj74aNN5ZLi8EAoOr.1>  
**Meeting ID:** 857 1812 7801  
**Meeting Passcode:** 733222

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## Draft Dog Control Bylaw Hearing

### AGENDA

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#### MEMBERSHIP

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

(Quorum 3)

Contact Telephone: 03 543 8400  
Email: [tdc.governance@tasman.govt.nz](mailto:tdc.governance@tasman.govt.nz)  
Website: [www.tasman.govt.nz](http://www.tasman.govt.nz)



## **AGENDA**

**1 OPENING, WELCOME, KARAKIA**

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Recommendation**

**That the apologies be accepted.**

**3 REPORTS**

3.1 Draft Dog Control Policy and Bylaw Submissions Hearing..... 4

**4 CONFIDENTIAL SESSION**

Nil

**5 CLOSING KARAKIA**

### 3 REPORTS

#### 3.1 DRAFT DOG CONTROL POLICY AND BYLAW SUBMISSIONS HEARING

**Decision Required**

<b>Report To:</b>	Submissions Hearing
<b>Meeting Date:</b>	25 September 2024
<b>Report Author:</b>	Cat Budai, Community Policy Advisor
<b>Report Authorisers:</b>	Dwayne Fletcher, Strategic Policy Manager; Kim Drummond, Group Manager - Environmental Assurance
<b>Report Number:</b>	RSH24-09-3

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

- 1.1 The purpose of this report is to accept and hear the submissions received on the [Draft Dog Control Policy and Draft Dog Control Bylaw](#).
- 1.2 The report does not include the staff deliberations report or an analysis of the submissions. This will be provided to the Hearing Panel before its deliberations meeting on 16 October 2024.

#### 2. Summary / Te Tuhinga Whakarāpoto

- 2.1 This report is to enable the Hearings Panel to accept and hear submissions on the Draft Dog Control Policy and Bylaw.
- 2.2 The consultation period for the Draft Dog Control Policy and Bylaw was open between 7 August and 8 September. The Council received 645 submissions.
- 2.3 We received no late submissions between 9 September and 10 September. Staff recommend that the Hearing Panel does not accept any late submissions received after 10 September. At the time of writing, none have been received beyond this point.
- 2.4 There are 84 submitters who wish to be heard.
- 2.5 The schedule of presenters for this meeting is attached (**Attachment 1**). Subsequent changes to the schedule will be advised before the hearing commences. A copy of the submissions made by those submitters wishing to be heard has been circulated to the Hearing Panel.
- 2.6 The entirety of submissions has been provided to Councillors on LG Hub and are also available for viewing by the public on the Council's website. Personal contact information has been redacted.
- 2.7 Staff will prepare an analysis of the submissions received on the Draft Dog Control Policy and Bylaw for the deliberations meeting scheduled for 16 October 2024.

### 3. Recommendation/s / Ngā Tūtohunga

**That the Draft Dog Control Policy and Bylaw Submissions Hearing and Deliberations Panel**

1. **receives the Draft Dog Control Policy and Bylaw Submissions Hearing report RSH24-09-3; and**
2. **receives and considers all [645 submissions](#) on the Draft Dog Control Policy and Bylaw received by 8 September 2024; and**
3. **declines to accept any late Draft Dog Control Policy and Bylaw submissions received after 5:00pm on 10 September 2024.**

### 4. Background / Horopaki

- 4.1 As part of the consultation process for the Draft Public Places Bylaw, submitters have the option of presenting their views to the Council verbally.
- 4.2 The Council asked submitters whether they would like to present their views verbally on the submission form.
- 4.3 There are 84 submitters who wish to be heard verbally.
- 4.4 Staff have organised for these submitters to present their views to the Hearing Panel at today's meeting.
- 4.5 Staff have contacted all submitters that wish to be heard and have booked a time for each submitter to speak. At the time of writing, confirmation had not been received from all submitters, so it is possible that some submitters may not show up.
- 4.6 At the Council Meeting on 1 August 2024, the Council appointed a Hearings Panel consisting of Councillors Hill (Chair), Butler, Ellis, Maru, and Shallcrass.
- 4.7 The purpose of the hearing panel is to:
  - 4.7.1 consider the views of submitters (from this hearing and from the written submissions); and
  - 4.7.2 deliberate on changes that may need to be made to the Draft Dog Control Policy and Bylaw.

### 5. Analysis and Advice / Tātaritanga me ngā tohutohu

#### The hearing process

- 5.1 The schedule of this hearing is attached as **Attachment 1**.
- 5.2 Each submitter has been allowed a maximum of 5 minutes to speak to their submission. This time includes any points of clarification from the Hearing Panel.
- 5.3 Staff have asked submitters to be available from the start of the hour that they have been assigned, and staff have allocated up to 12 submitters per hour. This is in anticipation that some will not use their allocated 5 minutes and that some submitters may not attend.
- 5.4 Submitters will be present either in person or on Zoom.

**6. Options / Kōwhiringa**

6.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Receives and considers all submissions, including any late submissions up until the deliberations meeting on 16 October.	All submitters who wish to be heard can be heard.	Any late submissions may not be able to be incorporated into the deliberations report in time
2.	Receives and considers all submissions received during the consultation period.	Submissions can be fully analysed for the deliberations report on 16 October.	Submitters wishing to place a late submission may not feel they have been heard by the Council.

6.2 Option 2 is recommended.

**7. Legal / Ngā ture**

- 7.1 To ensure due process, it is important that the Hearing Panel receives and considers submissions with an open mind.
- 7.2 At its meeting on 1 August 2024, the Council determined to consult on the Draft Dog Control Policy and Bylaw.
- 7.3 In the case of a significant decision, the Council must ensure that the decision is made in accordance with the provisions of sections 77, 78, 80, 81 and 82 of the Local Government Act 2002 (LGA). In summary, the Council must:
  - 7.3.1 identify and assess the reasonably practicable options;
  - 7.3.2 consider the views of interested and affected parties; and
  - 7.3.3 establish processes for Māori to participate in decision-making.
- 7.4 The Council must also ensure that the principles of consultation are met. This means that people who will or may be affected or have an interest have reasonable access to relevant information, including about the purpose and scope of the decisions, and are encouraged to present their views. The Council must ensure that:
  - 7.4.1 submitters can present their views in a manner and format appropriate to their preferences;
  - 7.4.2 the views presented are received with an open mind; and
  - 7.4.3 submitters have access to a clear record and explanation of the relevant decisions made by the Council.
- 7.5 At its meeting on 1 August 2024 the Council decided to hold a submission hearing on the Draft Dog Control Policy and Bylaw so that the public can present their views verbally.
- 7.6 At the same meeting the Council adopted the Statement of Proposal (including the draft policy and bylaw) and Summary of Information. The bylaw process must follow the Special Consultative Procedure under the LGA, which means the Council is required to offer the opportunity for submitters to present their views verbally.

- 7.7 In accordance with section 10 (2) of the Dog Control Act 1996 the Council have given notice of the draft policy and bylaw to every person who is, according to the register, the owner of a dog.
- 7.8 In accordance with section 161(4) of the Local Government Act 2002, the Council cannot delegate the power to make bylaws. As such, the final bylaw must be adopted by the Full Council.

**8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori**

- 8.1 Iwi have been notified about the bylaw review through Council’s Iwi Engagement Portal and encouraged to make a submission during the consultation period. Iwi who indicated that they would like to be involved were sent a further email to invite them to make a submission. Manawhenua Ki Mohua (Ngati Tama, Te Atiawa and Ngati Rarua) sent a letter in support of Forest & Bird’s submission.

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

- 9.1 At the Council meeting on 1 August 2024 staff advised elected members of the significance of the draft Dog Control Policy and Bylaw and recommended a Special Consultative Procedure. A public consultation has been carried out between 7 August and 8 September 2024 to meet the requirements under the Local Government Act 2002.
- 9.2 In the same meeting staff advised that the level of significance for the draft bylaw would be of moderate to high interest to the general public. The draft policy and bylaw has a higher level of significance for dog owners and environmental advocates.
- 9.3 The hearing is the next step in the decision making process and provides submitters the opportunity to present their submissions verbally to the Hearings Panel.
- 9.4 The decisions for the Hearings Panel to make are whether to accept the submissions received so far and any future submissions received after 10 September for the Draft Dog Control Policy and Bylaw.
- 9.5 The significance of these decisions is low.

	<b>Issue</b>	<b>Level of Significance</b>	<b>Explanation of Assessment</b>
1.	Is there a high level of public interest, or is decision likely to be controversial?	Low	Low level of public interest and moderate/high interest for any late submissions that come in.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Low	This decision is to accept the submissions received. No decisions are sought on the substantive issues.
3.	Is there a significant impact arising from duration of the effects from the decision?	High	This is the only opportunity for any late submitters to be heard, however, at the time writing there are none.
4.	Does the decision relate to a strategic asset? (refer Significance and	No	The decision does not relate to a strategic asset.

	<b>Issue</b>	<b>Level of Significance</b>	<b>Explanation of Assessment</b>
	Engagement Policy for list of strategic assets)		
5.	Does the decision create a substantial change in the level of service provided by Council?	No	The decision does not change any level of service.
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	This decision is to accept submissions, which does not have any budgetary implications.
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	This decision does not have any impact on a CCO or CCTO.
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	This decision does not involve a private sector partnership or contract.
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	This decision does not involve Council exiting from or entering into a group of activities.
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	This decision does not require consideration of Te Mana o te Wai

## **10. Communication / Whakawhitiwhiti Kōrero**

10.1 All submitters have had the opportunity to indicate whether they would like to speak to their submission at a hearing. Those who indicated that they wished to speak have been contacted to arrange a time during the hearing.

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

11.1 There are no budgetary implications associated with the decision to accept submissions.

## **12. Risks / Ngā Tūraru**

12.1 There is a low level reputational risk if late submissions are not accepted as submitters may not feel that they have been heard by Council.



**13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi**

13.1 There are no climate change considerations associated with the decision to accept submissions.

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

14.1 Not applicable

**15. Conclusion / Kupu Whakatepe**

15.1 This report recommends that the Hearings Panel accepts the submissions received on the Draft Dog Control Policy and Bylaw during the consultation period of 7 August to 8 September 2024.

15.2 The report lists the proposed order of submitters at the hearing. Staff will provide a report to the Hearing Panel for the deliberations meeting on 16 October 2024.

**16. Next Steps and Timeline / Ngā Mahi Whai Ake**

Date	Process
16 October 2024	Deliberations.
28 November 2024	Final Public Places Bylaw presented to the Council meeting for approval and adoption.
13 December 2024	Public notice in Newline and on the Council’s website advising that the bylaw has been adopted.

**17. Attachments / Tuhinga tāpiri**

1. [Draft Hearing Schedule](#)

10

## Hearing Schedule for Submission Round: Dog Control Bylaw

Wednesday, September 25, 2024 Council Chambers (66 Speakers)

Start Time	Duration	Speaker (Submission ID)
9:00 AM	(5 mins)	Wade Quickfall (34560)
9:00 AM	(5 mins)	Sally Quickfall (34561)
9:00 AM	(5 mins)	Evie South on behalf of The Wakefield Bush Restoration Society (34549)
9:00 AM	(5 mins)	Scott Burnett on behalf of Forest and Bird (34555)
9:00 AM	(5 mins)	Heather Wallace on behalf of Mohua Penguin Trust (34557) <b>ZOOM</b>
9:30 AM	(5 mins)	Andrew Taylor (33476)
9:30 AM	(5 mins)	Anna Perkins (33484)
9:30 AM	(5 mins)	Peter Fullerton (33485)
9:30 AM	(5 mins)	Melanie Ellis (33486)
9:30 AM	(5 mins)	Reesa Pope (33498)
9:30 AM	(5 mins)	Margaret McEvedy (33518)
10:00 AM	(5 mins)	Emma Williams (33523)
10:00 AM	(5 mins)	David Martin Everton (33563)
10:00 AM	(5 mins)	Julie Rickley (33577)
<del>10:00 AM</del>	<del>(5 mins)</del>	<del>Deb Kernot (33578)</del>
10:00 AM	(5 mins)	Kevin Armstrong (33614)
10:00 AM	(5 mins)	Lawson Davey on behalf of Fish and Game New Zealand (33622)
10:30 AM	(5 mins)	Kirstin Young (33627)
10:30 AM	(5 mins)	Bruce Struthers (33699)
10:30 AM	(5 mins)	Stephen Neave (33713)
10:30 AM	(5 mins)	Claire Hutt (33736)
10:30 AM	(5 mins)	Christine Grove (33771)
10:30 AM	(5 mins)	Carol Dayman (33821) Zebanti GSD and Nelson District Kennel Assn
<b>11:00 AM – morning tea adjournment</b>		
<del>11:10 AM</del>	<del>(5 mins)</del>	<del>Tracey Walker (33831) Zatori</del>
11:10 AM	(5 mins)	Sue Lindsay (33860)
11:10 AM	(5 mins)	Lisa Nelson (33938) Essential Vitality Health and Wellness
11:10 AM	(5 mins)	Don Sache (33961)
11:30 AM	(5 mins)	Cynthia McConville on behalf of Forest and Bird Golden Bay Branch (34059)

11:30 AM	(5 mins)	Cynthia McConville (34113)
11:30 AM	(5 mins)	Alison McMillan (34070)
11:30 AM	(5 mins)	Alexandra Purucker (34086)
11:30 AM	(5 mins)	Ian Price (34287)
12:00 PM	(5 mins)	Julia Burbury and Derek Smail (34348)
12:00 PM	(5 mins)	Sandra LePine (34368)
12:00 PM	(5 mins)	Jennifer Morris (34371)
12:00 PM	(5 mins)	Abbie Langford on behalf of Golden Bay Community Board (34383)
12:00 PM	(5 mins)	Dias Suwido (34388)
12:00 PM	(5 mins)	Martin Everton (34316)
<b>12:30 PM – lunch adjournment</b>		
1:00 PM	(5 mins)	Gillian Trotter (34405) Split Apple Rock Owners' Association
1:00 PM	(5 mins)	Larry Lumsden (34421)
1:00 PM	(5 mins)	Sarah Quickfall (34396)
1:00 PM	(5 mins)	Anthony McLeod (34399)
1:00 PM	(5 mins)	Jane and Roger Mannering (34400)
1:00 PM	(5 mins)	Gillian Trotter (34535)
1:30 PM	(5 mins)	Linda Jenkins (34437) Tasman Bay Blue Penguin Trust
1:30 PM	(5 mins)	Susan Walsh (34449) Dog Almighty
1:30 PM	(5 mins)	Gillian Pollock (34451) Nelson Tasman Branch of Forest and Bird
1:30 PM	(5 mins)	Linda Jenkins (34446)
1:30 PM	(5 mins)	Kathleen Lloyd (34464) Tasman Bay Dog Owners informal group
1:30 PM	(5 mins)	Jeff Maslen on behalf of Angelika Maslen (34471)
2:00 PM	(5 mins)	Dr Tracey Osborne (34473)
2:00 PM	(5 mins)	David Sissons (34492) Waimea Inlet Forum working group
2:00 PM	(5 mins)	Elspeth Collier (34501)
2:00 PM	(5 mins)	Gay Hamilton (34502) Good Dog Owners Golden Bay
2:00 PM	(5 mins)	Mana Frances Stratton (34504)
2:00 PM	(5 mins)	Dr David Martin (34512)
2:30 PM	(5 mins)	Henriette Politano (34513)
2:30 PM	(5 mins)	Paul Dayman (34515)
2:30 PM	(5 mins)	Jean Frances Stratton (34520)
2:30 PM	(5 mins)	Mark Eldred Oldfield (34528)
2:30 PM	(5 mins)	Mr Michal Snitko (34533)

2:30 PM (5 mins) Naomi Middleton (34418)

**3:00 PM – afternoon tea adjournment**

3:10 PM (5 mins) David Melville on behalf of The Ornithological Society of New Zealand (34559)

3:10 PM (5 mins) Martin Rodd on behalf of Department of Conservation (34562)

3:10 PM (5 mins) Jillian Duncan (34343)

## Via Zoom

Start Time	Duration	Speaker (Submission ID)
3:10 PM	(5 mins)	Samuel Pfeffer (33462)
3:30 PM	(5 mins)	Katrinna Stephens-Young (33556)
3:30 PM	(5 mins)	Mike Rose (33625) Rose Family Ltd
3:30 PM	(5 mins)	Zara Rogers (33645)
3:30 PM	(5 mins)	Grant Williams (33702)
3:30 PM	(5 mins)	Kelvin Woodley (33859)
3:30 PM	(5 mins)	Ann Thompson (34024)
4:00 PM	(5 mins)	David Briggs (34345)
4:00 PM	(5 mins)	Mike Shannon (34351)
4:00 PM	(5 mins)	Roger Taylor (34420)
4:00 PM	(5 mins)	Juliette Ward (34463)
4:00 PM	(5 mins)	Hayden Rolfe (34466)
4:00 PM	(5 mins)	Kimberley Kerrisk (34481)
4:30 PM	(5 mins)	Lloyd Kennedy (34529) Lloyd & Val Kennedy and Michael Kennedy
4:30 PM	(5 mins)	Dr Lionel Hume on behalf of Federated Farmers of New Zealand (34543)
4:30 PM	(5 mins)	Brandon Sparrow (34544)
4:30 PM	(5 mins)	Joyce Wylie (34545)
4:30 PM	(5 mins)	Adrian Jurke (33541)