

Notice is given that a Cat Management Bylaw Deliberations meeting will be held on:

Date: Tuesday 15 October 2024
Time: 1.30 pm
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street, Richmond
Zoom conference link: <https://us02web.zoom.us/j/87916673365?pwd=NV0a7FkfmnN8U5cNVZOTYECErzijSa.1>

Meeting ID: Meeting ID: 879 1667 3365
Meeting Passcode: Passcode: 898184

Cat Management Bylaw Deliberations

AGENDA

MEMBERSHIP

Chairperson	Councillor C Hill
Deputy Chairperson	Councillor B Maru
Members	Councillor C Mackenzie
	Councillor C Ellis
	Deputy Mayor S Bryant

(Quorum 3 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 the apology from Councillor Maling be accepted.

- 3 REPORTS**
 - 3.1 Draft Cat Management Bylaw Deliberations..... 4
- 4 CONFIDENTIAL SESSION**
 - Nil
- 4 CLOSING KARAKIA**

3 REPORTS

3.1 DRAFT CAT MANAGEMENT BYLAW DELIBERATIONS

Decision Required

Report To:	Submissions Hearing
Meeting Date:	15 October 2024
Report Author:	Cat Budai, Community Policy Advisor; Guinevere Coleman, Team Leader Biosecurity & Biodiversity
Report Authorisers:	Dwayne Fletcher, Strategic Policy Manager; Rob Smith, Acting Group Manager - Information, Science & Technology
Report Number:	RSH24-10-2

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 Cat Management 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 Cat Management Bylaw; and
 - 1.1.4 seek a recommendation from the Panel on whether the final bylaw should be adopted.
- 1.2 The final bylaw is scheduled to be presented to the Council on 28 November 2024, with the Panel's recommendation on whether the final bylaw should be adopted.

2. Summary / Te Tuhinga Whakarāpoto

- 2.1 This report summarises public feedback from the Draft Cat Management 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 make to the Cat Management Bylaw prior to its adoption.
- 2.3 The Council received [154 submissions](#) on the Draft Cat Management Bylaw. At a public hearing on 24 September 2024, 11 submitters presented their submissions to the Council.
- 2.4 The proposed Bylaw was widely supported in the submissions, with over 89% supporting the microchipping requirement, over 86% supporting the registration requirement and over 88% supporting the desexing requirement.

- 2.5 The main themes of the free text submissions were:
- 2.5.1 general support for the Cat Management Bylaw;
 - 2.5.2 cat welfare;
 - 2.5.3 education;
 - 2.5.4 cat containment and curfews;
 - 2.5.5 nuisance issues;
 - 2.5.6 transition timeframe;
 - 2.5.7 limits to cat numbers;
 - 2.5.8 conservation;
 - 2.5.9 feral and stray cats;
 - 2.5.10 enforcement;
 - 2.5.11 financial concerns and subsidies;
 - 2.5.12 opposition to the desexing requirement; and
 - 2.5.13 opposition to the bylaw.
- 2.6 These themes are discussed in detail in section 5 of this report, along with an indication of how prominent the theme was across all feedback received.
- 2.7 Staff recommend that the transition period be changed from 2027 to 2026 as a result of public feedback.
- 2.8 Staff are recommending an additional sentence in section 6 to clarify that the transition period is intended for existing cats.
- 2.9 Staff will incorporate changes that the Panel request and prepare the final Bylaw for consideration by the Council at its meeting on 28 November 2024.

3. Recommendation/s / Ngā Tūtohunga

That the Cat Management Bylaw Submissions Hearing and Deliberations Panel

- 1. receives the Draft Cat Management Bylaw Deliberations report RSH24-10-2; and**
- 2. agrees to the following changes to the draft bylaw, for the reasons set out in section 5.32 of the agenda report:**
 - 2.1 Section 6 - change transition time from 1 June 2027 to 1 June 2026; and**
- 3. agrees to change the title of the Bylaw to the Tasman District Council Cat Management Bylaw 2024; and**
- 4. agrees to replace title page information about when the bylaw is made with a table on the following page documenting the bylaw's review history; and**
- 5. declines to change the age requirement for cats to be desexed from six to four months for the reasons outlined in section 5.14 of the agenda report; and**
- 6. in accordance with section 155 of the Local Government Act 2002:**

- 6.2 agrees that the proposed Tasman District Council Cat Management Bylaw, including the changes in resolutions 2-4 above, is the most appropriate form of bylaw for addressing perceived problems relating to the keeping of cats; and
- 6.3 notes that the proposed Tasman District Council Cat Management Bylaw, including the changes in resolutions 2-4 above, does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
7. recommends that the Council consider the following matters when the bylaw is next reviewed:
 - 7.4 cat containment / curfews
 - 7.5 limits to numbers of cats per household
 - 7.6 feeding of colony cats; and
8. delegates authority to the Cat Management Bylaw Submissions Hearing and Deliberations Panel Chair and the Chief Executive Officer to approve any minor changes or minor editorial amendments to the proposed Cat Management Bylaw, prior to being submitted to Tasman District Council.

Recommendation to the Tasman District Council

That the Tasman District Council:

1. in accordance with section 155 of the Local Government Act 2002:
 - 1.1 agrees that the proposed Tasman District Council Cat Management Bylaw 2024 is the most appropriate form of bylaw for addressing perceived problems in relation to the keeping of cats; and
 - 1.2 notes that the proposed Tasman District Council Cat Management 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, makes the Tasman District Council Cat Management Bylaw 2024 (Attachment 1 to the agenda report) with effect from 1 January 2025; and
3. authorises staff to publicly notify the Tasman District Council Cat Management Bylaw 2024 and the date it has effect from; and
4. notes that the Tasman District Council Cat Management Bylaw 2024 will need to be reviewed before 28 November 2029; and
5. confirms the [minutes](#) of the 24 September 2024 Draft Cat Management Bylaw Submissions Hearing meeting as a true and correct record.

4. Background / Horopaki

- 4.1 During the development of the Tasman-Nelson Regional Pest Management Plan 2019-2029 (RPMP), several submissions requested more responsibility for managing domestic, stray, and feral cats in the region.

- 4.2 The Joint Committee agreed that intervention was necessary but decided that domestic and unowned cats were outside the Biosecurity Act 1993's scope. A bylaw, like Wellington City Council's microchipping requirement for cats, was identified as a potential solution.
- 4.3 A Council workshop on 4 August 2020 discussed:
 - 4.3.1 the impacts of cats (both beneficial and negative);
 - 4.3.2 RPMP submissions and the National Cat Management Strategy;
 - 4.3.3 regional approaches in Nelson and Tasman and international practices (e.g., Europe, Australia);
 - 4.3.4 advocacy for national cat management laws.
- 4.4 The primary options for addressing the issues were:
 - 4.4.1 do nothing;
 - 4.4.2 develop a bylaw similar to Wellington City Council;
 - 4.4.3 implement non-regulatory programmes;
 - 4.4.4 combine these approaches.
- 4.5 On 26 November 2020, elected members instructed staff to engage with Local Government New Zealand (LGNZ) and start developing a Cat Management Bylaw under the Local Government Act 2002 (LGA).
- 4.6 LGNZ later informed the Council that there had been no progress on national cat management legislation.
- 4.7 In 2021, the Ministry for Primary Industries updated the "Code of Welfare: Companion Cats," recommending microchipping as best practice.
- 4.8 Staff drafted a Cat Management Bylaw in December 2021, proposing microchipping, registration, and a ban on feeding cats in public places. The bylaw was not adopted for consultation.
- 4.9 On 16 March 2023, the Committee requested a report on feral cat management, while the RPMP Joint Committee expanded its Terms of Reference to include feral cat management.
- 4.10 On 15 June 2023, options for cat management were presented, with support from veterinarians and the SPCA for a bylaw option. The Committee recommended feral cats be included in the RPMP scope and for the bylaw to be presented to Full Council.
- 4.11 Early engagement in late 2023 showed strong community support for microchipping, registration, and de-sexing, leading to a draft bylaw.
- 4.12 A workshop with Mayor and Councillors on 21 May 2024 covered the early engagement results and proposed content for the draft Cat Management Bylaw.
- 4.13 The draft Cat Management Bylaw was adopted for consultation at the Environment and Regulatory Committee meeting on 18 July 2024.
- 4.14 The Bylaw addresses perceived problems in relation to the keeping of cats. Many cats roam beyond their owner's property, which creates a risk of them becoming injured, lost or a nuisance to neighbours. There is also a risk of domestic cats entering high value conservation reserves, where feral and stray cats may be managed for pest control reasons, under the Tasman-Nelson Regional Pest Management Plan. Unless a cat is microchipped it

is difficult to identify it as a domestic cat and be returned to its owners, rather than treated as a stray or feral cat.

- 4.15 Another perceived problem is that female cats can have up to four litters per year, with an average of four to six kittens per litter. This results in large numbers of unwanted kittens being taken to the SPCA for rehoming (an average of 155 cats and 152 kittens each year in Nelson) as well as kittens being left in public areas to become strays (and to continue to breed with stray and feral cats, further increasing the population). Nearly half the kittens taken to Nelson SPCA Centre are due to owner surrender, which is often due to a person not able to keep kittens their domestic cat had. These are considered unwanted kittens and are often from unplanned breeding. Nearly a third of the cats that come to the Nelson SPCA Centre are reclaimed.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

Consultation

- 5.1 The Environment and Regulatory Committee agreed to undertake consultation on the Bylaw between 26 July and 27 August 2024 at its meeting on 18 July 2024, using a special consultation procedure in accordance with sections 83 and 87 of the LGA.
- 5.2 A public communication and consultation process has been carried out, including:
- 5.2.1 the Shape Tasman project page with the Statement of Proposal (including the draft bylaw), a summary of information, background information and a link to the submission portal was promoted throughout the consultation;
 - 5.2.2 a Newsline article informing the public about how to make a submission was published on 26 July 2024; and
 - 5.2.3 hard copies of the Statement of Proposal and a summary of information were made available at all Council service centres and public libraries in Tasman throughout the consultation period.
- 5.3 The Council received 154 submissions on the Cat Management Bylaw.
- 5.4 A public hearing was held on 24 September 2024 to provide the public with the opportunity to provide feedback to the Council in person and 11 submitters presented their submissions to the Council.
- 5.5 Submitters were asked whether they supported the bylaw's requirements for microchipping, National Companion Animal Registration, and desexing for cats over six months of age.
- 5.6 146 submitters answered the question regarding microchipping. 131 (89.73%) supported this requirement. 10 answered 'no' and five answered 'not sure'.
- 5.7 145 submitters answered the question regarding National Companion Animal Registration. 126 (86.9%) supported this requirement. 10 answered 'no' and nine answered 'not sure'.
- 5.8 146 submitters answered the question regarding desexing. 129 (88.36%) supported this requirement. 13 answered 'no', and four answered 'not sure'.
- 5.9 114 submitters also opted to provide free text feedback or an attachment. The key themes of this feedback are discussed below.

Free text feedback themes

General support for the Cat Management Bylaw

- 5.10 Many submitters expressed strong support for the proposed cat bylaw, commending the Council for addressing the issue of cat management. These submitters, which included veterinary professionals, environmental advocates, and concerned citizens, emphasised the importance of mandatory desexing, microchipping, and registration of cats to manage cat populations and protect native wildlife.
- 5.11 Several submitters recommended further strengthening the bylaw by imposing additional measures which are discussed later in the report. Some also highlighted the rapid breeding of cats and the difficulty of rehoming unwanted litters, stressing the need for early desexing, ideally before six months of age.
- 5.12 Several submitters expressed that desexing, microchipping, and registering cats would not only benefit the environment but also enhance the welfare of cats, making it easier to reunite lost pets with their owners. Submitters praised the bylaw as a positive first step, with some suggesting that the Council review and strengthen the bylaw within five years of its adoption.
- 5.13 Collaborations with other councils and national legislation on cat management were also encouraged to ensure a consistent and effective approach across regions.
- 5.14 Staff Advice: Staff acknowledge that the proposed age of six months for the desexing requirement is imperfect as this creates a window where a cat could potentially have a litter from a young age. However, retaining this requirement as proposed gives owners two additional months to comply, rather than being in breach of the bylaw as soon as the kitten is four months old. This also allows for variance of kitten weight and development, as they are generally required to be big and healthy enough to undergo the procedure.

Cat welfare

- 5.15 Some submitters focused on the welfare of cats, expressing strong support for the proposed bylaw as it aims to improve the wellbeing of domestic and stray cats. They highlighted concerns about the negative impacts of unowned or wandering cats, including their exposure to disease, injury, and stressful conditions while searching for food and mates. Submitters felt the bylaw would help reduce the number of unwanted kittens and feral cats, while also preventing road deaths and improving outcomes for lost or injured cats.
- 5.16 Submitters emphasised that mandatory microchipping and registration would make it easier to reunite lost cats with their owners, reducing the risk of pets being mistakenly euthanised. They also expressed hope that the financial requirements of the bylaw, such as neutering, microchipping, and registration, would discourage individuals from taking on kittens without considering the long-term responsibilities of ownership.
- 5.17 Concerns were raised about ensuring proper identification before any actions are taken against feral cats, noting that frightened domestic cats can behave similarly to feral cats when trapped. Some submitters stressed the importance of protecting lost or stray companion cats and ensuring humane treatment throughout the process.
- 5.18 Staff Advice: Staff acknowledge the feedback regarding cat welfare. The bylaw's requirements for microchipping, registration, and desexing are anticipated to have positive impacts on the wellbeing of both domestic and stray cats. These measures aim to reduce the number of unwanted kittens and feral cats, while also minimising the risks associated with disease, injury, and road accidents. Additionally, mandatory microchipping and registration will aid in reuniting lost cats with their owners, and the financial responsibilities

outlined in the bylaw may encourage more considered decisions around pet ownership. Concerns regarding proper identification of feral cats are noted, and humane treatment will be a priority.

Education

- 5.19 Six submitters emphasised the importance of ongoing education to promote responsible cat ownership as part of the proposed bylaw. They noted that many people may not fully understand the significance of desexing and microchipping, and that public education is key to addressing this gap. Several submitters suggested that educational campaigns should discourage harmful practices such as drowning or abandoning cats and should provide guidance on proper disposal of cat litter to prevent health and environmental issues.
- 5.20 Staff Advice: Staff support further education for the community around responsible cat ownership and the benefits of microchipping, registration and desexing. This will occur within existing budgets.

Cat containment and curfews

- 5.21 Of 154 submissions, 43 submitters advocated for stricter cat containment measures. Many supported the idea that cats should be confined to their owners' properties, similar to dogs, to protect wildlife and reduce nuisances like roaming, fighting, and defecating in neighbours' gardens. Submitters expressed concerns about cats' impact on native species, particularly birds, and the spread of diseases such as toxoplasmosis.
- 5.22 There was strong support for implementing night curfews, with many suggesting cats be kept indoors from dusk to dawn, as practiced in some parts of Australia, to protect wildlife and improve cat safety. Submitters highlighted that indoor or confined cats are less prone to injuries from fights or accidents.
- 5.23 Several advocated for the use of catios or cat enclosures, noting that these setups allow cats to safely enjoy the outdoors without harming wildlife. A few submitters also suggested promoting containment practices through education or contests to inspire more cat owners to adopt these methods.
- 5.24 Many felt the bylaw did not go far enough, calling for a gradual move towards full cat containment, with owners required to keep their cats on their property at all times, whether through enclosures or supervision. Some proposed that stricter cat containment laws be introduced in sensitive wildlife areas and new residential subdivisions close to such habitats.
- 5.25 Some submitters expressed frustration at a societal double standard where cats are not regulated to the same degree as dogs. They advocated that cats should be registered with local councils in a similar manner to dogs and that owners should be accountable for their whereabouts at all times. This was also expressed in relation to cat owners not currently being required to clean up after them.
- 5.26 Staff Advice: While this was a significant theme in the feedback, staff do not consider cat containment as a viable provision of the bylaw at this time. If legislative measures continue to develop at a national level this could be revisited when the bylaw is reviewed within five years. In the meantime, staff can incorporate information regarding cat containment and curfews in educational resources as described above.

Nuisance issues

- 5.27 Several submitters expressed concerns about the nuisance and health risks posed by roaming cats. Issues reported included cats defecating in gardens, which caused significant damage to landscaping and vegetable patches, creating a mess and health hazards. Submitters were particularly worried about the transmission of toxoplasmosis through cat faeces, which poses serious health risks to humans, farm animals, and wildlife.
- 5.28 Staff Advice: Highlighting the nuisance factor that neighbours may be experiencing, along with the significant health risks of toxoplasmosis can be included in educational resources.

Transition timeframe

- 5.29 In 11 submissions, there was strong concern about the length of the proposed transition period for implementing the new cat control measures. Submitters argued that the timeline until June 2027 is too long and advocated for an earlier deadline, suggesting June 2026 or even June 2025 as more reasonable.
- 5.30 Many felt that the extended transition period delays necessary action to address the significant damage cats cause to wildlife, particularly native birds. They highlighted the urgent need to protect endangered species and mitigate the impact of increasing cat populations on local wildlife. Concerns were also raised about the rate of cat breeding and the potential for exacerbating wildlife threats if measures are not implemented sooner.
- 5.31 Overall, the sentiment was that while a transition period is necessary, it should be shortened to ensure timely action and better protect vulnerable wildlife from the adverse effects of roaming cats.
- 5.32 Staff Advice: Given that the principles of the bylaw are widely supported, staff recommend making the change suggested by submitters and reducing the transition period to June 2026.

Limit to cat numbers

- 5.33 Nine submissions advocated for implementing a per-household limit on the number of cats as part of the proposed bylaw. Submitters recommended setting a cap of two or three cats per household. This measure aims to address concerns about excessive cat numbers, which can lead to issues such as hoarding, increased nuisance, and negative impacts on wildlife.
- 5.34 Submitters emphasised that limiting the number of cats would help manage and control cat populations effectively. Some suggested that a licensing or permit system could be introduced for households exceeding the proposed limit, similar to regulations for dog ownership. This would further ensure responsible pet ownership and maintain sustainable cat populations.
- 5.35 Staff Advice: This provision was not included in the consultation material and would constitute a significant change. Including this provision would trigger a second round of consultation. Other councils such as Whanganui have included this provision in their Cat Management Bylaw. Given the limited number of submitters who raised this issue staff recommend considering this matter when the bylaw is next reviewed within five years.

Conservation

- 5.36 In over 45 of the submissions there was advocacy for addressing the impact of cats on native wildlife, particularly birds, through the proposed bylaw. Submitters expressed frustration with the ongoing damage caused by both feral and domestic cats, highlighting the significant threat they pose to local ecosystems.

- 5.37 Many submissions argued that the proposal does not go far enough to address the fundamental issue of cats as natural predators.
- 5.38 Staff Advice: While staff acknowledge the significant interest in the Cat Management Bylaw from a conservation perspective, it is important to note that the LGA does not provide for bylaws to be made for biodiversity and conservation reasons. Biodiversity concerns are addressed through the RPMP. The Cat Management Bylaw compliments the RPMP, and will likely have a positive effect on limiting the impact of cats on wildlife, however this is not the primary purpose of the bylaw.

Feral and stray cats

- 5.39 The need for increased funding and support for managing feral cats was a recurring theme. Submitters advocated for the declaration of feral cats as a pest species to facilitate their removal and called for more resources to support control efforts. They also emphasised the importance of integrating these measures into broader pest management strategies to ensure long-term effectiveness.
- 5.40 Some submissions highlighted concerns about the effectiveness of the proposed bylaw in managing both stray and feral cats, particularly in rural areas and specific locations such as tips and recycling centres. While the bylaw is seen as a positive step, some submitters worry it may not fully address the problems associated with feral cats.
- 5.41 The distinction between stray and feral cats was also mentioned in the feedback. Strays, which are more accustomed to human interaction and found in urban settings, differ from feral cats, which are typically more elusive and found in rural or wild areas. Submitters stressed the need for targeted strategies to manage both types of cats effectively. One submitter raised the issue of feeding cat colonies at the hearing, with concerns that this well-intentioned act could be further exacerbating the problem.
- 5.42 Some submissions proposed incorporating advanced technologies, such as AI-enhanced traps, to improve the management of feral cats. These technologies could help in identifying and controlling feral populations more effectively. Additionally, practical suggestions included encouraging local hunters to assist in controlling feral cats and exploring new methods for managing these animals in rural areas.
- 5.43 Staff Advice: As per 5.37, the feral cats are best managed through the RPMP. Staff acknowledge that the Cat Management Bylaw will make it easier to ensure that companion cats are not unintentionally considered pests. As the regulation of feeding colony cats was not presented in an early engagement or consultation material staff consider this too significant a change to make without further consultation. Staff recommend reassessing how significant this issue may be when the bylaw is reviewed within five years.

Enforcement

- 5.44 Less than 10 submitters raised concerns around the enforcement of the proposed bylaw, focusing on various aspects related to penalties, compliance, and practical implementation. Some submitters stressed that without strict enforcement and associated financial consequences, individuals might disregard the regulations.
- 5.45 Staff Advice: Staff acknowledge the challenges around enforcement of the bylaw. As in other regions where Cat Management Bylaws have been adopted, the bylaw would primarily serve as a deterrent and educative tool for encouraging best practice in responsible cat ownership.

Financial concerns

- 5.46 Eight out of 154 submitters raised concerns about the financial burden of desexing and microchipping cats, particularly for those facing economic hardship. While these submitters generally support the measures in principle, they emphasised the need for subsidies or financial assistance to ensure compliance, especially for low-income households, beneficiaries, and elderly people on fixed incomes.
- 5.47 Several of these submitters suggested partnerships between the Council, SPCA, and local vet clinics to provide subsidised desexing programs, with mentions of expanding the "Snip n Chip" campaign, though its current availability is limited.
- 5.48 Some submitters expressed concerns about enforcement, suggesting that without financial support, the bylaw could lead to non-compliance. They proposed that all SPCA rescue cats should be desexed and microchipped as a standard requirement, and that financial barriers be addressed through funding assistance.
- 5.49 Staff advice: The possibility of Council funding subsidies, such as the "Snip n Chip" campaigns, was raised during consultation for Tasman's 10 Year Plan. However, the Mayor and Councillors decided not to allocate a budget for this.
- 5.50 In addition, staff have received anecdotal feedback from local veterinarians, who have expressed concerns about the Council subsidising microchipping, registration, and desexing costs. Their feedback suggests that if prospective cat owners are unable to cover these initial expenses, they may not be well-prepared for the ongoing responsibilities of pet ownership. This perspective emphasises that financial barriers might not just indicate short-term challenges but could also reflect a potential lack of capacity to provide long-term care for pets.
- 5.51 While we acknowledge the submitters' concerns about compliance and the potential financial burden on low-income households, it is important to consider that subsidies may not address the broader issue of responsible pet ownership.

Opposition to desexing requirement

- 5.52 Six submitters raised concerns about the desexing requirement of the proposed bylaw, expressing a range of objections and suggestions for alternative approaches.
- 5.53 Some submitters felt that mandating desexing is an overreach of the Council's regulatory powers. They argued that responsible pet owners who microchip and register their cats should not be compelled to desex their pets.
- 5.54 There were also concerns about the impact on the availability of non-pedigree cats, commonly referred to as "moggie" cats. Submitters questioned whether the bylaw would limit the breeding of non-pedigree cats and whether breeders would continue to breed these cats. They expressed concern that the requirement could lead to a shortage of affordable cats for those who cannot or do not wish to purchase pedigree animals.
- 5.55 Instead of mandatory desexing, some submitters advocated for educational initiatives and support programmes. They proposed focusing on education about responsible pet ownership and offering desexing vouchers to encourage compliance without imposing strict mandates. They also suggested that the bylaw should allow for more flexibility, such as permitting at least one litter before mandatory desexing is enforced.

5.56 Staff Advice: While staff acknowledge the concerns raised by submitters regarding the desexing requirement, it is important to note that opposition to this measure was relatively low. Desexing is a key component in controlling the stray and unwanted cat population, which aligns with the bylaw's broader objectives.

Opposition to the proposed Cat Management Bylaw

5.57 Nine submitters voiced general opposition to the proposed bylaw, expressing concerns primarily about financial implications, Council priorities, and the practicality of the policy.

5.58 Submitters criticised the Council for what they perceive as excessive spending and revenue gathering. They highlighted recent significant increases in rates, questioning whether additional expenditures on the proposed bylaw are justified. They also raised issues about potential unintended consequences, such as increased cat dumping or the financial burden on pet owners.

5.59 A submitter criticised the Council for not providing sufficient justification for the bylaw. They argued that the consultation documents did not clearly outline the problem or the appropriateness of the proposed solutions. There was a call for increased transparency and public involvement in the bylaw preparation process.

5.60 Privacy concerns related to microchipping were also mentioned. A submitter argued that the bylaw could infringe on personal privacy and impose unnecessary control over pet owners. They expressed ethical reservations about mandating desexing and questioned whether the policy adequately considers the welfare of pets.

5.61 Overall, the opposition feedback indicates concern about the Council's perceived overreach and the potential misallocation of resources.

5.62 Staff advice: We acknowledge the concerns raised by a minority of submitters in opposition to the proposed bylaw. However, the bylaw is necessary to address significant issues related to the unmanaged cat population in the District, including public health risks and nuisances caused by stray cats.

5.63 In response to concerns about the financial burden and the perception of excessive Council spending, it is important to note that the long-term costs of managing stray and feral cats—if left unchecked—can outweigh the initial investment required to implement the bylaw. Microchipping and desexing are preventive measures that help reduce the future financial strain.

5.64 While a submitter raised concerns about the consultation documents not adequately justifying the bylaw, the Council's rationale is rooted in addressing the unmanaged cat population's negative impacts on public health and animal welfare. The bylaw provides clear and proportionate measures to address these issues, and the public consultation process has allowed for input and transparency in its development.

5.65 Regarding privacy concerns over microchipping, this practice is widely recognised as a responsible pet management tool that helps reunite lost pets with their owners and ensures accountability. The ethical concerns surrounding desexing are also noted, but the measure is essential for preventing the overpopulation of cats and the suffering of strays, ensuring a humane approach to managing the population.

Summary of staff advice

- 5.66 Staff recommend proceeding with the draft bylaw as per the consultation, with the only amendment being to adjust the transition time frame to 2026 as opposed to 2027.
- 5.67 Other elements raised during the consultation can be managed through education or addressed when the bylaw is reviewed within five years.

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.	The disadvantages will depend on the changes the Council makes.
3	Do not make any changes to the draft bylaw.	Administrative ease and no challenges in communicating proposed changes.	The views of submitters following consultation may not have been adequately addressed.

6.2 Option one is recommended.

7. Legal / Ngā ture

- 7.1 At the Environment and Regulatory Committee on 18 July 2024 the Committee adopted the Draft Cat Management Bylaw for consultation.
- 7.2 Section 156 of the LGA sets out the consultation requirements when making a new bylaw. Public consultation on the bylaw was carried out under the Special Consultative Procedure (SCP), which satisfies the LGA requirements.
- 7.3 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.
- 7.4 The bylaw addresses perceived problems in relation to the keeping of cats. Many cats roam beyond their owner’s property, which creates a risk of them becoming injured, lost or a

nuisance to neighbours. There is also a risk of domestic cats entering high value conservation reserves, where feral and stray cats may be managed for pest control reasons, under the Tasman-Nelson Regional Pest Management Plan. Unless a cat is microchipped it is difficult to identify it as a domestic cat and be returned to their owners, rather than treated as a stray or feral cat.

- 7.5 Another perceived problem addressed by the Bylaw is that female cats can have up to four litters per year, with an average of four to six kittens per litter. This results in large numbers of unwanted kittens being taken to the SPCA for rehoming (an average of 155 cats and 152 kittens each year in Nelson) as well as kittens being left in public areas to become strays (and to continue to breed with stray and feral cats, further increasing the population). Nearly half the kittens taken to Nelson SPCA Centre are due to owner surrender, which is often due to a person not able to keep kittens their domestic cat had. These are considered unwanted kittens and are often from unplanned breeding. Nearly a third of the cats that come to the Nelson SPCA Centre are reclaimed.
- 7.6 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.
- 7.7 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.

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

- 9.1 At the Environment and Regulatory Committee meeting on 18 July 2024 it was determined that the provisions of the bylaw would be of high interest to the general public.
- 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 Cat Management Bylaw at its meeting on 28 November 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 proposed bylaw attracted significant public attention during the early engagement stage and a moderate to high number of

	Issue	Level of Significance	Explanation of Assessment
			submissions. Most feedback has been supportive of the introduction of a Cat Management Bylaw.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Moderate	The proposed bylaw will impact current and future cat owners with the cost of de-sexing and microchipping falling to owners. However, the lead time allows for this cost to be spread across several years. The medium-term outcome would reduce the stray cat pressure on rehoming organisations, and allow for faster identification and reunion for lost cats. The long-term outcome of the bylaw would reduce the number of feral and stray cats impacting on the environment and the community.
3.	Is there a significant impact arising from duration of the effects from the decision?	Moderate	There are long term effects of reducing cat nuisance in the community. The bylaw affects the entire Tasman District.
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	
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	Although we will be relying on external agencies to assist with implementation

	Issue	Level of Significance	Explanation of Assessment
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 the SCP, as set out in paragraph 5.2 of this report.
- 10.2 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.
- 10.3 Stakeholders included (but were not limited to) the SPCA, local vets and conservation advocacy groups.
- 10.4 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.

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

- 11.1 This bylaw does not have any material financial or budgetary implications for the Council.

12. Risks / Ngā Tūraru

- 12.1 The key risks are reputational, and litigation risks related to the decisions the Panel is being asked to make.
- 12.2 A range of community views were received on the provisions in the bylaw. The Panel’s role is to consider the views of the community alongside other advice it received, to make decisions for the final bylaw.
- 12.3 If approved, the new bylaw would be reviewed within five years. This will ensure that the provisions remain fit for purpose and responsive to community needs.
- 12.4 Introducing a bylaw that is not realistically enforceable by the Council carries a level of risk, which could lower trust in local governance or lead to legal ambiguity and potential challenges. Several other councils have introduced cat management bylaws without legal challenge. Staff consider this a low risk. Cooperation and education alongside external agencies such as vets and the SPCA will be an important factor in encouraging compliance.

12.5 There is also a reputational risk if the Council decides not to proceed with the proposed bylaw after receiving significant public feedback in support of what is proposed. There is evidence that cats do not remain within their owner’s property, are involved in other nuisance behaviour and can pose a threat to other cats and animals through fighting and the spread of toxoplasmosis.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

- 13.1 The bylaw is unlikely to have any impact on the Council or the Tasman District’s carbon footprint.
- 13.2 Implementation of the bylaw is not likely to be impacted by the effects of climate change.
- 13.3 The bylaw neither aligns or 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 Tūraru

14.1 This proposed bylaw aligns with the Tasman Biodiversity Strategy and compliments the Tasman Nelson Regional Pest Management Plan 2019-2029.

15. Conclusion / Kupu Whakatepe

- 15.1 The proposed Cat Management Bylaw 2024 aims to protect the health and safety of the public, minimise nuisance and the potential for offensive behaviour in public places across the Tasman District.
- 15.2 In response to submissions staff have recommended a change to the transition period for existing cats be made to the bylaw for the Panel’s consideration.
- 15.3 Staff will incorporate the changes that the Panel request and, if the Panel recommends, prepare the final bylaw for adoption by the Council at its meeting on 28 November 2024.
- 15.4 The bylaw is a new bylaw and, once adopted, will be reviewed within five years.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

Date	Process
28 November 2024	Final Cat Management 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 Cat Management Bylaw - Deliberations Version (for approval changes tracked) 20



Tasman District Council

Cat Management Bylaw

2024

~~Made by Resolution of Council~~

~~on~~

~~XX XXX 2024~~

Action	Made	Reference	In Force
Bylaw made	28/11/2024		01/01/2025
Next review to be completed by	28/11/2029		

DRAFT

Table of Contents

1	Introduction	2
2	Title	2
3	Commencement.....	2
4	Purpose and Application	2
5	Definitions and Interpretation.....	2
6	Cat Management Provisions	3
7	Council Resolution	3

DRAFT

1 Introduction

- (1) Tasman District Council makes this bylaw in accordance with section 145 and 146 of the Local Government Act 2002.

2 Title

- (1) The title of this bylaw is the Tasman District Council Cat Management Bylaw 2024.

3 Commencement

- (1) This bylaw comes into force on XX XXX 2024.

4 Purpose and Application

- (1) The purpose of this bylaw is to regulate the keeping of cats within the Tasman District.
- (2) This bylaw shall apply to all cats within Tasman District.

5 Definitions and Interpretation

- (1) In this bylaw, unless the context otherwise requires:

Cat means a domestic animal of the species *Felis catus*, including both male and female cats, regardless of breed, kept as a pet, companion, or for other purposes.

De-sexed means the surgical sterilization of an animal, which involves the removal of reproductive organs to prevent breeding. In male cats, this is known as neutering, and in female cats, it is known as spaying.

Microchipped mean a registered vet has implanted a small electronic device (microchip) under the skin of an animal, typically between the shoulder blades, that contains a unique identification number which can be read by a scanner. This number is linked to a registry containing information about the animal and its owner.

Nationally Recognised Cat Breeders Body means an organisation that is officially acknowledged at the national level for its role in promoting, regulating, and supporting the breeding of cats according to established standards. This body maintains records of registered breeders and ensures adherence to ethical breeding practices.

6 Cat Management Provisions

Any cat over six months of age must be:

- a. Microchipped and the cat's microchip registered with New Zealand Companion Animal Register; and
- b. De-sexed, unless:
 - i. the cat is kept for breeding purposes; and registered with a nationally recognised cat breeders body, or
 - ii. the owner provides a certificate from a registered veterinarian stating that the de-sexing of the cat will adversely affect its health and/or welfare.

Existing cat owners shall be granted a transition period from the commencement of this bylaw, during which they are required to desex, microchip and register any cats they already own. This transition period shall extend until June 1, 2026⁶⁷.

7 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