



# ORDINARY MEETING OF COUNCIL

## Open Agenda

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Meeting Date: Tuesday 12 July 2022

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Time: 9.00am - Dog Control Bylaw Hearings

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Venue: Large Exhibition Hall  
Napier War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook site*

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Council Members **Chair:** Mayor Wise

**Members:** Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor and Wright

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Officer Responsible Chief Executive

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Administrator Governance Team

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**Next Council Meeting**  
**Thursday 14 July 2022**

# ORDER OF BUSINESS

## Karakia

## Apologies

Councillor Browne

## Conflicts of interest

## Public forum

## Announcements by the Mayor including notification of minor matters not on the agenda

*Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13*

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## Announcements by the management

## Agenda items

1 Proposed Dog Control Bylaw and Policy 2022 - Hearing Report .....3

## Minor matters not on the agenda – discussion (if any)

# AGENDA ITEMS

## 1. PROPOSED DOG CONTROL BYLAW AND POLICY 2022 - HEARING REPORT

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Dog Control Act 1996
<i>Document ID:</i>	1476807
<i>Reporting Officer/s &amp; Unit:</i>	Paulina Wilhelm, Manager City Development

### 1.1 Purpose of Report

The purpose of this report is for Council to hear, consider and make decisions on the adoption of the proposed Napier City Council Dog Control Policy 2022 and Dog Control Bylaw 2022. The report provides an analysis of submissions received on the proposed policy/bylaw, including background information, to inform Council in its decision making on this matter. The report also includes a proposed change as a response from further information received by submitters.

### Officer's Recommendation

That Council:

- a. **Note** the contents of this report including a minor amendment to the Estuary Map.
- b. **Consider** the proposed reinstatement of Lagoon Farm cycle path as a prohibited area.
- c. **Hear** the submissions on the proposed Dog Control Policy 2022 and Dog Control Bylaw 2022; and determine whether any changes are required to the proposed policy and bylaw.
- d. **Agree** that, in terms of Section 82(3) of the Local Government Act 2002, the principles set out in that section have been observed in such a manner that the Napier City Council considers, in its discretion, it is appropriate to make decisions on the recommendation.
- e. **Determine** that the proposed policy and bylaw are:
  - i. the most appropriate and proportionate way of addressing the issues relating to dogs in terms of sections 155(2)(b) and 155(3) of the LGA; and
  - ii. the Dog Control Bylaw 2022 is not inconsistent with the Bill of Rights Act 1990.
- f. **Endorse** the Dog Control Policy 2022 with a commencement date of 1 October 2022.
- g. **Endorse** the Dog Control Bylaw 2022 with a commencement date of 1 October 2022.
- h. **Authorise** Officers to notify submitters and the public that the policy and bylaw have been adopted and will commence on 1 October 2022.

## 1.2 Background Summary

Council is required to adopt a policy on dogs and must make a bylaw to give effect to the policy. Council's current Dog Control Policy and Bylaw were last reviewed and amended in 2014 and statutorily were due for review.

In making or amending a policy on dogs Council must have regard to the matters within s10(4)(a) of Dog Control Act 1996 which can be summarised as the need to provide for public safety and the comfort and needs of dog owners.

Council initiated a review of its dog control policy and bylaw, seeking initial feedback on the current policy/bylaw from key stakeholders i.e. Department of Conservation (DoC), Hastings District Council Animal Control Unit, Napier Port, NCC Parks and Reserves, NCC Animal Control, The Ahuriri Estuary Protection Society, Napier SPCA, Hawkes Bay Regional Council, Save the Dotterels, The Dogman and the Napier Dog Training Club. Council also sought feedback on dog control issues from participants on Council's 'People Panel' by way of survey and considered statistics and trends from its Animal Control activity. The people panel survey report is in **Attachment 9**.

At the Council Future Napier Committee meeting on 24 March 2022, Council resolved to consult on a revised and proposed Dog Control Policy and Bylaw 2022 using the Special Consultative Procedure set out in section 83 of the Local Government Act 2002. At that meeting, Council resolved to make a decision of Council under delegated authority to:

- a. Confirm that pursuant to sections 155(2)(b) and 155(3) of the Local Government Act 2002 (LGA), the proposed bylaw and policy are not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- b. Adopt the Statement of Proposal and Proposed Dog Control Bylaw and Policy for the purposes of public consultation.
- c. Authorise public consultation in respect of the proposal in accordance with sections 83 and 156(1)(b) of the LGA.
- d. Note the timeframe for consultation release to be in the next twelve months at the discretion of the Chief Executive Officer to allow flexibility in working with the existing consultation schedule.

The statement of proposal and proposed Dog Control Policy/Bylaw 2022 were made available for public submissions from 25 May to 24 June 2022. The proposals were formally notified through the following mechanisms:

- Council Facebook
- Council website – “*Say It Napier*”
- Hawkes Bay today
- Proudly Napier
- Radio adverts NZME
- Dog registration mail out
- Several organisation newsletters including Napier City Council Pānui newsletter

The Proposed Policy/Bylaw and supporting documents were made available on the Council's website, and at the Council offices at:

- Customer Services Centre, 215 Hastings Street, Napier, Napier Library, 1 Tennyson Street, Napier; and
- Taradale Library, 24 White Street, Taradale.

The High Level Engagement Plan is in **Attachment 5**.

During the submissions period, Council officers undertook the following public consultation, with further details contained in the Community Engagement Report (**Attachment 4**):

- Targeted consultation with dog owners via the dog registration campaign.
- Targeted consultation with mana whenua through Te Waka Rangapū.
- Public meeting at the Rugby Club in Park Island 14 June.
- Open days at Park Island 29 May, Dolbel Reserve 15 June and Anderson Park 16 June.
- Advertising across digital, social and print media to ensure public awareness and participation in the review.

The key changes that were proposed that Council sought feedback on are as follows:

- Retaining the current two dog per property limit for urban areas (without a permit).
- All public places other than designated prohibited areas and dog exercise areas to be classified as 'on-lead' areas.
- Extending the dog prohibited area around Te Whanganui-a-Orotū (Ahuriri Estuary) to protect endangered bird life.
- Including Watchman Road Reserve and the Council owned area at Port Beach West as dog prohibited areas.
- Introducing a seasonal restriction to the existing dog exercise area between Bay View and Westshore to better protect nesting birds.
- Adding a dog exercise area within Dolbel Reserve

### 1.3 Statutory Implications

The focus of reviewing and implementing this policy and bylaw is to prioritise safe interactions between dogs, people and their environment; reduce nuisance situations, minimise the possibility of dog attacks and promote the welfare of dogs generally.

Council has taken care to ensure the revised documents are consistent with each other, as far as practicable in unison with Hastings District Council's Policy/Bylaw, easy to read and understand, and balance the needs of dog owners with non-dog owners.

The dog control policy, enforced through the dog control bylaw, is considered to be the most efficient and effective method of managing the issues related to dogs.

The proposed Dog Control Bylaw 2022 is considered the most appropriate and proportionate way to address the issues and for the purpose of public consultation.

The Local Government Act requires the Council to determine whether there are any implications for the proposed bylaw under the New Zealand Bill of Rights Act 1990 i.e. no bylaw may be made that is inconsistent with that Act. In Council's opinion the proposed

bylaw does not contain any provision that is in conflict with the New Zealand Bill of Rights Act 1990.

#### 1.4 Consultation Summary

This section summarises consultation undertaken and submissions received. While community feedback is received, Council's decision-making needs to also consider the wider context including impacts on those who did not submit, along with the wider public good and purpose of the policy/regulatory interventions.

As stated above, the consultation document asked submitters six questions covering the key proposed changes. A summary of the feedback received in each question and the officer's recommendation follows below.

SIL Research have analysed all the submissions and have provided a comprehensive report which is attached as **Attachment 7**. The key points from the report are as follows:

*A total of n=500 unique responses were received; n=12 (2%) submission were made on behalf of specific groups and organisations; 35 respondents expressed their willingness to speak in person in support of their feedback (7%).*

- 1. Overall, respondents most strongly supported the addition of an exercise area at Dolbel Reserve (87%) and retaining the current limit of two dogs in urban areas (85%). These two proposed changes yielded, on average, the highest agreement across the Napier Community. The key themes supporting retention of the two-dog limit focused on urban environment limitations, consideration for neighbours and improving conditions for dogs.*
- 2. Relatively fewer (but still the majority) of respondents supported seasonal on-lead requirements along the beach between Westshore and Bay View (73%) and the proposed prohibited area around Ahuriri Estuary to better protect bird life (63%). The main cited reason for supporting both of these proposals was perceived importance of protecting wildlife and environment.*
- 3. Respondents were more evenly divided about prohibiting dogs at Watchman Road Reserve and Port Beach West (51% opposed and 49% supported this proposal) and introducing an on-lead area designation (55% opposed and 45% supported this proposal). Many respondents opposing these policies expressed concerns about changes being too restrictive, or punitive towards responsible owners with well-controlled dogs.*
- 4. General feedback expressed the desire for retention or increase of dog exercise areas across the city (especially off-lead, within walking distance), concerns about responsible owners being penalised, and the perceived need for more enforcement of existing dog control policies (targeting the minority of irresponsible owners and unregistered dogs rather than the majority of responsible owners).*

A copy of the full submissions is available as **Attachment 6**.

#### 1.5 Options

Officers provide the following list of options for Council to considering when determining the key matters contained within the proposed Dog Control Bylaw/Policy as per questions asked. The options take into consideration feedback from the consultation/submission process.

### 1.5.1 Limitation on the number of dogs (Bylaw)

The proposal within the consultation document was to retain the current limitation on the number of dogs allowed to be kept on any urban property to 'no more than two (2)', unless a permission permit has been granted by Council.

The consultation document asked the specific question in relation to this i.e. *"Do you support retaining the current limit of two dogs in urban areas?"*

In response to the question, 85% of respondents agreed with the limit of two dogs in urban areas with 14% against.

Generally speaking the more dogs kept on residential properties the more likelihood nuisance type situations develop such as barking/whining noises, unpleasant odours etc.

#### **Option A – Retain the existing 'Limitation on the number of dogs' requirement (Status Quo and preferred).**

Under this option Council would retain the existing limitation on the number of dogs allowed to be kept on any urban property to 'no more than two (2)'.

#### Comments

- Existing provision that Animal Control advises works well and is well understood;
- Has an associated Council permit option for good dog owners to keep more than two dogs should circumstances allow;
- Is a useful regulatory 'tool' to control a number of nuisance situations caused by too many dogs contained within residential properties. Simple to understand and relatively easy to enforce.
- Forces a number of good dog owners with more than two dogs to go through a Council permit system.
- Is the same as Hastings DC's Bylaw and assists with consistency in the region.
- 85% of the feedback received was in support of this option for noise reasons, and avoiding other nuisance issues such as barking and odour.

#### **Option B – Amend the 'Limitation on the number of dogs' requirements from two (2) to three (3).**

Under this option Council would retain a limitation on the number of dogs allowed to be kept on any urban property and increase it from two (2) to three (3).

#### Comments

- The limit of three (3) dogs is favoured by some Council's although for the majority favour two (2).
- Changing from a limit of two to three dogs would capture less dog owners and result in less enforcement and permits being issued.
- Would result in inconsistency with Hastings DC's bylaw limit set at two (2).
- 14% of submitters, were in general in support of having more than 2 dogs, 58% of this group want to be allowed to have more than 2 dogs.

### **Option C – Remove the requirement from the bylaw.**

#### Comments

- Would result in owners being allowed to keep as many dogs on an urban property as they like. Council would no longer need to manage a permit system.
- Would result in more nuisance type situation and complaints.
- Would require Council to use their 'nuisance' abatement rules within the Bylaw to enforce situations where the number of dogs cause adverse effects.
- Results in inconsistencies with Hastings DC's bylaw limit of two (2).

**Officer Recommendation:** That the current limitation on the number of dogs allowed to be kept on any urban property be set at 'no more than two (2)', unless a permission permit has been granted by Council.

#### **1.5.2 Dog Access Areas- On-Lead Area Designation**

The activity of exercising a dog provides an important means of exercise for many owners and their dogs and therefore contributes to health and wellbeing generally. However, dogs need to be socialised into public places in a way that minimises nuisance and allows the community (including vulnerable persons) and wildlife to use our public spaces. In considering vulnerable persons, it is also important to note that a number of people actively avoid places where they are likely to encounter dogs.

In rationalising rules around dog access areas and where they might be best located, Council has considered dog access rules in a comprehensive manner with an emphasis on consistent and easy to understand rules that comply with the following objectives:

- Promote safe interaction between dogs and people using public places and private ways to ensure that dogs do not injure, endanger, intimidate or otherwise cause distress to any person, in particular, children and vulnerable adults but also to other dogs;
- Integrate, where practicable, owners and their dogs with other users of public places;
- Manage the conflict between dogs and protected wildlife, stock, poultry, domestic animals, property and natural habitat;
- Recognise owners as legitimate users of public places and dog access as desirable for dog welfare;
- Ensure that areas with different dog access rules have clearly visible boundaries, which may be achieved through transition zones, vegetation, topography and fencing.

#### **Dog Access Areas definition amendments (Bylaw and Policy)**

The previous Policy had four 'dogs access definitions' – 'Prohibited Areas', 'Controlled Areas', 'Off-lead Areas' and 'Exercise Areas'. This has led to confusion around where dogs can be exercised in public areas 'off-lead' in Napier, resulting in a public understanding that dogs can be exercised generally in Napier 'off the lead'.

During consultation, it was proposed that the 'Controlled Areas' in public places be now referred to as an 'On Leash Area' with 'Controlled - Off-lead areas' being removed. Previously it was ambiguous between the Bylaw/Policy whether owners could walk dogs 'off-lead' in this area or not.



The consultation document asked the specific question in relation to this i.e. *“Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas?”*

In response to the question, 44% of respondents supported the proposal and 56% opposed. Many respondents opposing these policies expressed concerns about changes being too restrictive, or punitive towards responsible owners with well-controlled dogs.

**Option A – Retain the existing Dog Exercise Areas definitions - ‘Prohibited Areas’, ‘Controlled Areas’, ‘Off-lead Areas’ and ‘Exercise Areas’.**

Comments

- Having ‘Controlled Areas’ and ‘Off-lead Areas’ creates confusion for dog owners and Council officers alike;
- Whilst its admirable to create greater areas for dogs to be exercised, it’s preferable that these areas are defined as ‘Dog Exercise Areas’ rather than ‘Off-lead Areas’;
- The general public perception that dogs can be exercised in public areas of Napier whilst ‘off-lead’ is dangerous with the preferable option being dogs can be exercised ‘on-lead’ unless within a defined dog exercise area.
- Some Councils have included a number of variable dog access areas, including seasons and times of day, which often has the effect of confusing all concerned leading to inadvertent non-compliance.

**Option B – Change the Dog Exercise Areas definitions to - ‘Prohibited Areas’, ‘On-leash Areas’ and ‘Exercise Areas’ (Preferred Option).**

Comments

- Simplifies Dog Access Areas from four to three to promote consistent and easy to understand rules and compliance
- Allows for general exercise of dogs in public places as ‘on-lead’ rather than ‘off-lead’ to promote safe interaction between dogs and people.
- Assists with surveillance and enforcement.
- Acknowledges that for most owners and their dogs, these public areas are not suitable for walking your dog ‘off-lead’.
- Whilst just over half of the respondents to the proposal did not support this proposal, the additional comments from these respondents suggests some may have interpreted the question/suggestions as being more punitive than it actually is. As an example, some submitters thought the dog exercise areas were the designated dog agility areas or the fully fenced area currently available in Napier rather than the proposed designated exercise areas in the bylaw.
- Most Councils advocate, within their dog control policies/bylaws, for areas outside of ‘Prohibited’ or ‘Exercise’ areas, to be ‘on-lead’.
- Officers have identified that within 10 minutes’ walk from most neighbourhoods there is a dog exercise off-lead area available to walk your dog. Refer to accessibility map in **Attachment 8**.

- Some other comments made at the public meetings were that while responsible dog owners value having the opportunity to walk their dogs off the lead, many times they encounter issues with non-responsible dog owners who walk their dog off-lead and this causes issues such as dogs rushing or dog attacks. This issue will be minimised by requiring all dogs to be on the lead on non-designated exercise areas.

**Officer Recommendation:** That all public places that are not either 'Prohibited' or 'Exercise' areas, are designated 'on leash' areas.

### 1.5.3 Dog Access Areas – proposed area amendments (Bylaw and Policy)

Council had a critical look at its dog access areas as listed in the current Dog Control Bylaw/Policy and was of the view that some of these dog exercise areas are either no longer suitable or need amending, including new areas incorporated to better meet community needs and recent urban developments. For this reason, Council proposed the following main amendments to the Dog Access Area lists within the consultation document:

- A. Extending the dog prohibited area around Te Whanganui-a-Orotū (Ahuriri Estuary) to protect endangered bird life.
- B. Including Watchman Road Reserve and the Council owned area at Port Beach West as dog prohibited areas.
- C. Introducing a seasonal restriction to the existing dog exercise area between Bay View and Westshore to better protect nesting birds.
- D. Adding a dog exercise area within Dolbel Reserve

**Proposal A** – Extending the dog prohibited area around Te Whanganui-a-Orotū (Ahuriri Estuary) to protect endangered bird life.

#### Comments

Just under two-thirds of respondents (63%) supported extending the prohibited area around Ahuriri Estuary. The main cited reason for supporting these changes was perceived importance of protecting wildlife (especially endangered birds) and the environment. Of the respondents (37%) that didn't support the proposal, around two-thirds believed no changes were required, and dogs should remain on-lead – as on-lead dogs present no threat. While dogs on the lead are considered "under control" and it is arguable they will attack a bird, some feedback mentioned it is the presence of dogs in the estuary which is disturbing for the birds.

During consultation with DoC and a bird expert, officers were made aware that birds get distressed in the presence of dogs even when they are on a lead. Many submitters would like to continue to walk around the Estuary with their dog on-lead but this is not advisable if birds are a concern.

Also, during the meeting with DoC, NCC officers were made aware that the vicinity of Lagoon Farm cycle path bordering the Taipo Stream and the Estuary has very high ecological value, hosting many endangered bird species. In light of this new knowledge, officers recommend reverting this area from proposed 'on lead' to Prohibited Area, which is the status of the current dog control bylaw. This change is included in Map 6 in **Appendix 11** and it will require the following addition to the Bylaw under Schedule 1- Prohibited Areas:

### Lagoon Farm cycle path

**Note:** See Map 6 attached to this bylaw for further clarification

A minor amendment is proposed to Map 1, the Estuary Map, to reflect the text in the Bylaw (under Schedule 1) and include the extent of the Ahuriri Estuary Wildlife Refuge and Westshore Wildlife Reserve. This Map is provided in **Attachment 12** and will replace Map 1 in the proposed bylaw.

Under the proposed dog bylaw, dogs on-lead can continue to walk on the old bridge road to be able to traverse the Estuary and connect to the cycle path going around Pandora Industrial Area.

A Statement from Tony Billing on the potential disturbance of dogs around the estuary is attached as **Attachment 10**.

**Officer Recommendation:** That the dog prohibited area around Te Whanganui-a-Orotū (Ahuriri Estuary) be extended as per the proposal to protect endangered bird life. That the Lagoon Farm cycle path bordering the Taipo Stream and Estuary stays as a prohibited area as per the current dog control bylaw in order to protect endangered bird species who nest and feed nearby.

**Proposal B –** Including Watchman Road Reserve and the Council owned land area at Port Beach West as dog prohibited areas (refer to Map 2 in the Proposed Bylaw).

### Comments

The issue which triggered the proposed change to the Port Beach was raised by Council's dog control unit. They highlighted that the beaches adjacent to the Port are well used during warm months, sometimes triggering issues with dogs running around amongst little kids and therefore raising safety concerns.

Around half of respondents (51%) disagreed with the proposed amendments, expressing concerns that the proposed changes were too restrictive, and dogs on-lead should still be allowed. 18% suggested dogs should be allowed access to the beach specifically. 8% believed irresponsible dog owners breaching current rules should be policed instead.

The key themes behind the 49% who supported the changes at Watchman Road Reserve and Port Beach West were to improve public safety and environmental outcomes. Respondents from Ahuriri were most opposed to the proposed changes.

During the open days officers talked specifically about the proposed change to the Port Beach West. Feedback from dog owners and non-dog owners were generally supportive of this proposal as they were aware of the different needs from the members of the public, those who have dogs and those who don't. By allowing dogs in one beach and not in the other, Council is catering for both segments of the community.

In relation to the comment about allowing dogs at the beach, Council has engaged with the Port who has agreed to continue allowing access for dogs on lead at the Port Beach (land owned by the Port), this beach is directly adjacent to the Port. This will stay the same as the current Dog Control Bylaw.

The objective with the proposed changes to the bylaw is to allow families with children to enjoy the Port Beach West without any safety concerns around dogs. This provides a balance for dog owners and non-dog owners who want to enjoy the beach.

**Officer Recommendation:** That the Watchman Road Reserve and the Council owned area at Port Beach West, be included as dog prohibited areas.

**Proposal C** – Introducing a seasonal restriction to the existing dog exercise area between Bay View and Westshore to better protect nesting birds.

#### Comments

73% of respondents supported seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds. The community feedback expressed general support of the proposed changes, enhancing environmental safety and wildlife protection

Some residents from around Bay View feel very strongly about restricting dogs 'off lead' in this area as they have experienced the damage dogs cause to the birds while nesting.

**Officer Recommendation:** To introduce a seasonal restriction to the existing dog exercise area between Bay View and Westshore to better protect nesting birds. The seasonal restriction will allow dogs to be exercised off-lead at the time when the dotterels are not nesting in the area. During nesting time, dogs will still be allowed in the area on-lead. This will give the chicks a better chance of survival.

**Proposal D** – Adding a dog exercise area within Dolbel Reserve

#### Comments

87% of respondents supported the addition of an exercise area at Dolbel Reserve. The main cited reasons supporting this proposal were the addition of an off-lead area (especially in light of other proposed restrictions), and this location being a good place to exercise dogs.

13% disagreed with an exercise area at Dolbel Reserve.

**Officer Recommendation:** That a dog exercise area within Dolbel Reserve be added.

### 1.5 Attachments

- 1 Statement of Proposal (Doc Id 1476961) [↓](#)
- 2 Proposed Dog Control Bylaw 2022 (Doc Id 1476965) [↓](#)
- 3 Proposed Dog Control Policy 2022 (Doc 1476960) [↓](#)
- 4 Community Engagement Report (Doc Id 1476963) [↓](#)
- 5 High Level Engagement Plan (Doc Id 1476959) [↓](#)
- 6 Full list of submissions to the proposal (Doc Id 1477700) (Under separate cover 1) [⇒](#)
- 7 Report from SIL Research on submissions received (Doc Id 1476964) (Under separate cover 1) [⇒](#)
- 8 Accessibility Map dog exercise areas (Doc Id 1476967) [↓](#)
- 9 People's Panel Survey Report (Doc Id 1476962) [↓](#)
- 10 Statement from Wildlife Expert (Doc Id 1476958) [↓](#)
- 11 Lagoon Farm cycle path (Doc Id 1477100) [↓](#)
- 12 Estuary Map 1 minor amendment proposed (Doc Id 1477117) [↓](#)
- 13 Speaker Submission Attachment - #219 P Cooper (Doc Id 1477706) (Under separate cover 1) [⇒](#)
- 14 Speaker Submission Attachment - #253 E Barrett (Doc Id 1477705) (Under separate cover 1) [⇒](#)
- 15 Speaker Submission Attachment - #321 S Jacobsen (Doc Id 1477710) (Under separate cover 1) [⇒](#)

- 16 Speaker Submission Attachment - #378 J Ferguson (Doc Id 1477707) (Under separate cover 1) [⇒](#)
- 17 Speaker Submission Attachment - #396 L Anderson (Doc Id 1477708) (Under separate cover 1) [⇒](#)
- 18 Speaker Submission Attachment - #398 L Anderson for Forest and Bird (Doc Id 1477709) (Under separate cover 1) [⇒](#)

**Submitters Speaking**

- 19 Submission No. 28 - Rachael Rogge (Doc Id 1478283) (Under separate cover 2)
- 20 Submission No. 260 - Paddy Cooper (Doc Id 1478284) (Under separate cover 2)
- 21 Submission No. 274 - Tony Oliver (Doc Id 1478285) (Under separate cover 2)
- 22 Submission No. 298 - Paul Bailey (Doc Id 1478286) (Under separate cover 2)
- 23 Submission No. 333 - Brad Friis (Doc Id 1478287) (Under separate cover 2)
- 24 Submission No. 372 - Christina Scott (Doc Id 1478288) (Under separate cover 2)
- 25 Submission No. 386 - Angela Cave (Doc Id 1478289) (Under separate cover 2)
- 26 Submission No. 401 - Richard Lepper (Doc Id 1478290) (Under separate cover 2)
- 27 Submission No. 434 - Wendy Austin (Doc Id 1478303) (Under separate cover 2)
- 28 Submission No. 476 - Lynn Anderson (Doc Id 1478291) (Under separate cover 2)
- 29 Submission No. 495 - Angie Denby (Doc Id 1478292) (Under separate cover 2)
- 30 Submission No. 500 - Miriam Hollands (Doc Id 1478293) (Under separate cover 2)
- 31 Submission No. 576 - Alisha McGilvary-Howard (Doc Id 1478294) (Under separate cover 2)
- 32 Submission No. 603 - Sandra Dunseath (Doc Id 1478295) (Under separate cover 2)
- 33 Submission No. 604 - Maria Barbarich (Doc Id 1478296) (Under separate cover 2)
- 34 Submission No. 606 - Gavin Ide (Doc Id 1478297) (Under separate cover 2)



# STATEMENT OF PROPOSAL

## *Draft Dog Control Policy and Bylaw 2022*

*For Public Consultation*

## Draft Dog Control Policy and Bylaw 2022 - SOP

### 1. PROPOSAL

Napier City Council proposes to revoke its existing Dog Control Policy and Bylaw (2014) and adopt a new Dog Control Policy and Dog Control Bylaw 2022. This follows a thorough review process.

This statement of proposal is prepared under Sections 83, 83AA and 86 of the Local Government Act 2002. This document contains:

- A summary of the information contained in the statement of proposal;
- A copy of the draft policy and bylaw

### 2. SUMMARY OF INFORMATION

Napier City Council (“the Council”) is seeking feedback on its revised Dog Control Policy and Dog Control Bylaw 2022. The proposed amendments to the revised Dog Control Policy and Bylaw are not considered major policy/regulatory changes but rather necessary amendments to further enhance dog ownership, management and enforcement in Napier.

Key changes within the proposed Dog Control Policy and Bylaw 2022 are:

- Redrafting of the Policy and Bylaw to improve clarity and to ensure the Policy and Bylaw are consistent with and give effect to each other;
- To ensure as far as practicable Napier’s Dog Control Policy and Bylaw are consistent with Hastings’ Bylaw/Policy;
- To retain the current limitation on the number of dogs allowed to be kept on any urban property to ‘no more than two’.
- To amend the dog access descriptions to make them simpler to understand, comply with and enforce. The previous Policy had four ‘dogs access definitions’ – ‘Prohibited Areas’, ‘Controlled Areas’, ‘Off-lead Areas’ and ‘Exercise Areas’ with the revised Policy/Bylaw proposing three areas i.e. ‘Prohibited Areas’, ‘On Leash Areas’ and ‘Dog Exercise Areas’.
- The ‘Controlled Areas’ in public places will now be ‘On Leash Areas’ with ‘Off-lead Areas’ being removed. Previously it was ambiguous between the Bylaw/Policy whether owners could walk dogs ‘off lead’ in the ‘Controlled’ area or not.
- Council has rationalised and amended the various public dog access areas to include new suitable areas to exercise dogs, better define access areas within certain public spaces (such as parks) to ensure compatibility of uses and to protect children play areas, and to redefine current access areas where other users or wildlife are better protected.
- To enhance the ‘nuisances’ section of the bylaw to increase Council’s ability to control ‘nuisance’ situations caused by dogs in public areas, as well as where the dogs are kept.

















































































































