



ORDINARY MEETING OF COUNCIL

Open Minutes Attachments (Dog Control Bylaw Hearing)

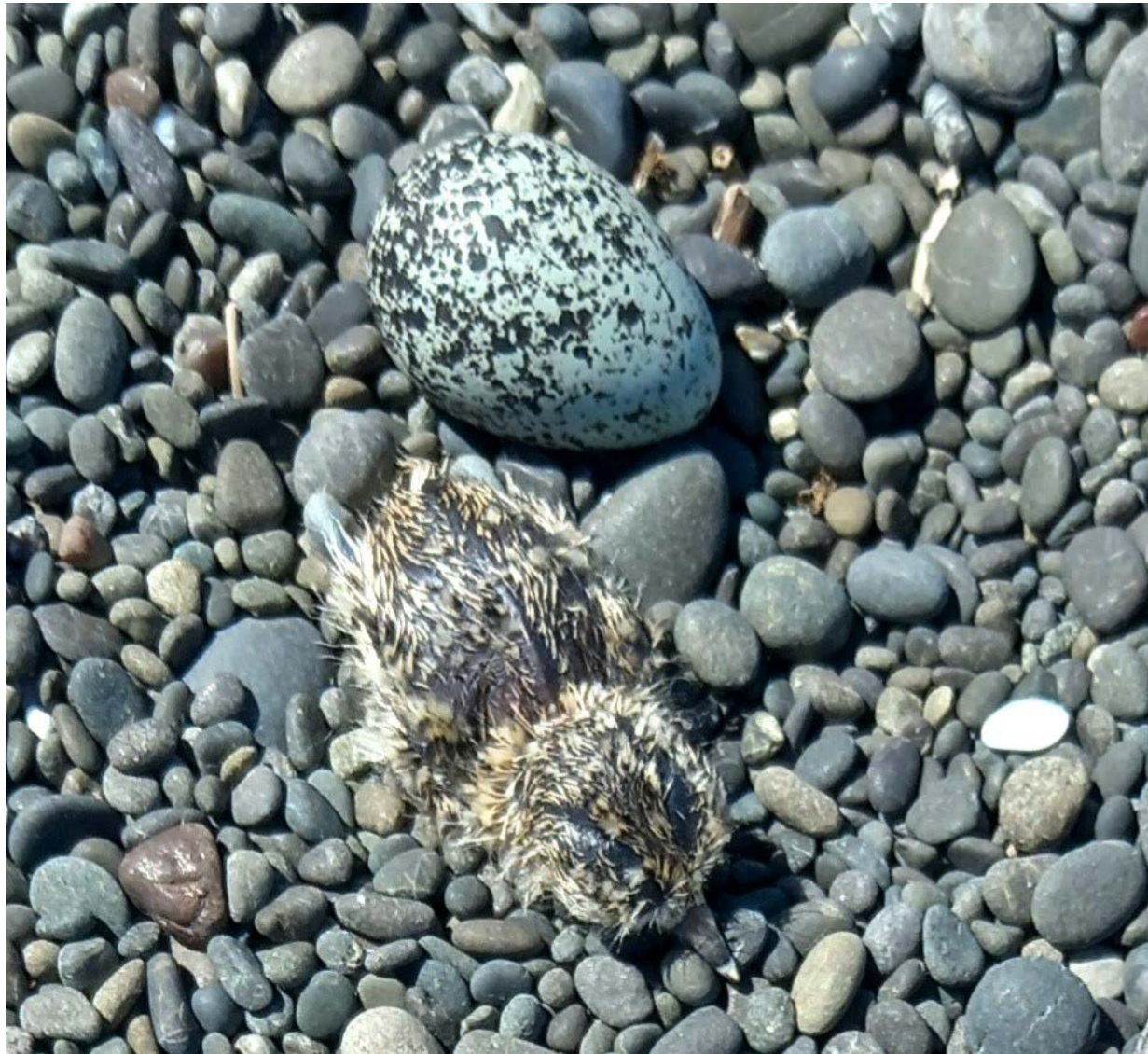
Meeting Date:	Tuesday 12 July 2022
Time:	9.00am – 2.45pm
Venue:	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier

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Pohowera Banded dotterels New Zealand Native Threatened with extinction

















Item 1 Attachment 1



Item 1 Attachment 1



Item 1 Attachment 1

Protecting our coastal and river birds

Hawke's Bay braided rivers and coastal beaches are home for birds that are only found in Aotearoa

Predators, human activity, and weeds are killing these birds and making it harder for them to breed. To help these birds please watch out for them, and take care especially when they are raising their chicks in spring and summer.

Protecting their whānau

When threats are near, such as human, dogs, and predators, adults run away from the nest and make loud noises, pretending they are injured to attract the threat away from the nest. The chicks know that this call means to 'freeze' at the spot, making them very vulnerable to predation and trampling.

Breeding

From August each year they breed on clean, weed-free braided riverbeds, creating well camouflaged nests that are hard to spot. Eggs and chicks both look like and are the size of cobbles. This makes it easy for them to avoid native predators, but makes them defenceless against predators such as hedgehogs, cats, rats, and humans.

Spot the eggs

Banded dotterel eggs and chicks look like stones and are hard to spot.

How you can help

River and coastal birds are particularly vulnerable when they are incubating eggs and raising chicks. You can help these birds by:

- Keeping dogs on leads
- Keeping an eye out for hard-to-spot nests
- Driving slowly on riverbeds or beaches and sticking to well formed tracks
- Staying at least 30m away from nests
- Spreading the word

For more info visit hbrc.govt.nz
Share your comments and bird pictures on our Facebook page: [@HBRegionalCouncil](https://www.facebook.com/HBRegionalCouncil).



Banded dotterel
Charadrius bicinctus

NATURALLY VULNERABLE
Endangered from North Island Brown



Black-fronted dotterel
Eisya melanotos

NATURALLY UNCOMMON
Threat status: AT RISK



Department of Conservation
Te Papa Atahua




HAWKE'S BAY
REGIONAL COUNCIL
TE KAHURIRIRI & ROHE O TE MATAU-A-MĀ



KEEP YOUR DOG OFF THE BEACH

Coastal wildlife and your dog



New Zealand's beaches provide several recreational opportunities for you and your dogs. Dogs are allowed on many of our beaches but must **always be kept under control**.

We share these beaches with some of New Zealand's special coastal wildlife, such as little blue penguins/ korora, shags/kōau, terns/tara, dotterels/tūturiwhatu and New Zealand fur seals/kekeno.

Wildlife can be present on any beach at any time and are easily disturbed. By **always carrying a lead** and following these few simple guidelines, dog owners will help ensure the wellbeing of wildlife.

If you come across wildlife on the beach:

- Put your dog on a lead when you are within 20 m
- Lead your dog away
- Warn other dog owners at the location
- Notify DOC if you see wildlife being harassed by people or dogs



DOC HOTline
0800 362 468
Report any safety hazards or conservation emergencies
For fire and search and rescue call 111

Department of Conservation
Te Papa Atawhai

New Zealand Government

Birds Nesting Kia Tupato

Please do not disturb



Variable Oyster Catcher
Torca - pango



New Zealand Dotterel
Tāturiwhatu

The ground nesting shorebirds using
this beach are threatened with extinction.

When passing through this area,
please help us save these birds by
remaining below the high tide mark
and giving the birds plenty of space.

 Department of Conservation
Te Papa Atawhai

New Zealand Government



Item 1 Attachment 1













Item 1 Attachment 1





Save the Dotterels, Hawkes Bay

Private group · 237 members



Joined ▼

+ Invite

About

Discussion

Featured

Rooms

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A dotterel pair in the process of building a nest.

Kaikōura's Banded Dotterel Study continues to shine a light on the serious plight of New Zealand's inconspicuous endemic shorebird.



Banded Dotterel Study Kaikoura

One nest has hatched 3 chicks. This one was very close. It never gets easier.

From: [Napier City Council](#)
To: [Dog Review](#)
Subject: NCC: Dog Control Policy and Bylaw [#427]
Date: Sunday, 12 June 2022 19:04:37

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Brittany Turlock
Daytime phone number *	[REDACTED]
Email *	[REDACTED]
Street name *	[REDACTED]
Country	New Zealand
City	[REDACTED]
City (Other) *	[REDACTED]
Suburb (Other) *	[REDACTED]
Are you providing feedback on behalf of a group or organisation?	No
Do you support retaining the current limit of two dogs in urban areas? *	Yes
Why/Why Not?	To support responsible dog owners and the best home environment for a dog. Other aspects of the number of dogs allowed at a residence should include, breed & exercise requirements.
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	No
Why/Why Not?	Responsible dog owners & their dogs require ample area for socialisation and dogs to play. By limiting additional areas to on-lead only areas this will create a bottle neck where owners are forced to travel to the limited off-lead areas within the region. The region's limited off-lead parks, such as Pakowhai dog park, are already suffering from overuse and overcrowding. The additional limitation of off-lead areas will increase this pressure and increase the risk of negative park experiences. By continuing to have existing off-lead areas allows for alleviation of public overcrowding and for a safer experience for all.
Do you support extending the prohibited area around Te Whanganui-a-orotu (Ahuriri Estuary) to protect endangered bird life? *	Yes
Why/Why Not?	Respecting and encouraging native & endangered bird life is extremely important. Unless dogs are meeting aviation awareness certifications, they should not be allowed in this area to aptly support New Zealand flora and fauna.
Do you support prohibiting dogs at	No

Watchman Road Reserve and Port
Beach West? *

Why/Why Not?	This area is one of the few areas in the region where families can safely swim and partake in a multitude of beach going activities with the family dog. By prohibiting dogs in this area you are forcing locals to travel additional distances to even more limited and dangerous beach spaces that allow and accommodate for the family. This will increase the pressure on already over crowded beaches that will support overuse and overcrowding while increasing risks of negative interactions.
--------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *

Yes

Why/Why Not?	In support of nesting birds and increasing the population of native New Zealand birds, promoting on-lead areas in specific seasons is responsible for both owners and dogs.
--------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Do you support the addition of an exercise area at Dolbel Reserve? *

Yes

Why/Why Not?	The addition of an exercise area at Dolbel Reserve will encourage locals to utilise the space for positive encounters. The exercise area will allow for responsible owners to increase socialisation, play time and to increase training opportunities. The creation of this exercise area will also allow for an alleviation of pressure on the region's limited overused and overcrowded exercises areas.
--------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please provide any further comments on the proposed Policy and Bylaw:

Napier council has the opportunity to support locals and continue creating and protecting safe, responsible and welcoming spaces for dogs & their owners. Rather than reducing residents and their dogs to the lowest common denominator and increasing pressure on the limited, overused and overcrowded parks; Napier council has the opportunity to support responsible community members. Protecting positive dog interaction areas and creating safe spaces for residents and their dogs, will to continue to build the region's reputation as an inclusive and multi-use city for locals and tourists alike.

Do you have files to attach to this submission?	No
-------------------------------------------------	----

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *	Yes
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Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Wednesday, 22 June 2022 20:46
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#572]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Bernie Kelly
Daytime phone number *	
Email *	
Street name *	
Country	New Zealand
City	
City (Other) *	
Suburb (Other) *	
Are you providing feedback on behalf of a group or organisation?	Yes
What is the name of your group or organisation? *	Birds New Zealand
Do you support retaining the current limit of two dogs in urban areas? *	Yes
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	Yes
Do you support extending the prohibited area around Te Whanganui-ā-orotu (Ahuriri Estuary) to protect endangered bird life? *	Yes
Why/Why Not?	Shorebirds present in the Estuary nest there.
Do you support prohibiting dogs at Watchman Road Reserve and Port Beach West? *	Yes
Why/Why Not?	Nesting Black Billed Gulls
Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *	Yes
Why/Why Not?	Outside the nesting season, Dogs off lead should be ok.

Do you support the addition of an exercise area at Dolbel Reserve? *

Yes

Why/Why Not?

Council needs to give dog owners more options to exercise dogs off lead

Do you have files to attach to this submission?

Yes



[submission on dog control policy and bylaw for.docx](#) 29.90 KB · DOCX

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *

Yes

Submission on Dog Control Policy and Bylaw for Birds New Zealand Hawke's Bay Branch.

It is very timely that Napier City Council is looking to review its policy on Dog Control bylaws.

It has come to the attention of organisations such as Birds New Zealand that there has been a significant increase in the number of dogs in our urban areas right across the country. There are situations where dog owners are unaware that their pets are violating rules laid down by councils. There are also situations where dog owners deliberately flout Dog Control laws.

It is essential that fragile ecosystems containing vulnerable wildlife such as nesting birds remain protected from uncontrolled dogs.

In our organisation's view, we would

- support the prohibited area of the Ahuriri Estuary but would **extend** it to include embankment bridge to Meeanee Quay, and also through to Pump Rd and Watchman Road.
- support the off-lead area between Bayview and Westshore March to June (i.e. **outside** the banded dotterel breeding time); require on-lead July to February (i.e. during banded dotterel breeding season).

Bernie Kelly
Regional Representative
BirdsNZ Hawke's Bay



Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Thursday, 23 June 2022 08:30
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#576]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Ailsa McGilvary-Howard
Daytime phone number *	
Email *	
Street name *	
Country	New Zealand
City	
City (Other) *	
Suburb (Other) *	
Are you providing feedback on behalf of a group or organisation?	Yes
What is the name of your group or organisation? *	The Kaikoura Banded Dotterel Group.
Do you support retaining the current limit of two dogs in urban areas? *	Yes
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	Yes
Do you support extending the prohibited area around Te Whanganui-ā-orotu (Ahuriri Estuary) to protect endangered bird life? *	Yes
Do you support prohibiting dogs at Watchman Road Reserve and Port Beach West? *	Yes
Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *	Yes
Why/Why Not?	Please see submission attached.
Do you support the addition of an exercise area at Dolbel Reserve? *	Yes

Item 1 Attachment 5

Please provide any further comments on the proposed Policy and Bylaw:

Thank you for this opportunity to speak on behalf of shorebirds.

Do you have files to attach to this submission?

Yes



[napier district council dog control policy and bylaw..docx](#) 48.94 KB ·

DOCX

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *

Yes

Dogs and dotterels – Submission to the Napier City Council from the Banded Dotterel Group of Kaikoura.

The Banded Dotterel Group of Kaikoura have embarked on a comprehensive study of banded dotterel reproduction and longevity. We are now entering our 8th year of research, which seeks to identify and measure the many individual threats to the survival of banded dotterel, and work to mitigate these threats as best we can.

In this submission we share a number of things about dotterel breeding and dotterel and dog interactions that show why strengthening the bylaw around nesting areas gets our support. We of course are unable to speak with knowledge on most of the places mentioned in the bylaw. However, it is heartening to see that you have worked to find a balance so that those who have dogs can also enjoy outdoor places, and those who don't enjoy meeting dogs can have their places too.

Our group would like to thank you for taking the step of strengthening the Napier Dog Control Bylaw to reduce the impact of dogs on banded dotterel. Banded dotterels (as well as most NZ shorebirds) have many pressures on their survival. Predation and nest disturbance take a significant toll on their ability to reproduce and flourish. Banded dotterel nests may be very widely spaced and are in areas that people are naturally drawn to also, for recreation or harvest. Nests and chicks are usually very difficult for humans to see or find without both intentionality, and some understanding of bird behaviour, so trampling or predation when it happens is often not recognised. Also, though endemic to NZ, banded dotterel is poorly protected by legislation, and initiatives on dog control, particularly around nesting areas, are very important for their future.

We would recommend just two tweaks to the “dogs on leash” policy for the beach breeding area during the breeding season; firstly, that a short-leash is specified in the bylaw, and secondly that owners are asked also to be alert in areas of breeding habitat, or bird foraging. With the wide-use of retractable leads, many walkers effectively use these leads to enable their pets to wander with a wide amount of freedom. Because an owner is often not fully attentive to their animal, a nest or chick predation that happens is not obvious. Both egg and chick can be almost impossible to see without someone really looking out for them, or even if a person is. Dogs can have a foraging and scavenging behaviour on the beach, so damage to dotterel reproduction usually goes unrecognised unless someone is observing the dog through binoculars, or looking for it very deliberately.

Why and how do dogs create problems for ground-nesting shorebirds, particularly the camouflaged dotterel species?

Smell is by far a dog's dominant sense for scavenging, hunting and finding food. One of the things that makes banded dotterel so difficult to protect is that their survival “smarts” are associated with invisibility, especially on the nest, or in the chick phase. Their behaviour is usually cryptic in an attempt to protect themselves, their chicks, and their nests. People are unable to see them, so imagine they are not there, but dogs easily sniff them out. We often find dog prints which lead from nest to nest.

Though dotterels can't be easily seen by us and without the presence of mammals in their past, there has been a lack of evolutionary pressure for them to minimise their smell. This means that their bodies, nests, eggs and chicks emit a strong bird odour which dogs (and other mammalian predators) are very attracted to. Though it is difficult to measure the exact proportion of nest and chick failure due to dogs specifically, what we see in the field shows us that dogs are one of the particularly significant threats.

A dotterel family will leave the nest when the hatching of their final chick is complete. This means that in the 6-week nomadic phase, dotterels and chicks can be found on almost any part of the beach.

Dogs impact dotterel breeding in two main ways, either through direct predation of eggs and chicks, or through increasing the stress-load on the adult birds. Research on other bird species shows us that stress challenges bird health and their immune system, changes their behaviour and makes them more skittish on the nest (and therefore less successful in reproduction overall).

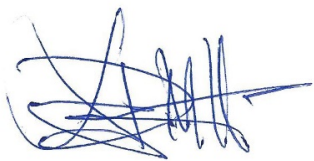
Shore birds are high energy species both in the amount of food they need to consume, and the amount of energy that is directly expended in successful reproduction. Everything about the banded dotterel's breeding cycle is drawn out, which puts them almost continually at risk for up to 10 weeks at a time. Incubation is long (at around 28+ days they continue to be a sitting duck, as it were, for a long time). Chick growth and development are slow, and fledging (where the chicks are more likely to be able to protect themselves from dogs by flying away), does not happen till at least 5 and a half weeks). Each clutch of 3 eggs weighs half the weight of the laying female. Though chicks are self-feeding, both parents are usually fully engaged in instructing their chicks for at least the first 4 weeks. (The male usually parents alone for the final 2 weeks till independence). At any stage, whether predation is of eggs or chicks, or sometimes an adult bird, the investment by the adult birds has been extreme.

It is usually very difficult for dog owners (and this was myself included) to see the fear that their dog generates in other species. Small dogs and terriers can be particularly aggressive to dotterels. Even though many people tell us their dog wouldn't hurt a thing and the birds having nothing to fear, the dotterels do not know this. Through their own past interactions with dogs, or through the warnings given by their parents when they were chicks, they are extremely fearful of dogs. In the presence of dogs, they are flighty and anxious. Many times, we observe the adult startle on the nest when a dog enters an area. Birds on the nest will even startle from a dog that is barking in the far distance. We also see many incidences of dogs chasing dotterels into the water, snapping at their tails as they fly away, and the owner is usually oblivious, or neither cares, nor understands the issues. Many dogs love the joy of the chase. Even if a dog is only chasing a stick thrown in close range by a non-observant owner, a dotterel is often not aware that they themselves are not the target and will fly off the nest like it is flying for its life. When the adult is away from the nest and until it returns, the nest is left exposed. Without the adult bird protecting it, the risk to the eggs from naturally predatory birds flying overhead, rises steeply. Having naturally high energy needs, shorebirds can expend much precious energy being chased by dogs (or when they think this is happening); another reason why it is important to have a dog on a lead to prevent this dynamic.

We see some predation that can be directly attributed to dogs. However, we are sure there is much more happening than we ever get to observe. Hence, strengthening dog control on breeding beaches during the breeding season will make a difference to breeding success.

Thank you once again for your commitment to supporting wildlife. We look forward to presenting this submission and answering any further questions.

Ailsa McGilvary-Howard QSM

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Lead researcher, Kaikoura Banded Dotterel Group.

Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Thursday, 23 June 2022 14:08
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#587]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Louis Pierard
Daytime phone number *	
Email *	
Street name *	
Country	New Zealand
City	
Suburb *	
Are you providing feedback on behalf of a group or organisation?	No
Do you support retaining the current limit of two dogs in urban areas? *	Yes
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	No
Why/Why Not?	Would like to see river bank at end Guppy Road stay off lead area
Do you support extending the prohibited area around Te Whanganui-ā-roto (Ahuriri Estuary) to protect endangered bird life? *	Yes
Do you support prohibiting dogs at Watchman Road Reserve and Port Beach West? *	Yes
Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *	Yes
Do you support the addition of an exercise area at Dolbel Reserve? *	Yes
Do you have files to attach to this submission?	Yes

Item 1 Attachment 6



[pierard_dogsub.pdf](#) 128.39 KB · PDF

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *

No

Louis Pierard

[REDACTED]
[REDACTED]
[REDACTED]

June 23, 2022

Submission to Napier City Council re changes to dog bylaws

I have no issues with the council's intention to protect native bird life, although I will continue to cavil at the principle entrenched in local body policy (and of which I am reminded each time my car scrapes over a speed bump) that all must be inconvenienced for the sins of a few.

If responsible dog owners must have their trained dogs' freedom further circumscribed, then may I respectfully suggest a reasonable quid pro quo?

I frequent Park Island, walking a circuit with my dog usually twice a day, socialising the dog and exercising both. I consider Park Island and its ongoing upkeep a major asset for Napier citizens (to the point where I'm happy to be paying rates!) and I commend park staff for the continuous attractive planting mowing and maintenance of the tracks.

However, something needs to be done about the drainage. After a heavy downpour the eastern side (archery targets) floods, and the smell of the fermenting grass is nauseating. In the past week the whole field has been swamp, and does not fully drain away except in the height of summer.

On the northern side, opposite the new housing development (which may have contributed to drainage issues) it is worse. While sedges etc have been planted there, the waterway never fully dries out and in summer it is not refreshed by rain. The path regularly floods, and the surrounding grass becomes a bog, spattering owners and dogs with mud

Near the small bridge a septic wallow forms in warm weather and poses a severe health threat to dogs whose owners lack the will or wit to train their charges not to play in it. I know of two dogs that have been hospitalised with serious infections contracted there, and in the past three summers I have been tempted to erect a biohazard sign in that spot for the benefit of unsuspecting owners.

Adequate drainage would go a long way to making Park Island the idyll the council hopefully intends.

Of course, if it really is the council's intention to create a wetland at Park Island, then it must follow that the park will become an on-lead only area to protect the consequent increase in waterfowl.

On a related note, I urge the council to consider the folly of framing bylaws that it has little or no intention of enforcing.

How about policing the dog poop rules? I diligently pick up my dog's faeces and I am grateful to the council for providing bags bins and bins for me to do so. Yet I am always having to dodge dog turds on or near the paths. I see owners ignoring their voiding dogs in

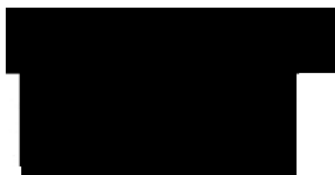
full public view. I have no qualms about reminding others to follow the rules, but not everyone is prepared to confront a delinquent owner.

Like littering, people let their dogs foul public places because they can. On the one hand the council appears to believe it can appeal to owners' sense of public duty to pick up their dog's litter while on the other it makes no concession to those who have trained their dogs not to chase native birds.

I am convinced most dog owners would be glad to see their annual tax go towards controlling owners who treat littering bylaws with contempt by allowing their dogs to foul walkways.

Yours sincerely

Louis Pierard



Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Friday, 24 June 2022 12:24
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#601]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name * Michele Grigg

**Daytime
phone
number ***

Email *

**Street name

Country New Zealand

City

Suburb *

**Are you
providing
feedback on
behalf of a
group or
organisation?**

**Do you
support
retaining the
current limit
of two dogs
in urban
areas? ***

**Why/Why
Not?** Sensible to retain these limits.

**Do you
support all
areas, other
than those
specified in
the Policy or
Bylaw, being**

Item 1 Attachment 7

**on-lead
areas? ***

Why/Why Not?

Dogs, and people(!) need adequate space to run free. If lockdown taught us anything, it was the benefits of getting out and properly being able to exercise. Sadly, it also taught us that many dogs suffered because of a lack of exercise. Council has a role under the Local Government Act to promote community wellbeing. This change is disadvantaging dog owners and dogs simply as a means of managing Council's dog control officers' time (based on recent media statements).

It's also obvious when looking at the map of proposed dog exercise areas that there are limited options for residents living in and around Taradale and the same for Bay View and the Hill. Council should be encouraging people to walk from home with their dog/s - not jump in a car and drive some distance to find a 'dog friendly' dog exercise area. This goes against all that Council should be aiming to achieve for happy, healthy dogs and enhanced community wellbeing.

**Do you Yes
support
extending the
prohibited
area around
Te
Whanganui-
ā-orotu
(Ahuriri
Estuary) to
protect
endangered
bird life? ***

Why/Why Not?

Reluctantly support this as I can see the reason. However, unless it's enforced there will be no point whatsoever. Just take a look at the huge number of bikes that go around the estuary paths with some regularity - every time I walk my dog around there (on the leash as requested!) there are cyclists/mountain bikes when the signage is quite clear there shouldn't be.

Is this proposed change going to be monitored and enforced? And by who - is this a DOC role? If so, I can't see them (or Council in fact) having the resource to enforce no matter how much signage is put up around the estuary.

**Do you Yes
support
prohibiting
dogs at
Watchman
Road
Reserve and
Port Beach
West? ***

Why/Why Not? Good to protect the natural habitat and that the other Port Beach remains open to on leash dogs (but I doubt people will take no notice of that).

**Do you Yes
support
seasonal on-
lead
requirements**

along the
beach
between
Westshore
and Bay
View to
better
protect
nesting
birds? *

Why/Why Not? Protecting the nesting birds makes complete sense BUT needs to be well sign posted.

Do you support the addition of an exercise area at Dolbel Reserve? *

Yes

Why/Why Not? 100% yes. Total lack of dog exercise areas in Taradale.

Please provide any further comments on the proposed Policy and Bylaw:

I also request Council considers an extension of the Kennedy Road/Taradale Road off leash area along Riverbend Road. On the maps this finishes at Taradale Road, yet the reserve continues down to Ford Road. Please see attached image. It would be useful to have this connectivity the same as what you are proposing for the Kennedy Rd/Taradale Rd segment along Douglas McLean/Alpers Ave.

It appears there's limited off leash areas in Taradale and in Bay View.

Overall, it's a shame that a minority of irresponsible dog owners have brought us to this point of having to so radically modify the on leash/off leash definitions. At the end of the day, if this policy is adopted as proposed, I'm not sure it will make a lot of difference to the impact on dog control officers' workload. Dogs need room to run - owners should be able to provide this for their dogs within walking distance of their homes and not have to jump into a car and drive to find somewhere (not practical at this time of year for workers who leave and return home in the dark :)

Do you have files to attach to this submission?



[ford road taradale road connection.png](#) 144.21 KB · PNG

Do you want to present your feedback in person at the

No

Dog Control
Policy and
Bylaw
Review
Council
meetings on
Wednesday
12 July or
Thursday 13
July 2022? *

Item 1 Attachment 7



Item 1 Attachment 8

Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Friday, 24 June 2022 16:48
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#606]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Gavin Ide
Daytime phone number *	
Email *	
Street name *	
Country	New Zealand
City	
Suburb *	
Are you providing feedback on behalf of a group or organisation?	No
Do you support retaining the current limit of two dogs in urban areas? *	Yes
Why/Why Not?	Also refer to attached submission re approvals for three or more dogs in urban areas
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	No
Why/Why Not?	Refer to attached submission re suggested improvements to this part of the Policy and Bylaw.
Do you support extending the prohibited area around Te Whanganui-ā-roto (Ahuriri Estuary) to protect endangered bird life? *	Yes
Do you support prohibiting dogs at Watchman Road Reserve and Port Beach West? *	Yes
Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *	Yes
Do you support the addition of an exercise area at Dolbel Reserve? *	Yes

Please provide any further comments on the proposed Policy and Bylaw:

Refer to attachment for further comments.

Do you have files to attach to this submission?

Yes



[submission by gavin ide on ncc draft dog control policy and bylaw 2022.pdf](#)

1.68 MB · PDF

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *

Yes

Submission on Napier City Council draft Dog Control Policy and Bylaw 2022

Submission by Gavin Ide

24 June 2022

My submission focuses on three themes:

- Removal of 'controlled areas' to 'on-lead areas'
- Reclassification of some unspecified areas (i.e. on lead areas) to become dog exercise areas
- Permits for owning three or more dogs in urban neighbourhoods.

1. General Comments

Napier has a great range of open spaces for a range of activities, ages and degrees of accessibilities. The Dog Control Policy and Bylaw should continue to enable those open spaces to be used for enjoyment by people and their families, including their canine family members.

Clause 1.2 of the draft Policy acknowledges that the Dog Control Act requires Napier City Council to have regard to "the exercise and recreational needs of dogs and owners" amongst several other considerations. For the most part, the proposed Policy and Bylaw appear to strike a reasonable balance of those considerations in relation to responsible dog ownership and exercise. In my submission below, I highlight several matters where the Policy and Bylaw could be further improved.

I acknowledge that this Policy and Bylaw are focussed on control of dogs in Napier City. I look forward to the day when Napier City Council takes steps to apply similar policies and bylaws for other domesticated companion animals. For example, the roaming and hunting behaviours of cats can have big impacts on biodiversity, and can cause a nuisance to neighbours with cats defecating, marking territories and having noisy 'turf-wars'. I say this in my submission to remind you that dogs are not the only potential source of animal behaviour-derived neighbourhood nuisances and threats to our special biodiversity places.

2. Removing 'controlled areas' to become 'on-lead areas'

The 'Statement of Proposal' document says the reason for removing 'controlled areas' to become 'on-lead areas' is one of removing ambiguity and improving enforcement of the Dog Policy and Bylaw. I submit that the removal of 'controlled areas' will create perverse unintended consequences, particularly for 'responsible' dog owners who want to abide by the rules, even if the rules are nonsensical in some places.

It seems that the removal of the 'controlled area' category will mean the flexibility of on-lead or 'under control' areas will now require dogs to be on leads at all times, regardless of their training, recall, control and exercise needs. Some dog breeds and younger dogs need to play 'go fetch' or 'stretch their legs' off a lead, while still under their owner's voice "control."

Clause 1.3 of the draft policy says the focus of implementing the draft policy 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.*" It is questionable if the removal of the 'controlled areas' category will indeed assist NCC in that implementation focus. Instead it may erode the welfare of dogs and enjoyment of lots of responsible dog owners who do have well-trained dogs and good voice command control of their canine family members.

Decision sought:

NCC reconsider re-inserting the 'controlled areas' category.

3. Reclassification of places as dog exercise areas (Policy 9.1 - 9.4, Bylaw Clauses 10-12 and Schedules 1 & 2)

When read together, the Policy and Bylaw classify substantial areas of open space reserves in vicinity of Parklands Estate/Park Island as on-lead areas. This is due to the 'on-lead' classification being the default classification. That classification would be a substantial contradiction to how these spaces are already being used (as 'controlled areas'). One reason for this may have been that the earlier 2014 Bylaw simply did not identify those areas as they were relatively new open spaces emerging through NCC's Parklands subdivision development. I submit that the reserves along Tamatea Drive, Prebensen Drive and Orotu Drive are all re-classified as 'off-lead' areas (for indicative map, see Attachment 1).

Reclassifying those areas as off-lead areas would place them in Schedule 2 of the Bylaw alongside similar off-lead greenbelts and reserves like the Plantation Reserve, Alexander Park and the drainage reserve adjacent to Westminster Avenue.

Some persons may be concerned that the pathways along Tamatea Drive, Orotu Drive and Prebensen Drive are frequently used by cyclists. The pathways are shared spaces and similar shared pathways also exist in parts of Alexander Park, Plantation Reserve and Westminster Avenue drainage reserve. Cyclists have choices for routes and pathways that they use, dogs and their owners don't have as much free choice. Some may have concerns that unleashed dogs are unpredictable and could cause a pathway cyclist to have an accident. To that, I'd say similar risks exist with unpredictable movements of children on the shared pathways too, but children aren't required to be tethered to their parents. Cyclists should also exercise their own degree of care and caution when approaching other pathway users. Yet based on personal experiences, unfortunately some cyclists [wrongly] think they have some superior right of way on those pathways. The exercise and recreational needs of dogs and their owners should not be further constrained and penalised in those shared pathway/greenbelt reserve areas simply because of a *potential* nuisance situation arising with cyclists on the pathways.

'Interim' Dog Exercise Area category

Adjacent to the Orotu Drive reserve is land previously used for operations of NCC's Lagoon Farm. Those farming operations have now ceased (except for occasional seasonal hay baling activities).

In Attachment 1, my submission illustrates an area that I suggest could be classified as an 'interim' exercise area until such time as the Council passes a resolution to revoke that interim status in part or as a whole. Occasions when the interim status could be revoked might be when housing development is imminent (eg. nearer Aspiring Drive, or when new playing fields are developed as per the Park Island Master Plan some time, probably years, in the future). In the meantime, this large open space of grass, trees and few other uses can at least be utilised as on off-lead place for the exercise and recreational needs of dogs and owners.

There may be other locations elsewhere in Napier City where a similar 'interim' dog exercise area is appropriate in the meantime until the intended end-use of that land is developed.

Decision sought:

Amend Dog Control Policy and Bylaw as relevant so that:

1. the following (also see Attachment 1) are classified as 'Exercise Areas (off-lead):

- a) the pathway and reserve adjacent to Tamatea Drive (from Pacific Avenue through to Prebensen Drive)
- b) the pathway and reserve adjacent to Orotu Drive (from Prebensen Drive through to Westminster Avenue)

- c) the pathway and reserve adjacent to Prebensen Drive (from Tamatea Drive through to at least Clyde Jeffery Drive), including the open space beside the existing dog agility facility at Park Island and
- d) the old Embankment Road and rail bridge from its northern abutment south to the trail's intersection at Prebensen Drive).

2. a new 'Interim Exercise Area (off-lead)' dog access area category is added and
3. the area adjacent to Orotu Drive extending west to Park Island playing areas and north to Aspiring Drive (as illustrated in Attachment 1) is identified as one of those new 'Interim Exercise (off-lead) Areas.

4. Permits for owning three or more dogs in urban areas (Policy 8.2 and 8.3)

By default, the Policy will impose a limit of two dogs per property in urban areas. I support that. Clause 8.3 enables NCC to grant approval for three or more dogs to be kept on an urban property *"if it can be satisfied that any potential impacts on surrounding neighbours and activities can be suitably managed."*

I submit that in order for NCC to be properly informed and become satisfied of the above, then NCC must at least invite written comments from neighbours on the request to keep three or more dogs on a nearby urban property.

Decision sought:

Amend Dog Control Policy and Bylaw as relevant to ensure that prior to making a decision under Clause 8.3 for an application to keep three or more dogs on an urban property, that NCC (or its officers) notifies neighbours and invites written feedback from those neighbours on the application.

5. Additional comments

- Clause 6.4 is supported (provision of waste bins), but there are very few bins along the reserve areas I have mentioned in my submission points above. In some instances, the only available bins for long distances are often placed in reserves near playgrounds where dogs (even on leads) are prohibited from venturing.
- The provision of waste-bag stations at high-use sites is supported and more of those installations are encouraged to make Napier a better dog-friendly city.
- Support the proposal (and therefore retain status quo) that in Policy and Bylaw the prohibited area of sportsgrounds is **only the playing areas of sportsgrounds** in parks that are prohibited to dogs, all other areas in parks are proposed as on-leash areas. The 'edges' of many of the City's sportsground reserves are ideally suited for the exercise of dogs and their owners.

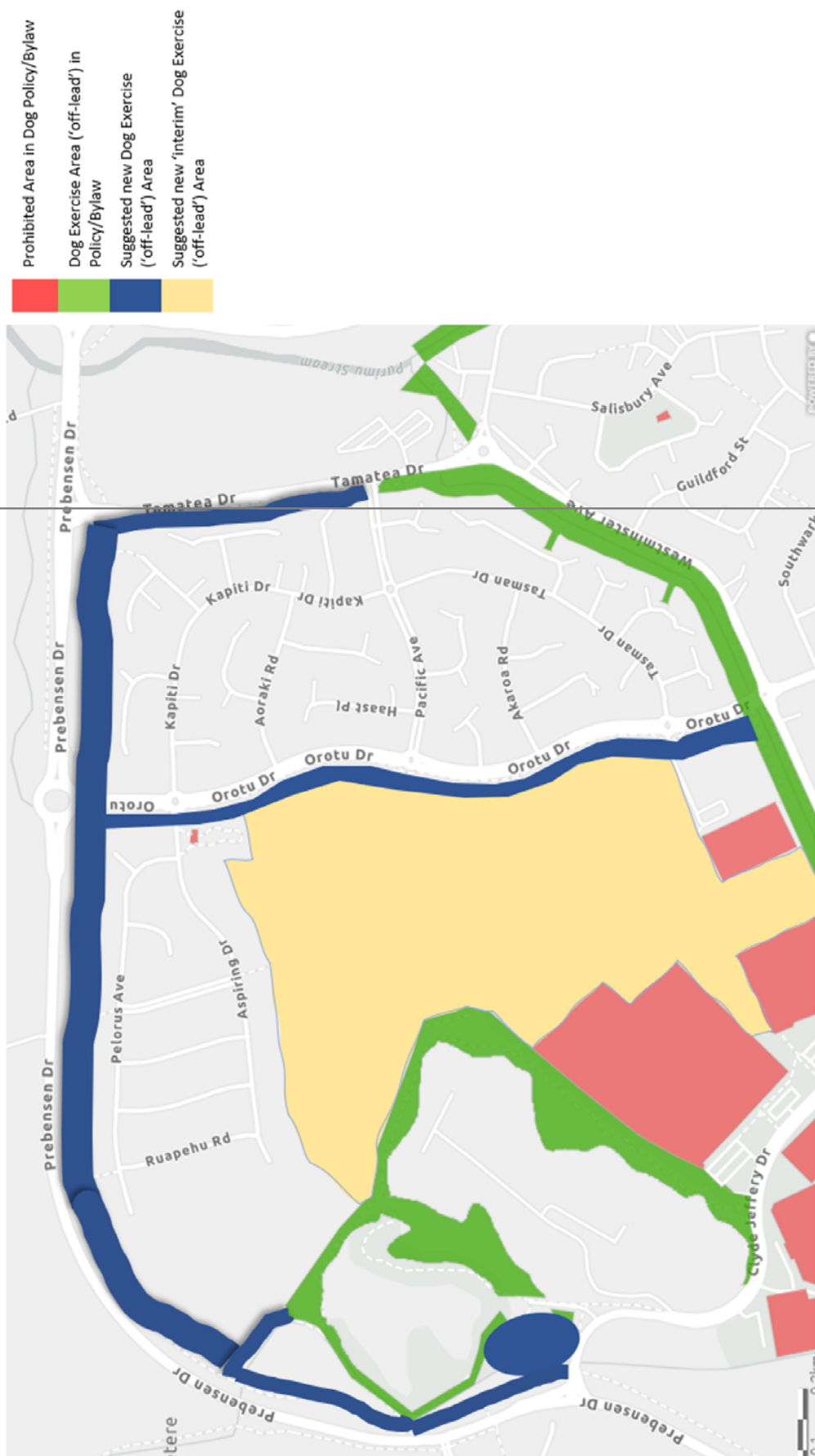
Thank you for the opportunity to make this submission. I would like to be heard at a hearing on the draft policy and draft bylaw, if a hearing is to be held.

Kind regards,

G Ide,

24 June 2022

Attachment 1 – indicative location of suggested new off-lead dog exercise areas near Parklands/Park Island



Gavin Ide's presentation to Napier City Council Dog Control Bylaw hearing – 12 July 2022

Submission document reference #606 (Doc ID#1478297)

Good morning Mayor and Councillors

I have two miniature schnauzers. Both are registered. We have had dogs in our household for over 20 years.

Four key points for my presentation and your consideration cover:

1. Removal of 'controlled' areas to become 'on-lead' areas
2. No staff report commentary on:
 - a. identification of extra 'exercise areas' – an oversight?
 - b. suggested new category as 'interim' exercise area.
3. Inviting neighbours' comment prior to granting permission for 3+ dogs on a property
4. A "minor amendment" for pathway between Prebensen Drive and Old Embankment Road bridge.

1. On-lead areas	Should not confirm this reconfiguration of categories until you have considered suggestions for additional off-lead areas (& by association, prohibited areas too).	
2. Staff reporting	<p>I've reviewed the staff report in the Agenda pack. I ran several keyword search combinations, yet I could not find any staff commentary on identification of extra 'exercise areas' (other than those specifically mentioned in the Statement of Proposal consultation document). SIL Research's report provides great analytics, but little qualitative account of extra suggestions raised in submissions.</p> <p>In my submission, I had suggested defining a number of the pathways and greenbelt reserves around Parklands/Park Island as 'exercise areas.' This would place them on par with many other greenbelt reserves throughout the City.</p> <p>I had also suggested a somewhat 'novel' idea of an 'interim' dog exercise area category. The example I used in my submission was an area nested between Orotu Drive and Park Island sportsgrounds. This area is earmarked for future sportsfields and residential development, but in the meantime, my submission suggests this should be endorsed as an off-lead dog exercise area. The 'interim' category could be suitable to other locations in Napier City.</p> <p>In section 1.5.2 (page 8 of Agenda), the report claims "<i>Council has considered dog access rules in a comprehensive manner.</i>" I disagree. A comprehensive consideration of dog access rules requires Council to give proper consideration to the extra suggestions that have been made in submissions, including mine. Contemplating only the handful of particular places mentioned in the Statement of Proposal consultation document is insufficient.</p>	

<p>3. Permits for 3+ dogs (Agenda p8)</p>	<p>Support staff's recommendation to retain limit of 2 dogs without a permission permit. For three or more dogs on a property, the Policy & Bylaw should be amended so that the Council invites written comments from adjoining neighbours PRIOR to making a decision. Otherwise, unclear how the Council can properly inform itself about conditions and circumstances of the application for 3+ dogs on a property.</p>	
<p>4. Staff rec'ns (Agenda p3)</p>	<p>At page 3, Recommendation (a) simply asks Council to <i>"note the contents of the report including a minor amendment to the Estuary Map."</i></p> <p>I urge you to reject that recommendation. The "minor amendment" referenced by staff is far from anything "minor" and will have perverse consequences.</p> <p>It appears staff are recommending that extended prohibited area based on advice from Mr Tony Billing (Apdx 1). With all due respect to Tony, his advice is relatively one-dimensional as a wildlife expert. As Councillors, you have a range of additional factors to weigh in your decisions.</p> <p>Tony Billing's advice blurs disturbance from off-lead roaming dogs versus dogs on-lead with their responsible human guardian. The prohibited extension would disconnect a wonderful network of shared pathways for cyclists, walkers and dog walkers alike.</p> <p>It would discriminate against dogs as only one type of <u>potential</u> disturbance to wildlife in that area. There are visual screens already in several key places along the pathway to harbour most vulnerable locations of estuary wildlife habitat. The pathway should remain an ON-LEAD – NOT prohibited.</p> <p>If you are minded to extend the prohibited area around the Ahuriri Estuary, then at the very least that prohibition should NOT apply to the shared pathway between Prebensen Drive, over the tide gates, under the Expressway and up to the Old Embankment Road bridge.</p>	

Thank you for the opportunity to present my submission.

Nga mihi

Dated: 12 July 2022

Kathryn Hunt

From: Napier City Council <no-reply@wufoo.com>
Sent: Friday, 24 June 2022 16:57
To: Dog Review
Subject: NCC: Dog Control Policy and Bylaw [#607]

Caution: This email originated from outside Napier City Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Full Name *	Arnja Dale
Daytime phone number *	
Email *	
Street name *	
Country	New Zealand
City	
City (Other) *	
Suburb (Other) *	
Are you providing feedback on behalf of a group or organisation?	Yes
What is the name of your group or organisation? *	RNZSPCA
Do you support retaining the current limit of two dogs in urban areas? *	No
Do you support all areas, other than those specified in the Policy or Bylaw, being on-lead areas? *	No
Do you support extending the prohibited area around Te Whanganui-ā-orotu (Ahuriri Estuary) to protect endangered bird life? *	Yes
Do you support prohibiting dogs at Watchman Road Reserve and Port Beach West? *	No
Do you support seasonal on-lead requirements along the beach between Westshore and Bay View to better protect nesting birds? *	Yes
Do you support the addition of an exercise area at Dolbel Reserve? *	Yes
Do you have files to attach to this submission?	Yes



[submission by the spca on napier city council dog policy and bylaw 2022.pdf](#)

975.26 KB · PDF

Do you want to present your feedback in person at the Dog Control Policy and Bylaw Review Council meetings on Wednesday 12 July or Thursday 13 July 2022? *

Yes



Submission by the
Royal New Zealand Society for the
Prevention of Cruelty to Animals Inc.
on the proposed Napier City Council Dog Control
Policy and Bylaw

22nd June 2022



Executive Summary

- SPCA is concerned about the impacts of the dog limit on fostering and welcomes clarification.
- SPCA supports clarification of dog access rules but is concerned about the change of default dog access from 'off-leash' to 'on-leash'.
- SPCA supports protection of wildlife through restricted dog access but cautions that reduction in off-leash dog exercise areas must be balanced with the creation and designation of additional, appropriate off-leash exercise areas. Providing dog owners with safe and appropriate areas for exercising dogs is important to facilitate meeting dogs physical, health and behavioural needs under the Animal Welfare Act 1999.
- SPCA advocates for the inclusion of a clear pathway for review of menacing classification, with eligibility based on demonstrated steps towards responsible dog ownership.



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Introduction

The following submission is made on behalf of The Royal New Zealand Society for the Prevention of Cruelty to Animals (trading as SPCA).

SPCA is the preeminent animal welfare and advocacy organisation in New Zealand. The Society has been in existence for over 140 years with a supporter base representing many tens of thousands of New Zealanders across the nation.

The organisation includes 35 Animal Welfare Centres across New Zealand and approximately 60 inspectors appointed under the Animal Welfare Act 1999.

SPCA welcomes the opportunity to make a submission on the Napier City Council Dog Control Policy and Bylaw.

Submission

Feedback on options for consideration

4.1 Limitation on the number of dogs (Bylaw)

SPCA reluctantly supports Option A2 but seeks further clarity on how dog limits impact fostering.

SPCA acknowledges the mechanisms which allow people to apply for a permit to own multiple dogs are a reasonable compromise, however we consider the limit of 3 as too low. SPCA is also concerned that there may be unintended consequences resulting from this restriction, particularly as this may discourage fostering.

It is not clear how the dog limit applies to people fostering dogs for animal shelters. Fostering may sometimes mean someone temporarily may have more dogs for a period of a few weeks or a few months. Foster carers are vital to the operations of many animal shelters and their capacity. The shelter environment can be a stressful environment for many animals. The ability to be housed in a home environment while recovering or awaiting adoption is important for the welfare of dogs and reduces the risk of behavioural problems developing.



SPCA welcomes opportunities for discussions with Council to seek clarity on fostering.

4.2.1 Dog Access Areas definition amendments (Bylaw and Policy)

SPCA supports option B2, Change the Dog Exercise Areas definitions to - 'Prohibited Areas', 'On-leash Areas' and 'Exercise Areas' but is concerned about the change of default dog access from 'off-leash' to 'on-leash'.

SPCA supports the clarification of definitions. However, SPCA cautions that changing the default dog access from 'off-leash' to 'on-leash' will necessarily remove a large number of areas currently used for off-leash exercise. On-leash exercise is not a substitute for off-leash exercise. The proposed reduction in off-leash areas must be balanced with creation of additional, appropriate off-leash dog exercise areas.

While dog parks are a wonderful resource, it is important to note that dog parks are not suitable for all dogs (for example, socialising puppies, timid or reactive dogs, etc.) and alternative off-leash exercise areas are needed to allow dog owners to comply with the restrictions without negatively impacting their dog's welfare and their own quality of life.

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

SPCA agrees that it makes sense to continually review and upgrade Dog Access Areas to make them relevant for all. SPCA also supports the restriction of dog access in specific areas where a credible threat to vulnerable wildlife has been identified.

However, SPCA advocates designation of areas 'prohibited' or 'on-leash' should be balanced by an increase in designated off-leash dog exercise areas. The Society believes that Council must take on board feedback from local residents regarding whether the dog policy and bylaw provide adequate provision of appropriate dog exercise areas.

There is a legitimate need for safe, appropriate designated off-leash areas to provide alternatives to those areas where the presence of off-leash dogs is potentially detrimental to wildlife, farmed animals and other users of public lands. Provision of designated off-leash areas is likely to improve compliance with the restrictions and allow dog owners to provide their dogs with exercise and mental stimulation.



Legally, all dog owners must meet the physical, health and behavioural needs of their animals, and providing sufficient exercise is a part of this requirement. The Code of Welfare for Dogs (2018) recommends that dogs are given at least 60 minutes of exercise a day. Some dog owners may be reluctant to exercise their dogs if they have less flexibility about where they can do this within their local area. SPCA believes that it is beneficial for everyone to give owners the choice and variety of locations for walking their dogs.

Evidence suggests that off-leash dog exercise areas can benefit owners' and dogs' physical and social health, as well as community connectedness (Cutt et al., 2007; Eldering et al., 2017; González Ramírez et al., 2014; Toohey et al., 2013). Dogs walk faster than people and providing off-leash time is a great way to let them work off their excess energy. Canine obesity is now considered to be the number one health concern in companion dogs worldwide (Kipperman et al., 2018). Dogs walked less often and for a shorter time are more likely to be obese; this can shorten their life and put them at risk of health complications such as diabetes and heart disease (German et al., 2017).

Dogs who are not provided with sufficient exercise can be both bored and have lots of energy. Dogs not provided an appropriate outlet for their energy can develop problem behaviours such as nuisance barking and destructive behaviours or depression (Instone et al., 2014). Exercise is an easy, inexpensive, welfare-friendly tool to assist with nuisance barking (Righetti, 2005). Thus provision of off-leash exercise opportunities is a key component of the Council's objective to prevent or abate nuisances.

Additional feedback on proposed Dog Control Policy and Bylaw

Bylaw - Definitions

The definition of 'At large' ('the dog is off leash and kept under control at all times') is not consistent with how this term is used in the Dog Control Act (i.e. dogs not under control).

Bylaw - 8.2 Dog Faeces

SPCA does not understand this exemption for working dogs and believes all dog owners must be held responsible for immediate removal and disposal of their dog's faeces in public places to reduce spread of disease and parasites.



Bylaw –10.2(b) Prohibition of Dogs in Public Places

SPCA supports the exemptions for pedestrian access to owner’s residence and veterinary practice. However, SPCA advocates that this is expanded to other necessary pet care services, for example groomers, to allow dog owners, to meet their obligations under the Animal Welfare Act.

Policy – 11 Classification of Menacing Dogs

Menacing classification has direct negative impacts on a dog’s welfare. SPCA urges Council to consider adopting a review process which provides owners of dogs classified as menacing due to behaviour with an opportunity to have their dog's classification reviewed after 12 months, if the owner is able to provide evidence of completing a dog training course (at the owner's expense) and the owner has not obtained any infringements in relation to the dog within the 12-month period. This approach is in line with the Council’s stated educational approach to dog control issues. This approach has been adopted by other territorial authorities (for example see Auckland Council Dog Bylaw) and incentivises human behaviour change and adoption of responsible dog ownership practices.

Policy – 12.2 Working Dogs

SPCA suggests that “guide dogs” and “hearing ear dogs” in the bullet point list should be replaced by “disability assist dogs” in line with the Human Rights (Disability Assist Dogs Non-Discrimination) Amendment Bill 2021.

Conclusion

SPCA appreciates the opportunity to contribute to the Napier City Council Dog Control Policy and would welcome further engagement on this issue. If any further information is required, the Society is happy to discuss this matter further.



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