



Notice of the ordinary meeting of the

Environment Committee – Hearing of Submissions – Dog Control Policy and Bylaw Review

Kōmiti Taiao

Date:	Tuesday 21 April 2020
Time:	1.00p.m.
Location:	via Zoom

Agenda

Rārangi take

Chair	Cr Kate Fulton
Deputy Chair	Cr Brian McGurk
Members	Her Worship the Mayor Rachel Reese
	Cr Yvonne Bowater
	Cr Trudie Brand
	Cr Mel Courtney
	Cr Judene Edgar
	Cr Matt Lawrey
	Cr Gaile Noonan
	Cr Rohan O'Neill-Stevens
	Cr Pete Rainey
	Cr Rachel Sanson
	Cr Tim Skinner
	Glenice Paine

Quorum: 7

Pat Dougherty
Chief Executive

[Nelson City Council Disclaimer](#)

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the [formal Council decision](#).

Environment Committee - Delegations

Areas of Responsibility:

- Building control matters, including earthquake-prone buildings and the fencing of swimming pools
- Bylaws, within the areas of responsibility
- Council and/or Community projects or initiatives for enhanced environmental outcomes
- Environmental regulatory matters including (but not limited to) animals and dogs, amusement devices, alcohol licensing (except where delegated to the Alcohol Regulatory and Licensing Authority), food premises, gambling and public health
- Regulatory enforcement and monitoring
- Maritime and Harbour Safety and Control
- Pollution control
- Hazardous substances and contaminated land
- Environmental science matters including (but not limited to) air quality, water quality, water quantity, land management, biodiversity, biosecurity (marine, freshwater and terrestrial), and coastal and marine science
- Environmental programmes including (but not limited to) warmer, healthier homes, energy efficiency, environmental education, and eco-building advice
- Science monitoring and reporting
- Climate change resilience overview (adaptation and mitigation)
- The Regional Policy Statement, District and Regional Plans, including the Nelson Plan
- Other planning documents or policies, including (but not limited to) the Land Development Manual
- Policies and strategies related to resource management matters
- Policies and strategies related to compliance, monitoring and enforcement

Delegations:

The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.

The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):

- Monitoring Council's performance for the committee's areas of responsibility, including legislative responsibilities and compliance requirements
- Developing, approving, monitoring and reviewing policies and plans, including activity management plans
- Reviewing and determining whether a bylaw or amendment, revocation or replacement of a bylaw is appropriate
- Undertaking community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes
- Approving submissions to external bodies or organisations, and on legislation and regulatory proposals

Powers to Recommend to Council:

In the following situations the committee may consider matters within the areas of responsibility but make recommendations to Council only (in accordance with sections 5.1.3 - 5.1.5 of the Delegations Register):

- Matters that, under the Local Government Act 2002, the operation of law or other legislation, Council is unable to delegate
- The purchase or disposal of land or property relating to the areas of responsibility, other than in accordance with the Long Term Plan or Annual Plan
- Unbudgeted expenditure relating to the areas of responsibility, not included in the Long Term Plan or Annual Plan
- Approval of notification of any statutory resource management plan, including the Nelson Plan or any Plan Changes
- Decisions regarding significant assets

1. Apologies

- 1.1 An apology has been received from Her Worship the Mayor

2. Confirmation of Order of Business

3. Interests

- 3.1 Updates to the Interests Register
- 3.2 Identify any conflicts of interest in the agenda

4. Hearing of Submissions - Review of Dog Control Policy and Bylaw

Document number R15910

- 4.1 Hearing Schedule **5**
Document A2371542

- 4.2 Summary Table of Submissions **6 - 10**
Document A2371594

Please note: to assist committee members, the summary table includes references to bylaw maps

- 4.3 Bylaw Maps **11 - 26**
Document number A2122940

- 4.4 Citywide Maps **27 - 28**
Document number A122720

Please note: to assist committee members, a copy of bylaw maps and citywide maps is included.

- 4.5 Copy of Submissions **29 - 87**
Document number A2371200

Please note: to assist committee members, this document is an extract of the submissions of submitters wishing to be heard. A full copy of submissions is provided under separate cover.

4. Timing of Dog Control Policy and Bylaw Deliberations

88 - 101

Document number R16959

Recommendation

That the Environment Committee

- 1. Receives the report Timing of Dog Control Policy and Bylaw Deliberations (R16959) and its attachment (A2337794); and***
- 2. Commences the Dog Control Policy and Bylaw Deliberations on 19 May 2020 in order to make a decision on the Good Dog Owner Policy; and***
- 3. Reconvenes the Dog Control Policy and Bylaw Deliberations on 4 June 2020 to make decisions on all other aspects of the Dog Control Policy, and to make recommendations to Council on all aspects of the Dog Control Bylaw.***

Item 4: Hearing Schedule

Dog Control Policy and Bylaw 2013 Review - Hearing - 21 April 2020

Page No.	Time	Duration	Speaker (Submission ID)	Notes
30	1.15pm	10 mins	Hans Andersen speaking on behalf of Dinah Thomson - 21647	Zoom video
31	1.25pm	5 mins	David Orr - 21629	Ringling in
33	1.30pm	5 mins	Bryce Buckland - 21628	Zoom video
58	1.35pm	5 mins	Jude Tarr - 21600	Zoom video
	1.40pm			
60	1.45pm	5 mins	Mindy Silva - 21598	Zoom video
61	1.50pm	5 mins	Natalie Gousmett - 21548	Zoom video
64	1.55pm	5 mins	Denis Blomquist - Late Submission - 22831L	Ringling in
66	2.00pm	5 mins	John Gray - 21550	Ringling in
68	2.05pm	5 mins	Claire Bywater - 21594	Zoom video
	2.10pm			
70	2.15pm	5 mins	Julie Malthus - 21432	Zoom video
71	2.20pm	10 mins	David Melville - The Ornithological Society of NZ/Birds NZ - 22731	Zoom video plus Powerpoint Presentation (A2362473)
75	2.30pm	5 mins	Ian Barker - 21662	
	2.35pm			
76	2.40pm	5 mins	Adrian Abraham - 22738	Short statement (A2371943)
81	2.45pm	5 mins	Helen Black - 21694	Short statement (A2371733)
85	2.50pm	5 mins	Erice Jackson - 21697	Short statement (A2370963)
86	2.55pm	5 mins	Hilary Burbidge & Ross Whitlock - 21689	Short statement (A2371714)
87	3.00pm	5 mins	Ferry van Mansum - 21483	Short statement (not yet received)



Page Number	Time	Speaker	Submission ID	Issues	Notes
30	1.15pm Zoom video	Hans Andersen, speaking on behalf of Dinah Thomson	21647	Grampians (Map 6) should be off leash – Could have improved signage and better fines	
31	1.25pm Ringin in	David Orr	21629	Why Remove GDO Policy – What do we get for \$87	
33	1.30pm Zoom video	Bryce Buckland	21628	Support for on-leash in Grampians (Map 6) as means better Dog control, more sheep for grazing, less grass and weeds, and less fire risk.	
58	1.35pm Zoom video	Jude Tarr	21600	Support of leash on railway reserve (Map 2,3,4, and 5). Grampians (Map 6) should be off leash Boulder Bank (Map 13 and 14) should be off leash Retain GDO Policy Support multiple dog owner approach	

60	1.45pm Zoom video	Mindy Silva	21598	Support off leash on railway reserve Support Isel Park (Map 3) approach Titoki (Map16) should be off leash Whakatu Drive (Map 15) should be off leash Boulder Bank (map 13 and 14) off leash Retain GDO	
61	1.50pm Zoom video	Natalie Gousmett	21548	Support off leash on railway reserve (Map 2,3,4, and 5) . Support off leash at Isel (Map 3) Should have off leash at Grampians (Map 6) , Sir Stanley Whitehead (Map 7) , and Maitai as well as Maitai to Codgers Montain Bike park –(Clarify as CMP is on the Brook) . Retain GDO Support Monaco (Map1) More off leash areas needed such as Dennes Hole #17 2013 Overview Map, Sunday hole #19, Camp hole #18 Annual income for NCC dog registrations and where money is spent	
64	1.55pm Ringing in	Denis Blomquist	22831-late submission	Ban Dogs from 1 Sept-1 Jan in front of the Havens Hole (Urban Map 2013 reference 4) reserve from the beach on the east side of the freedom campers site to the eastern end of the beach where it meets the wall at the highway.	

66	2.00pm Ringing in	John Gray	21550	Reduce Dog registration fees	
68	2.05pm Zoom video	Clare Bywater	21594	Retain GDO Clarification of Dogs on buses and dogs at cafes	
70	2.15pm Zoom video	Julie Malthus	21432	More off lead areas needed so don't limit as many areas	
71	2.20pm Zoom video, with Power Point presentation	David Melville – The Ornithological Society of NZ/Birds NZ	22731	General provision for protecting wildlife Support Sand Island Prohibition (2013 Urban Map #11) Bring date of dog prohibition on Boulder Bank (Map 13 &14) forward to 15 August Paremata Flats (Map 10) has increased community involvement Whakatu Drive (Map15)has banded rail Improve education, awareness and enforcement	
75	2.30pm	Ian Barker	21662	Support Isel (Map 3) approach Support Railway Reserve (Map 2,3,4, and 5)	
76	2.40pm Short statement (A2371943)	Adrian Abraham	22738	<ul style="list-style-type: none"> Sir Stanley Whitehead (Map 7) Grampians (Map 6) Titoki Resreve (Map 16) Maitai upstream of Sunday Hole (Map 9) <p>Should all remain off leash – Possible experiment to have Grampians (Map 6) on leash Dog enforcement needs improvement Support GDO removal although alternative may be to charge a lower fee where no proven complaint or impounding in the prior three years</p>	

81	2.45pm Short statement (A2371733)	Helen Black	21694	<p>Restrictions reduced with more areas open for dog walking</p> <p>Railway reserve (map 2,3,4,&5) should be off leash with simple signage.</p> <p>Isel Park (Map 3) – Whole area should be off-leash. Grazed reserves (Map 6-10) – dogs off leash – areas should not be grazed but planted and where necessary use cows – encourage sheep and Weka aversion training – emphasise dog destruction if attack sheep – encourage use of muzzles, Retain GDO – Engage more with Dog owners and fund more of registration costs</p> <p>Monaco Reserve (Map 1) – Agree with off-leash</p> <p>Titoki (Map 16) should be off – leash</p> <p>Whakatu (Map 15) should be off-leash</p> <p>Boulder Bank (Maps 13 &14) should be off-leash with remainder prohibited</p> <p>Number of dogs – rely on Councils ability to limit dog numbers</p> <p>Other off-leash areas:</p> <p>Brook Valley Waterworks</p> <p>Low use playing fields</p> <p>Restricting areas will not allow dog exercise and increase nuisance, change swimming restrictions in Maitai, plan park usage better to allow for dogs (Branford Park and Conservation and Landscape Reserves), Dog attacks low compared to other ACC claims</p>	
85	2.50pm Short statement (A2370963)	Erice Jackson	21697	Retain GDO Policy	

86	2.55pm Short statement (A2371714)	Hilary Burbidge and Ross Whitlock	21689	Oppose restrictions on Grazed areas (maps 6-10)	
87	3.00pm Short statement	Ferry van Mansum	21483	Boulder Bank from Boulder Bank Drive to the Glen (map 13 and 14) should be off leash	

Item 4: Bylaw Maps



Dog Bylaw Changes Map 1

R9973



Legend

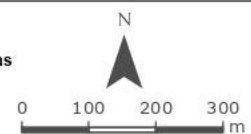
Proposed Dog Bylaw Changes

On lead → Off lead

Existing Dog Bylaw Areas

Dogs on Lead

Dogs Prohibited

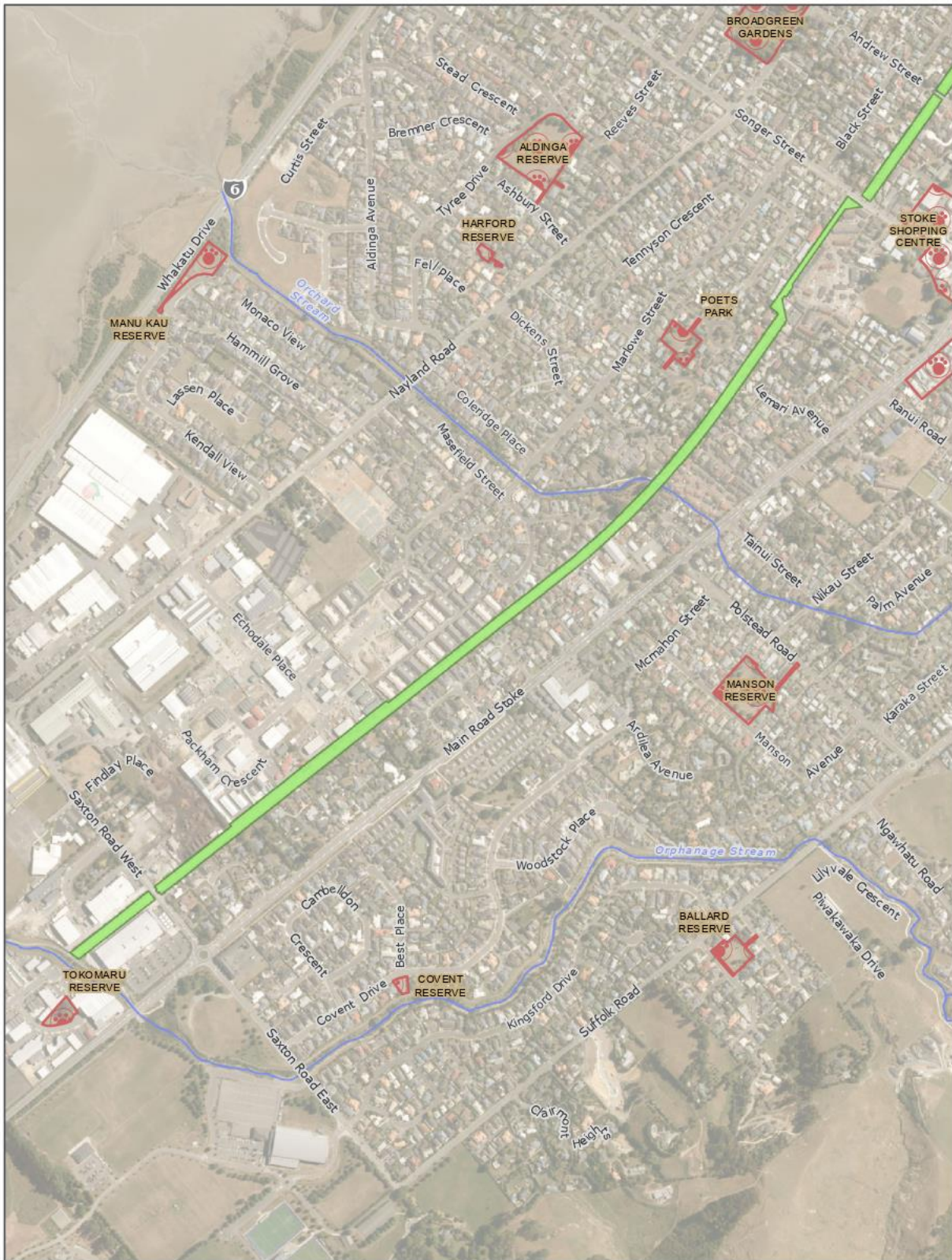


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Dog Bylaw Changes Map 2

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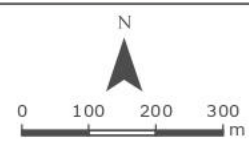
Legend

Railway Reserve

Off lead (No Change)

Existing Dog Bylaw Areas

Dogs on Lead



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Dog Bylaw Changes Map 3

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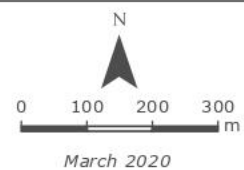


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Existing Dog Bylaw Areas



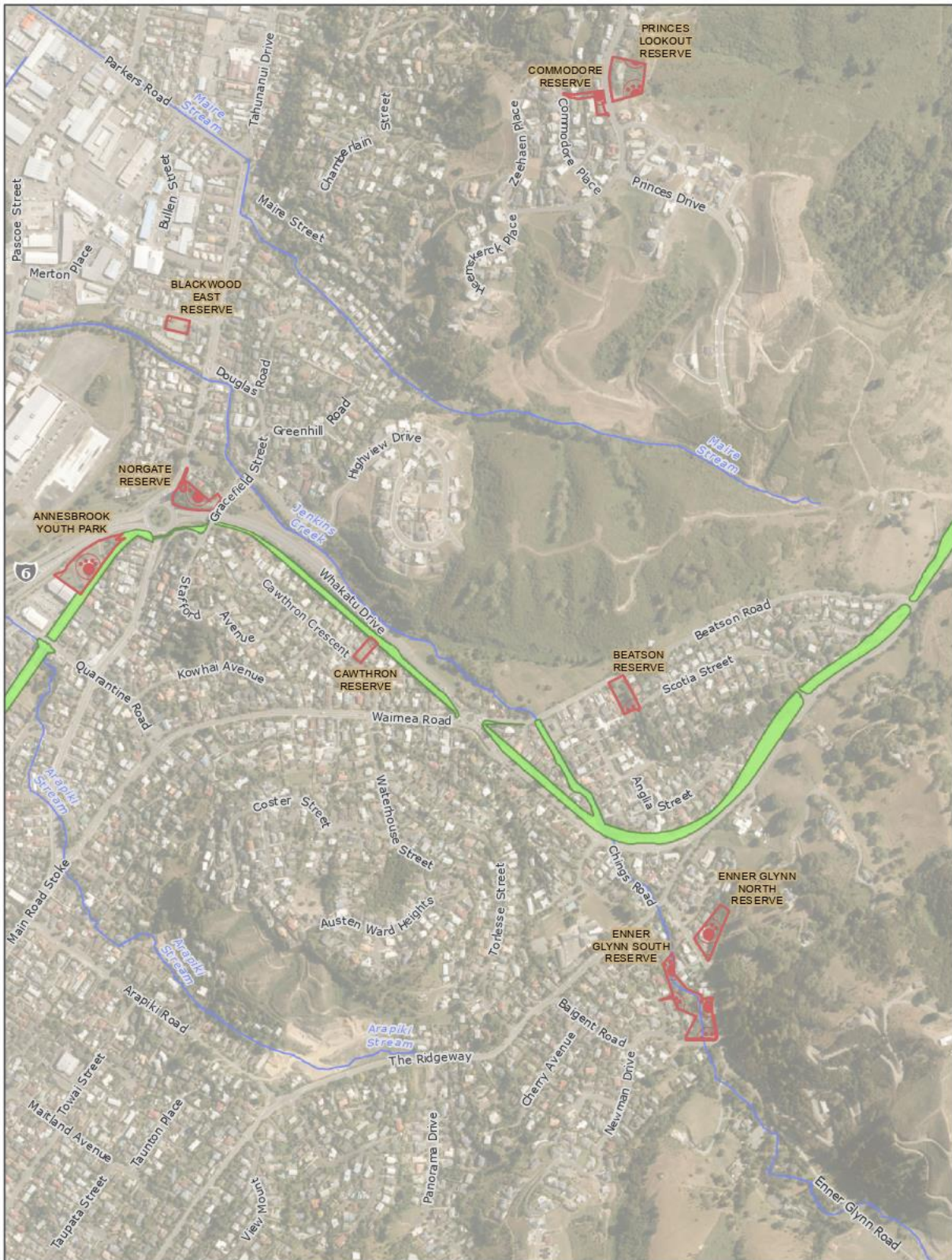
Off lead (No Change)



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Dog Bylaw Changes Map 4

R9973



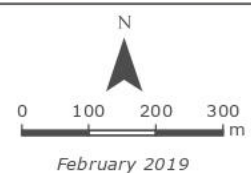
Legend

Railway Reserve

Off lead (No Change)

Existing Dog Bylaw Areas

Dogs on Lead



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Dog Bylaw Changes Map 5

R9973



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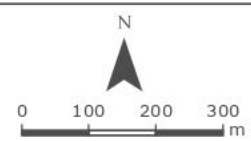
Railway Reserve

Off lead (No Change)

Existing Dog Bylaw Areas

Dogs on Lead

Park Boundaries

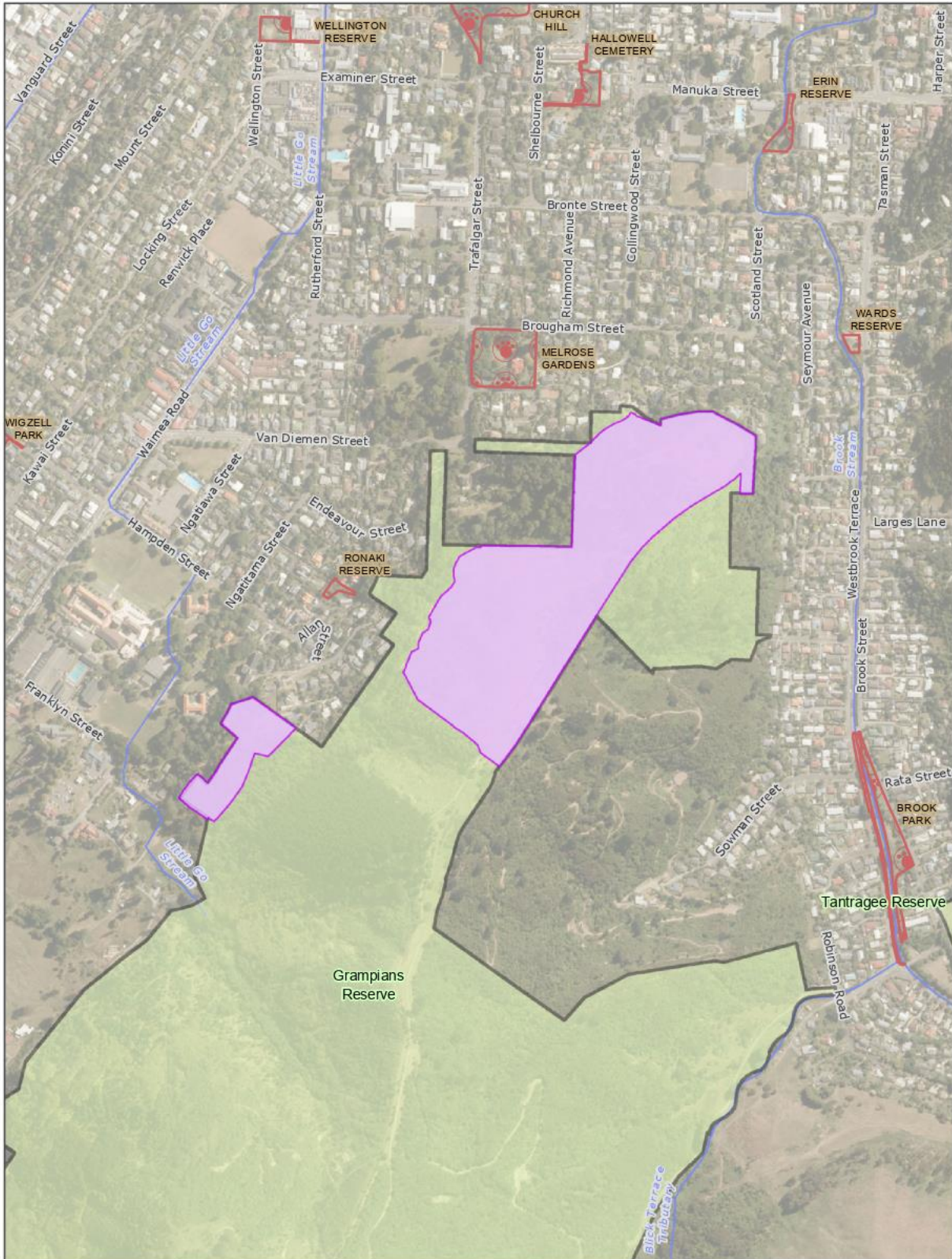


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Dog Bylaw Changes Map 6

R9973



Nelson City Council
te kaunihera o whakatū

Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs on Lead

Park Boundaries



N



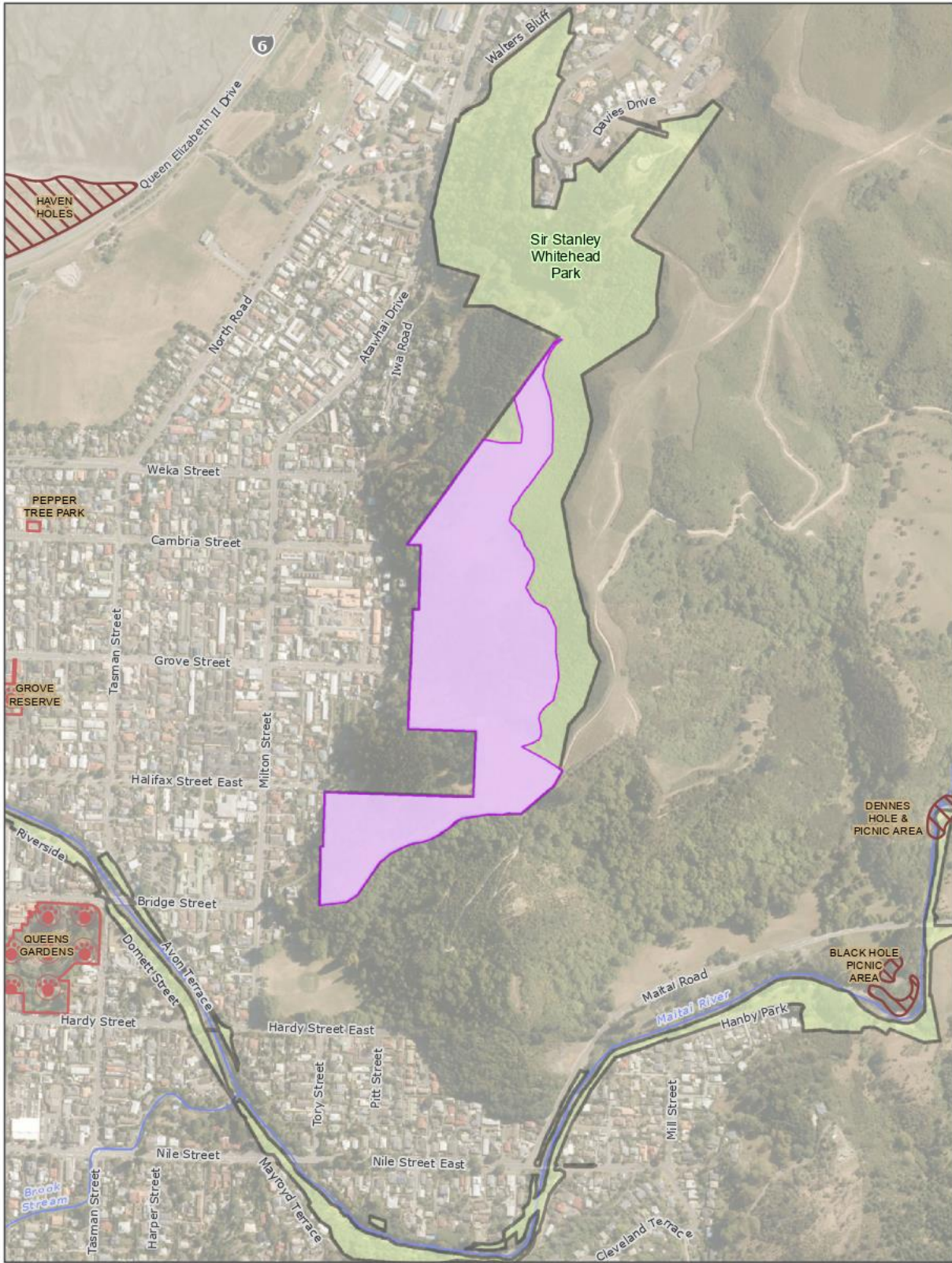
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Dog Bylaw Changes Map 7

R9973



Nelson City Council
te kaunihera o whakatū

Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs on Lead

Dogs Prohibited

Park Boundaries



N

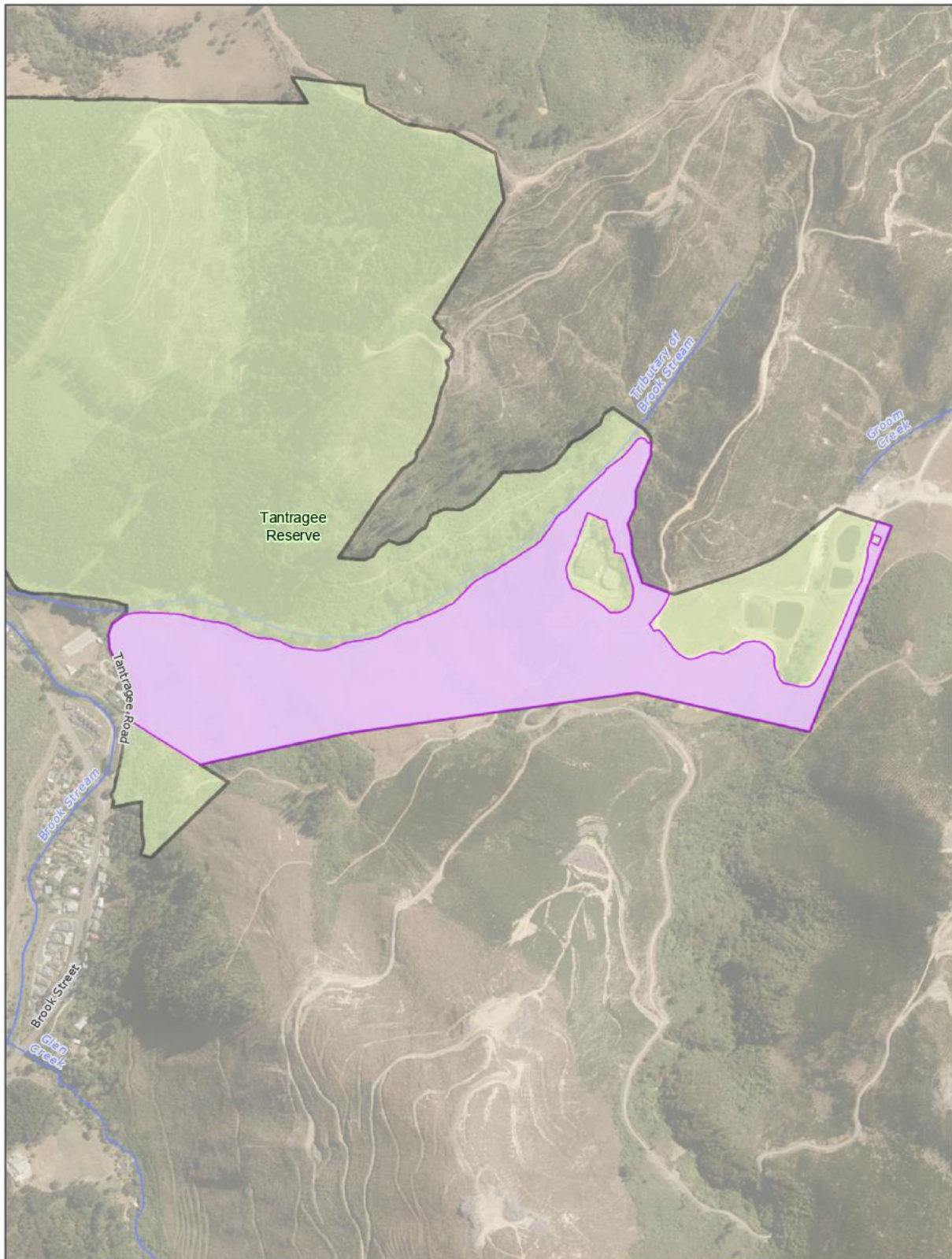
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Dog Bylaw Changes Map 8

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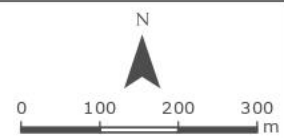


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Proposed Dog Bylaw Changes

Off lead → On lead

Park Boundaries

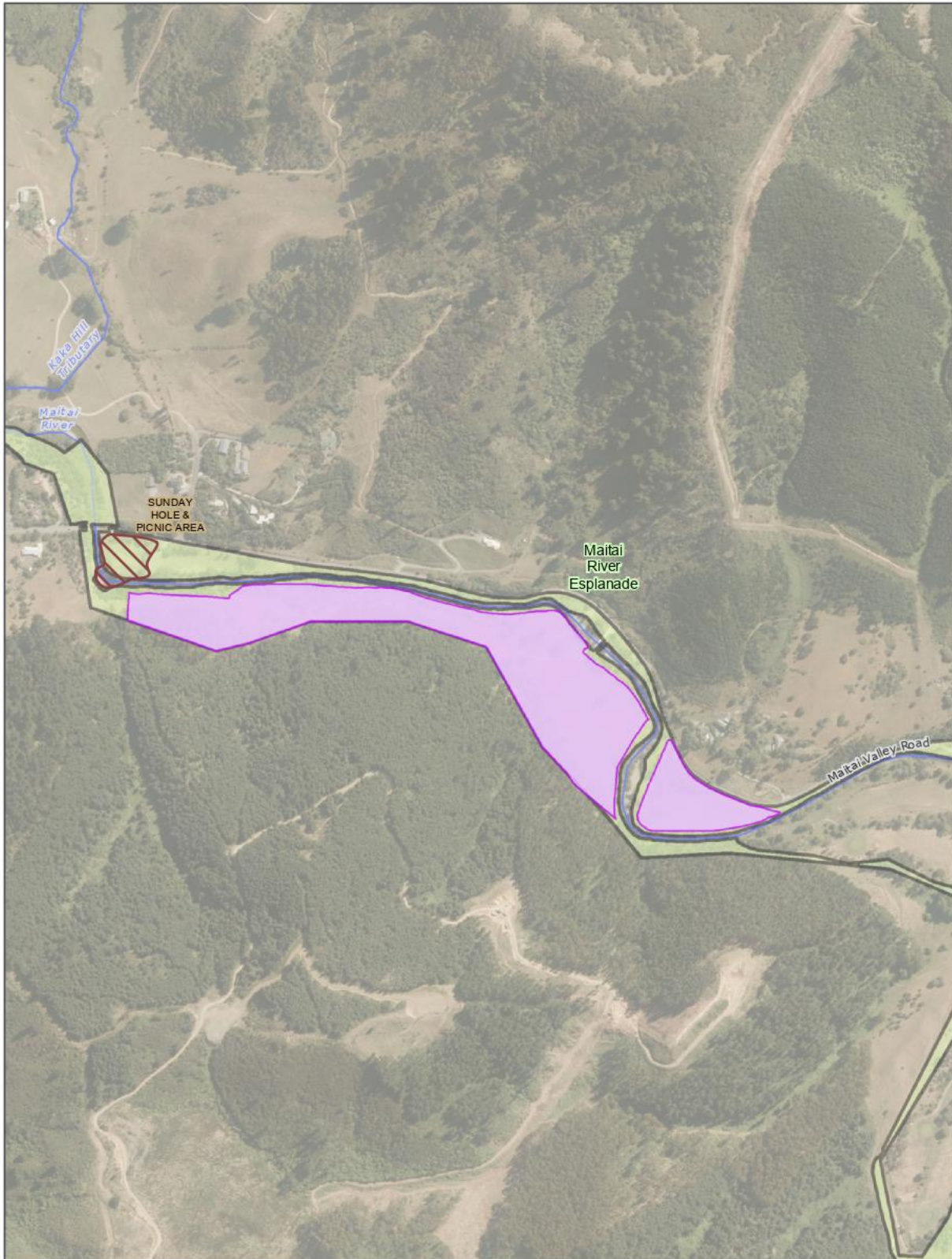


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Dog Bylaw Changes Map 9

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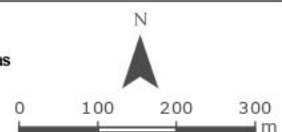
Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs Prohibited

Park Boundaries

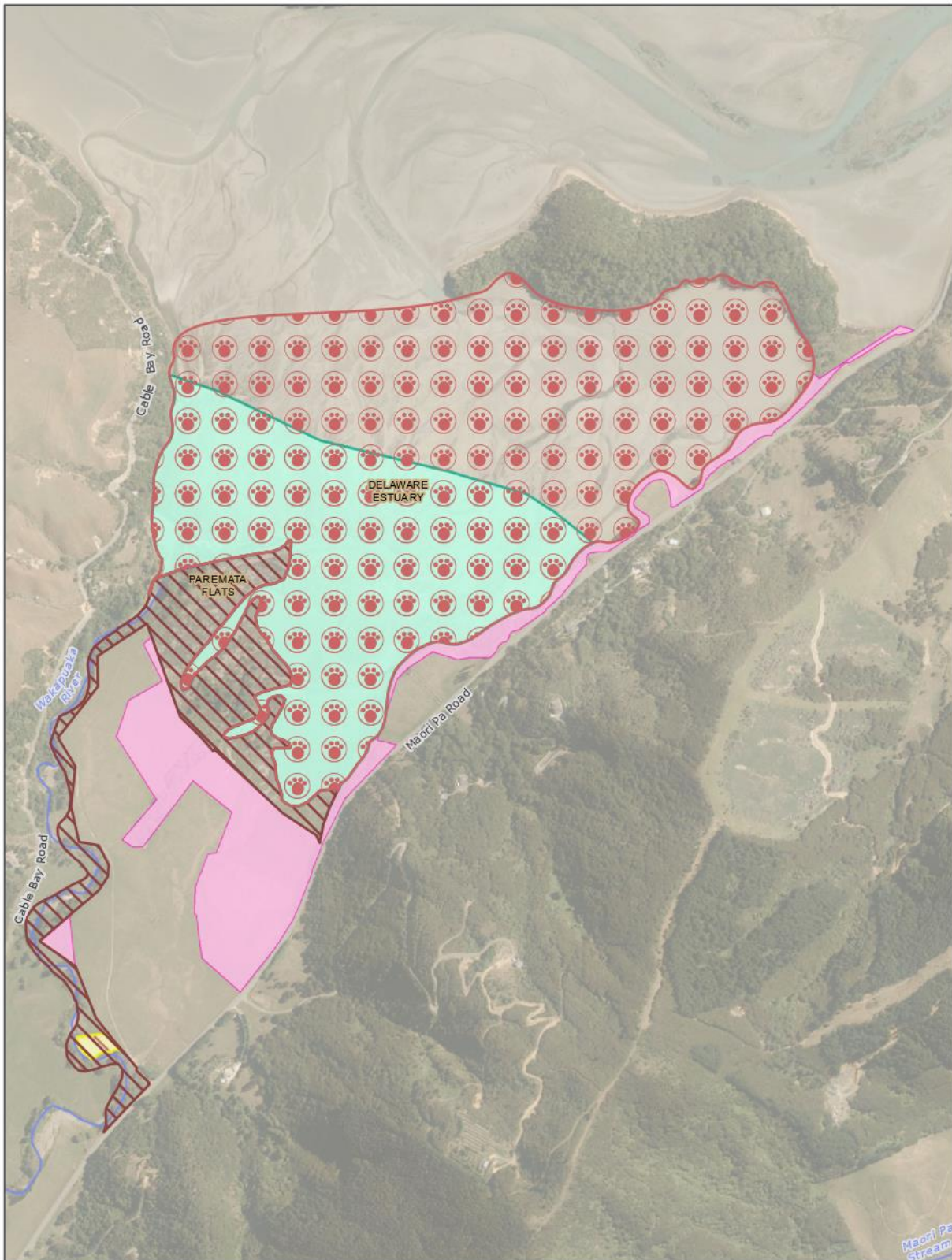


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Dog Bylaw Changes Map 10

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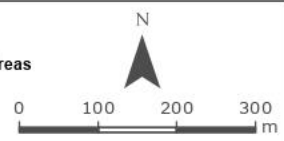
Legend

Proposed Dog Bylaw Changes

- Off lead → Prohibited
- On lead → Prohibited
- Prohibited → Off lead

Existing Dog Bylaw Areas

- P Dogs on Lead
- Dogs Prohibited

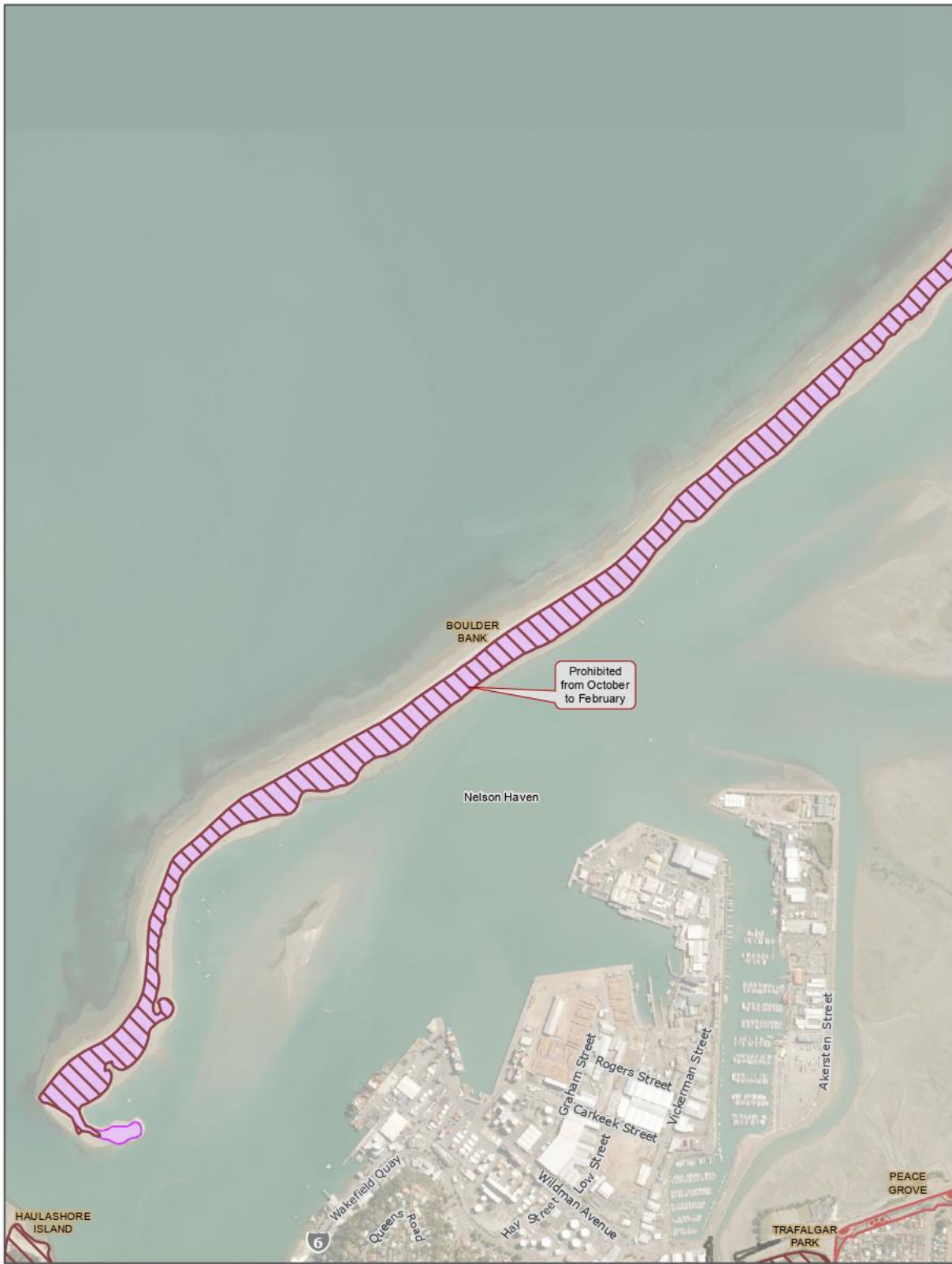


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Dog Bylaw Changes Map 11

R9973



Legend

Proposed Dog Bylaw Changes

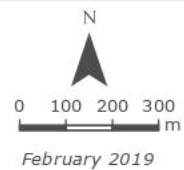
Off lead → On lead

Existing Dog Bylaw Areas

Dogs on Lead

Dogs Prohibited

Park Boundaries

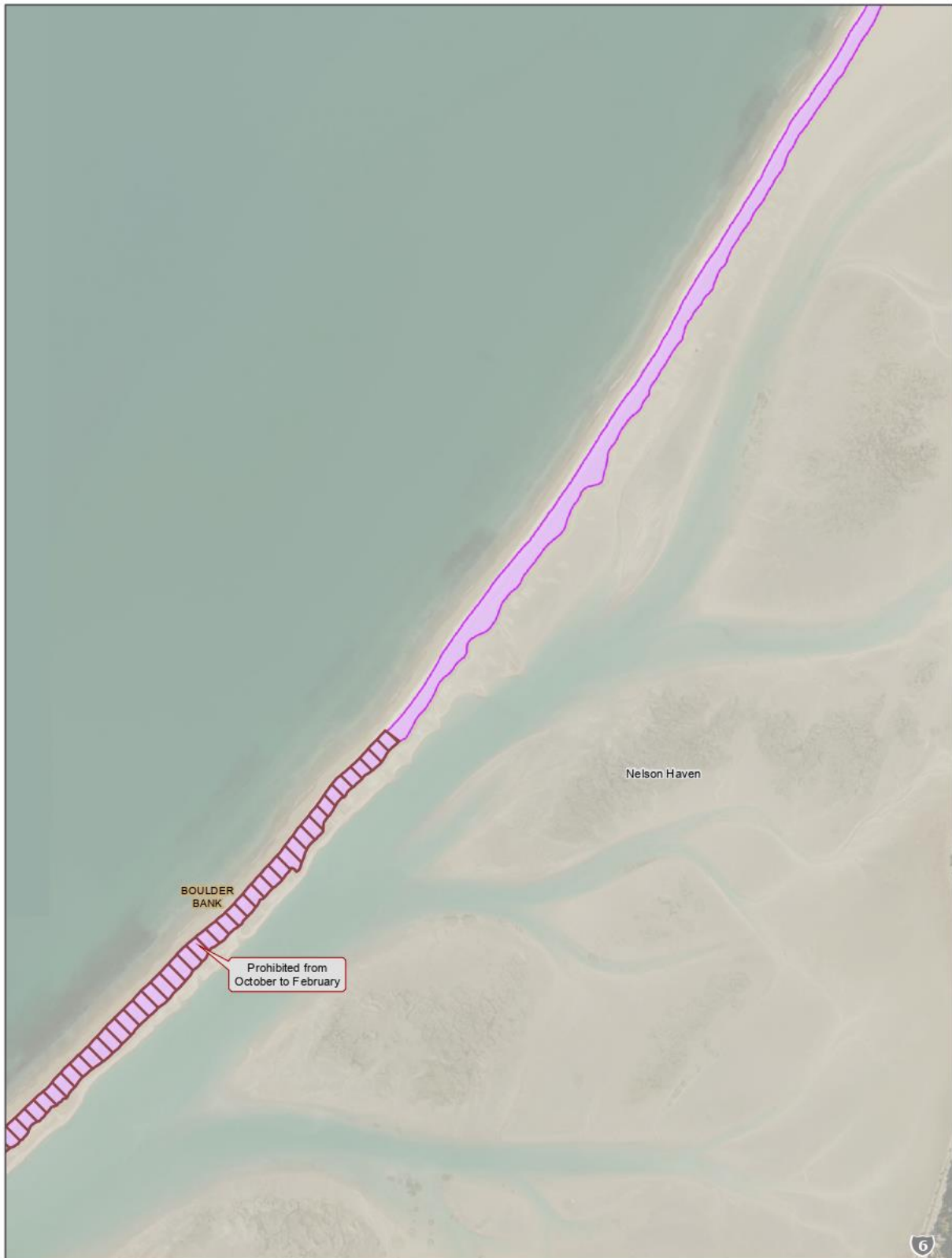


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Dog Bylaw Changes Map 12

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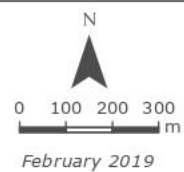
Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs Prohibited



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Dog Bylaw Changes Map 13

R9973



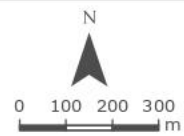
Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs Prohibited



February 2019

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File Ref: A2122940
HD. Original map size A4.

Item 4: Bylaw Maps



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Dog Bylaw Changes Map 14

R9973



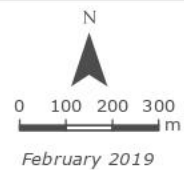
Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

Dogs on Lead

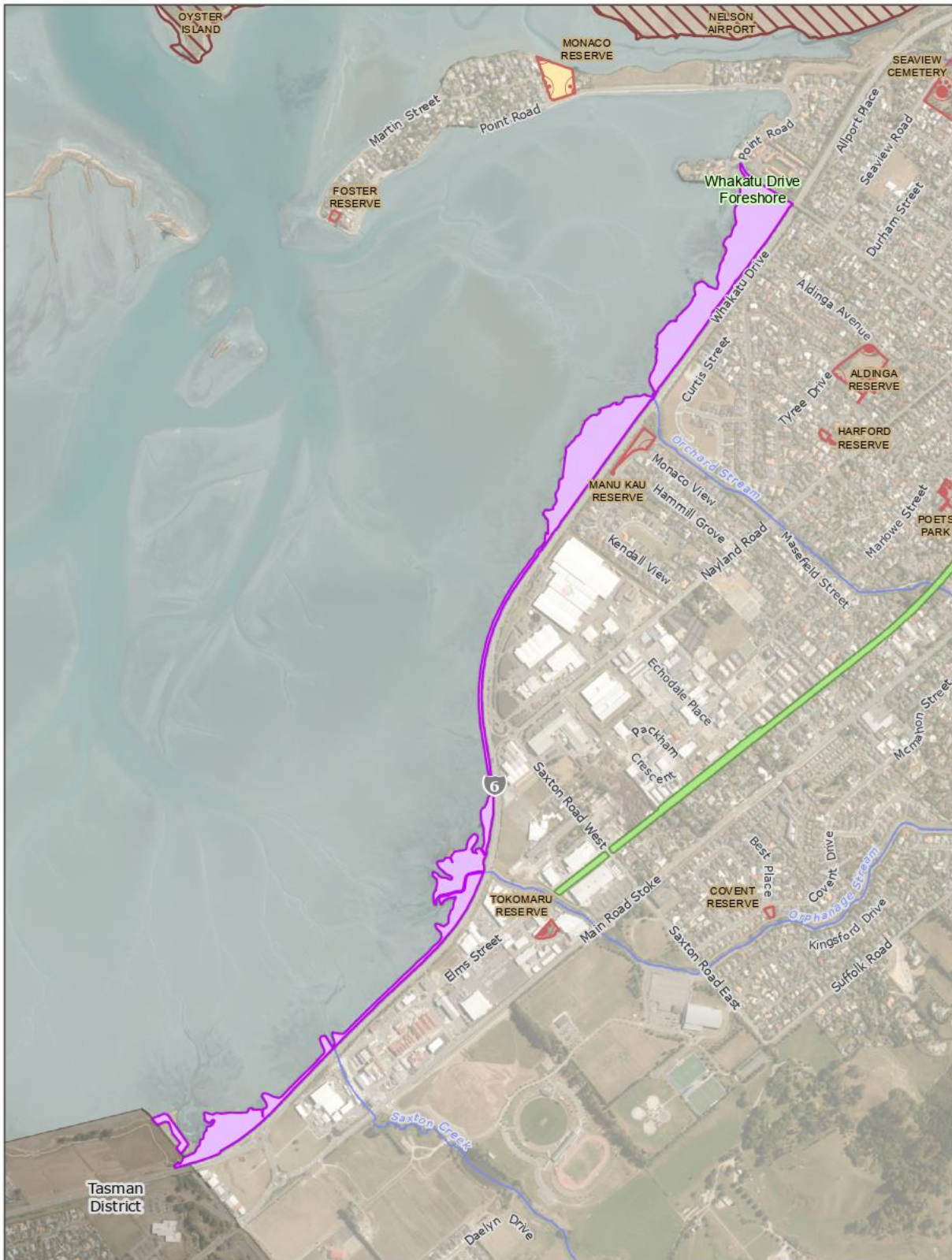


February 2019

File Ref: A2122940
HD. Original map size A4.

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Item 4: Bylaw Maps



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Dog Bylaw Changes Map 15

R9973



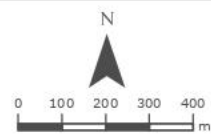
Legend

Proposed Dog Bylaw Changes

- Off lead → On lead
- On lead → Off lead

Existing Dog Bylaw Areas

- Dogs on Lead
- Dogs Prohibited
- Railway Reserve
- Off lead (No Change)



January 2020

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DH. Original map size A4.

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Item 4: Bylaw Maps



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Dog Bylaw Changes Map 16

R9973



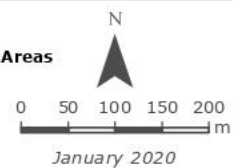
Legend

Proposed Dog Bylaw Changes

Off lead → On lead

Existing Dog Bylaw Areas

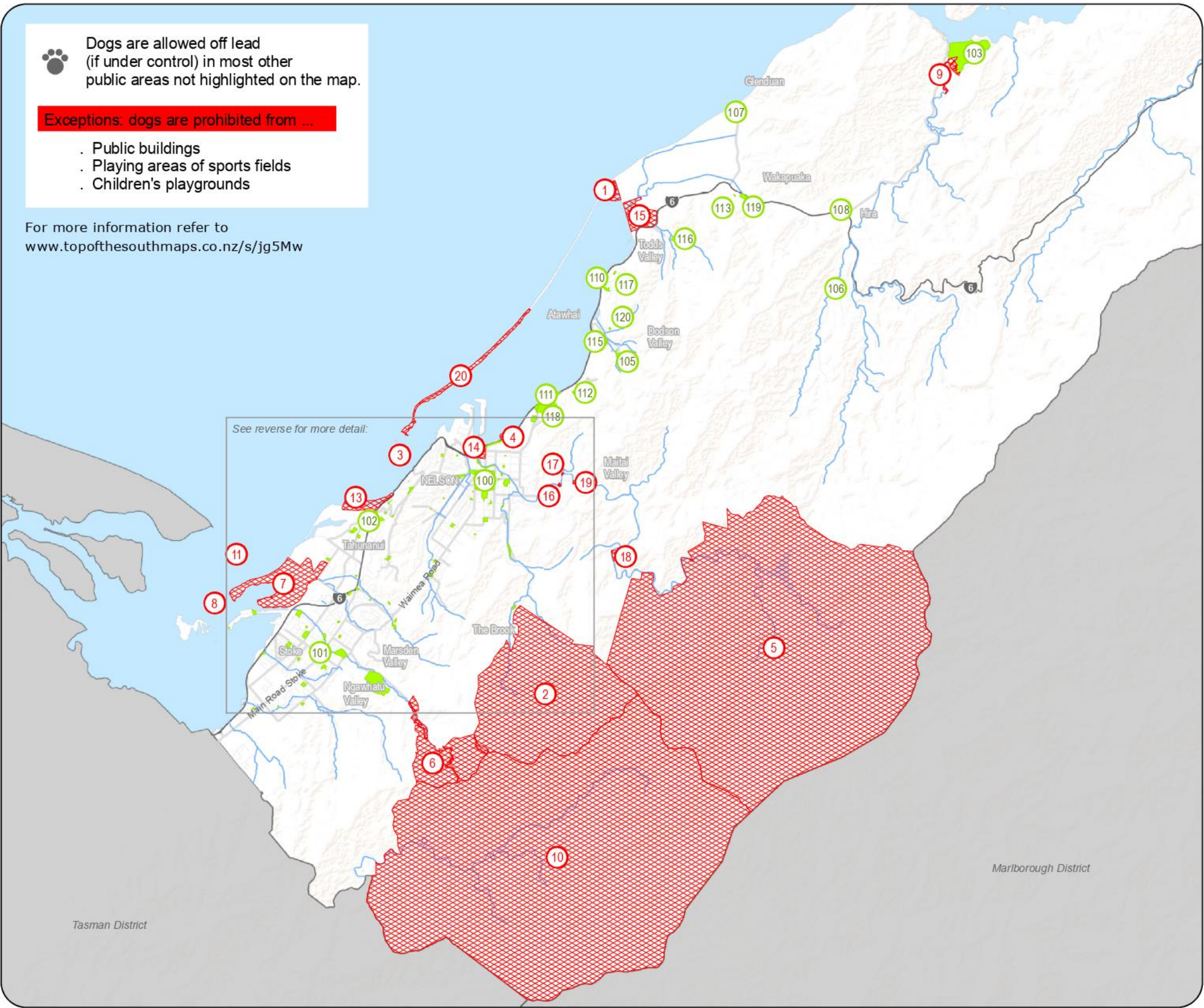
Dogs on Lead



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DH, Original map size A4.

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Prohibited at all times

- 1 BOULDER BANK ESTUARY
- 2 BROOK CONSERVATION RESERVE
- 3 HAULASHORE ISLAND
- 4 HAVEN HOLES
- 5 MAITAI WATER RESERVE
- 6 MARSDEN VALLEY RESERVE EAST
- 7 NELSON AIRPORT
- 8 OYSTER ISLAND
- 9 PAREMATA FLATS
- 10 RODING WATER RESERVE
- 11 SAND ISLAND
- 13 TAHUNANUI RESERVE MAIN BEACH
- 14 TRAFALGAR PARK
- 15 WHAKAPUAKA RAUPO SWAMP

Prohibited from December to March

- 16 BLACK HOLE PICNIC AREA
- 17 DENNES HOLE & PICNIC AREA
- 18 MAITAI CAMP HOLE & PICNIC AREA
- 19 SUNDAY HOLE & PICNIC AREA

Prohibited from October to February

- 20 BOULDER BANK SCENIC RESERVE

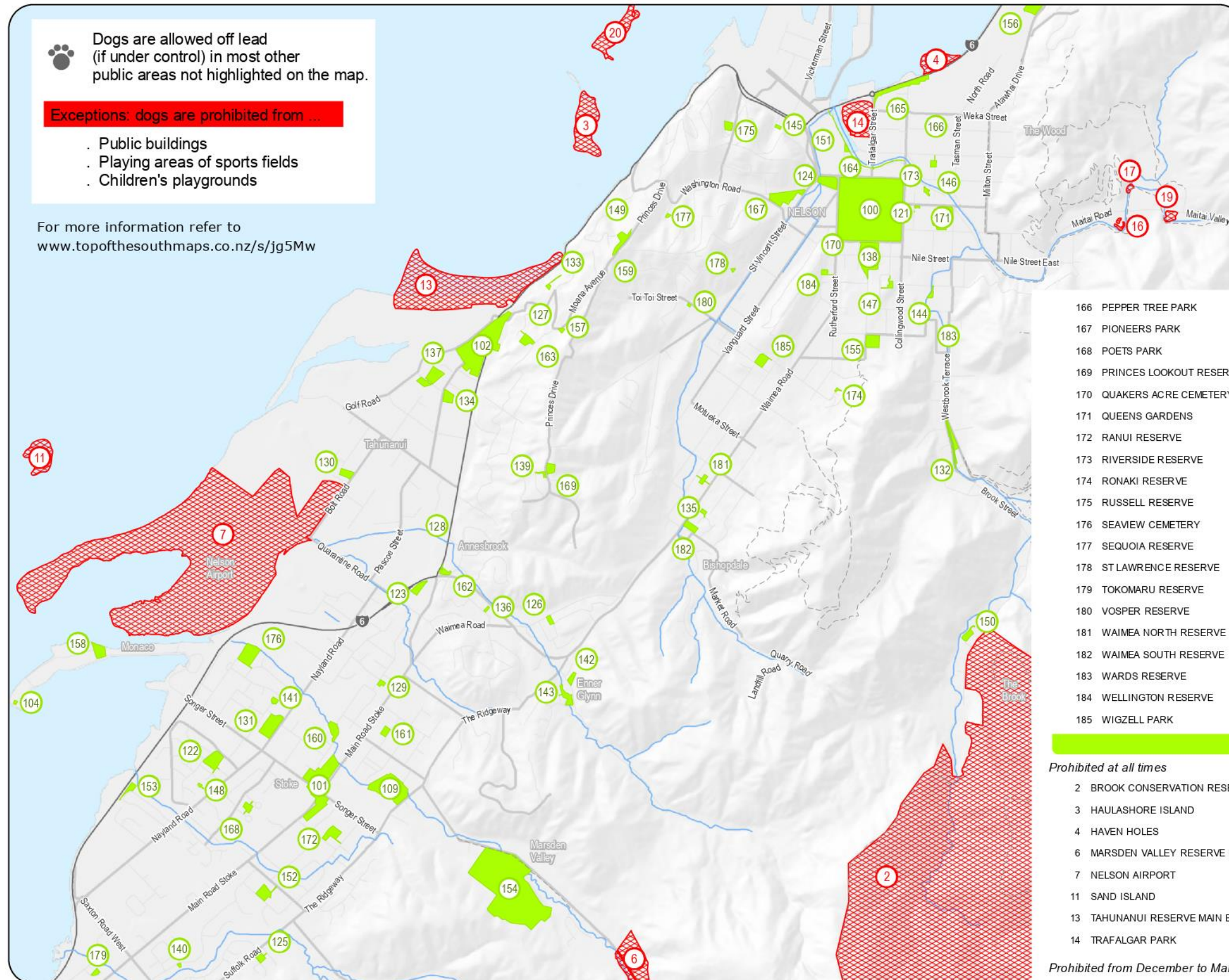
- 100 NELSON CENTRAL BUSINESS DISTRICT
- 101 STOKE SHOPPING CENTRE
- 102 TAHUNANUI SHOPPING CENTRE
- 103 DELAWARE ESTUARY
- 105 FRENCHAY RESERVE
- 106 FROST RESERVE
- 107 GLENDUAN RESERVE
- 108 HIRA CEMETERY
- 110 MARYBANK RESERVE
- 111 MIYAZU RESERVE
- 112 MONTROSE RESERVE
- 113 ST ANDREWS CEMETERY
- 115 TE-ATA RESERVE
- 116 TODD BUSH RESERVE
- 117 TRESILLIAN RESERVE
- 118 WAKAPUAKA CEMETERY
- 119 WAKAPUAKA RESERVE
- 120 WERNETH RESERVE

Dogs are prohibited from:

Dogs must be on lead at:

Item 4: Citywide Maps

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**DOG ON LEAD &
DOG PROHIBITED AREAS**
Urban Map

0 0.5 1 1.5 km
Scale 1:30,000

N
February 2013

Nelson City Council
te kaunihera o whakatū

Prohibited at all times
2 BROOK CONSERVATION RESERVE
3 HAULASHORE ISLAND
4 HAVEN HOLES
6 MARSDEN VALLEY RESERVE EAST
7 NELSON AIRPORT
11 SAND ISLAND
13 TAHUNANUI RESERVE MAIN BEACH
14 TRAFALGAR PARK

Prohibited from December to March
16 BLACK HOLE PICNIC AREA
17 DENNES HOLE & PICNIC AREA
19 SUNDAY HOLE & PICNIC AREA

Prohibited from October to February
20 BOULDER BANK SCENIC RESERVE

Dogs must be on lead at:

Dogs are prohibited from:

Dogs must be on lead at:

Item 4: Copy of Submissions

Dog Control Policy and Bylaw Review – Index of Speakers

Page No	Submission	Name	Organisation
2	21647	Hans Anderson (on behalf of Dinah Thomson)	
3	21629	David Orr	
5	21628	Bryce Buckland	
30	21600	Jude Tarr	
32	21598	Mindy Silva	
33	21548	Natalie Gousmett	
36	22831L	Denis Blomquist	
38	21550	John Gray	
40	21594	Claire Bywater	
42	21432	Julie Malthus	
43	22731	David Melville	The Ornithological Society of NZ/ Birds NZ
47	21662	Ian Barker	
48	22738	Adrian Abraham	
53	21694	Helen Black	
57	21697	Erice Jackson	
58	21689	Hilary Burbidge & Ross Whitlock	
59	21483	Ferry van Mansum	

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21647

Mrs Dinah Thomson

Nelson South
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 03: Grazed Reserves - On-leash at all times on grazed land owned by the Council excluding the grazed area at Paremata Flats Reserve	I do not support this approach	I feel this is a very heavy handed policy punishing the many for the bad behaviour of a few. I have been walking dogs in the Grampians for 18 years - both my previous dog and my present dog have been trained to be totally safe around sheep and have proved this by walking past sheep without even a glance many, many times over the years. The majority of dog owners wouldn't risk having their dog destroyed by having them off the lead around sheep if they weren't confident of control. Hundreds of people enjoy walking their dogs in the Grampians and have done so for many years - those who know their dogs are safe around sheep have been able to enjoy the pleasure of an off-lead walk. I think the current policy of lots of warning signs so people are aware there are sheep around is a good one - plus perhaps signs warning of heavy fines if your dog is caught attacking sheep. You may receive many submissions from non-dog owners supporting the idea of dogs on leads - but often this is a knee jerk reaction from people who imagine the problem is far worse than it is and they don't realise the effect this has on people who enjoy the Grampians with an off-lead well-trained dog.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21629

Mr David Orr

Washington Valley
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached.

21629-1

Nelson City Council Public Consultation Submission form

Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (overleaf) before starting.

Name DAVID F. ORR

Daytime phone [REDACTED]

Address [REDACTED]

NELSON

Organisation represented (if applicable) _____

Do you wish to be heard in support of your submission? ☒ YES ☐ NO # of pages

_____ If you do not tick a box we will assume you do not wish to be heard.

Public information: All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of the submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

The consultation/proposal my submission relates to:

My submission is:

WHY REMOVE GOOD DOG OWNER POLICY?
WHAT DO WE GET FOR
\$87 Reg ?

Date _____ Signature _____

 **Nelson City Council**
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Page 4

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21628

Mr Bryce Buckland

Nelson

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached.

21628-1

Bev McShea

From: Submissions
Sent: Thursday, 20 February 2020 2:26 p.m.
To: Administration
Subject: FW: Dog control review
Attachments: Dog control review 2020.docx
Categories: Bev

From: Bryce
Sent: Thursday, February 20, 2020 1:24:35 AM (UTC+00:00) Monrovia, Reykjavik
To: Submissions
Subject: Dog control review

Hi Matt

I have attached my submission for the impending changes to Dog control policy.
My comments specifically relate to Dogs on Grampians reserve.

Regards Bryce Buckland

My name is Bryce Buckland.

While I like seeing Dogs and their owners on Grampians reserve, the aim of my submission is to request a change to Dog control and insist that all future Dog owners using the reserve to take Dogs, will be required to keep all Dogs on a lead at all times.

However, as part of this change I also want to divert attention to other parallel issues to hopefully underline the reason why better Dog control must be established.

In September 2009 , after a Public meeting at Melrose, a trapping group was established on Grampians reserve with the intention to attempt restore and enhance Native Birdlife by the removal of predators. This project is called Birdlife on Grampians. It is ongoing and is seen by Nelson City Council as worthwhile and the project enjoys the support of many people living in the Nelson area.

I now spend many hours each year on Grampians while doing Conservation work and after the last ten years have witnessed many different people types enjoying time on there doing various pursuits.

Visitors come from all walks of life and it is a natural attraction for locals and many visitors from overseas. Apart from taking in the views over Nelson City and Tasman Bay, the walk provides the chance to get some meaningful exercise and people walk, run and bike Grampians reserve at all times of the day and night and in all types of weather.

Many athletes use Grampians to run as strength and fitness training for events.

Many visitors to Grampians have a Dog with them. Most of these have their Dog under immediate voice control or on a lead. Some don't.

But my submission is not only about better Dog control, it's also about better reserve management. This primarily means wiser management and reduction of inflammable grass and weeds to provide better all year, long term, future planning for each dry season.

Higher fire risk appears to be the new normal, so any way this can be reduced should be embraced and adopted well in advance. In other words, get planning under way soon.

Fire risk on Grampians:

I have been concerned about the risk of Fire on Grampians for many years.

I remember when it caught fire years ago and the ferocious speed it travelled and the noise and smoke as it seared the landscape through the Gum trees and scrub.

This was an unforgettable experience and not seen by most current Nelsonians.

It is a more frightening prospect now. There's much more fuel to burn and our summer seasons seem to last longer and are apparently drier.

Grampians has a huge selection of the most undesirable weeds in New Zealand.

Combined with the growth of grass and weeds now combine to present a serious and increasing fire hazard.

With quite high visitor numbers and more homes close to the boundaries, it means that when a fire does start there is a huge unacceptable risk of loss of life and property.

If a fire starts, People from out of Nelson will not be familiar of the fastest escape routes available to them and may perish in a fire. Especially if their entry level is blocked by fire and / or smoke.

Closing the reserve in a high fire risk time of year is "knee Jerk" and not really the answer.

People still go up there during times when access is supposedly closed.

Nelson is the Sunshine Capital of New Zealand and we can expect the increasing World temperatures to increase our risk of fire.

In June 2013 NIWA predicted that the future holds serious extremes in our local Weather including storms (“weather bombs”) and excessive dry spells.

When a fire does start on Grampians, access for Fire Crews will be a problem and sending firefighters up the main access road is likely to be hazardous. This means such a Fire will largely need to be fought by Helicopters with Monsoon buckets.

A supply of water is not close, which will delay the turnaround of Helicopters and because of the fuel type, the pall of acrid smoke will make firefighting a risky proposition and will likely present an extremely confusing situation for People caught on Grampians or living in the path of the fire.

In a fire season it’s quite possible that there will be a shortage of Helicopters equipped with monsoon buckets and there may be a delay in getting sufficient machines diverted from where they are, to where they are urgently needed.

Nelson always has either a northerly summer sea breeze or a strong South Westerly that will exacerbate a fire and fan it in all directions.

It is now essential that Council make progress towards better management of the weed and Grass growth on Grampians and so better control a fire when it does break out.

If there is a shortage of burnable fuel on the main exposed areas it will greatly slow a fire's progress. It also means that there is a decreased chance of fire being started accidentally.

But now, the City holds it's collective breath each summer, close access to the reserve and simply hope a fire doesn't get started.

Mechanical Weed and grass control

Because there were no stock to graze the main areas on Grampians, in the last two seasons an attempt to reduce fire risk has been attempted by use of machinery.

Mechanical cutting is an expensive and hazardous way to cut weed and grass growth.

In 2018 Nelson Mail did a story on my concerns about fire.

A contractor did mow much of the grass and Gorse vegetation from the main access ways and firebreaks.

Last year (and also this year) mechanical trimmers used a Berti mulching head on a digger and a flail mower slasher on a wheel tractor .

I expressed my concerns to the Contractor about the ability of these machines to start fires but was told it couldn't happen. (in fairly colourful language)

Again this year (January 2020) contractors with the same cutting equipment were used.

It's clear to see where rocks are struck and thrown out behind the mulcher and the resultant damage to the flail cutters (which need constant repairs) indicates that rock strike is frequent.

They are required to have a ready supply of water on immediate hand to stop a fire as it starts, but the risk is still high.

This year, after the contractors had been used again to clear the main access trails, I took photos of several occasions where the blades had struck stones and where sparks were probably created. They also had to remove mulcher cutters to get them repaired because of rock strike. (see photos)

After last years Pigeon Valley fire, the Tasman Rural fire committee warn of the likelihood of Fires starting by such machinery.

In such dry conditions with an excess of dry grass and gorse on Grampians reserve, this is very silly activity and should cease.

Other problems with mechanical cutting are that:

- 1) its expensive
- 2) it only trims the easy access areas
- 3) It is done when the fire risk is already present,
- 4) it does not deal to weeds (such as old man's beard and banana passion fruit) that do not grow on the areas trimmed.
- 5) mechanical cutting increases fire risk as the already dry grass and gorse falls into piles making it far more susceptible to fire.

We now hear new terminology being mentioned for the first time.

The BUI.

This is the **build up index** of grass, weeds and their likely hood of burning.

Other methods to reduce growth:

Weedspray: It is not safe or wise to control weed growth over all the face of Grampians with the use of weed spray.

The cost is too high.

There is also a public backlash on the use of weed sprays.

Hand clearing: It is too costly to have crews with weed eaters to reduce and control the build up of weeds and grass.

There is over 160 hectares of area and much of this needs regular ongoing weed and grass control.

Animals:

The use of Animals to reduce the Build up index has been used with considerable success.

Sheep have been used for several years. These do a good job of controlling the grass and providing the added bonus by eating many weeds such as Old man's beard and banana passionfruit.

They don't undermine the hill sides and destroy the tracks with their hooves.

Their turds don't present a major problem for visitors.

Cows were used in 2018.

The hooves on the Cows damaged the tracks quite quickly and their turds were most offensive to walkers. They also just grazed the best feed and didn't eat the weeds and grass as short as sheep do.

However, because they are a larger animal, Cows are much safer from Dog attack as they aren't intimidated by most Dogs that frequent Grampians.

Sheep appear to be the best option.

We need more Sheep on Grampians.

The Wiltshire Breed that have been trialled seem a far better proposition than the Romneys previous used. They appear far more relaxed around people, are quite solid animals and are "self cleaning" so do not need shearing.

I don't think a Grazier should have the expense of purchasing these sheep. The Council should be buying more of these for wider dispersion and employ a person to look after them.

But we cannot have uncontrolled Dogs molesting and injuring them as this will be an unacceptable outcome to their use and longevity.

I see better Dog control as the future for Grampians weed management and this is the key to unlock a better long term, low cost safety solution.

Around 10% of Nelson people have a registered Dog. As our population grows Dog ownership is also likely to increase.

This means Council need to have explicit and simple rules on where Dogs can be taken, under what level of control is required and be prepared to back up the rules with clear simple signage, education and enforcement.

There is an interesting 'rule of thumb' called the **Pareto Principle**.

Its not particularly scientific and not exactly accurate in all cases, in fact it's more of a general guide.

It says that given a group of (say) persons, there is a split of 80% - 20% .

80% of people will abide by the rules and 20% wont. This minority group of 20% create 80% of the problems we all have to endure and pay for.

When this principle is applied to Dog control, 80% will look after their Dog, pay their registration licence, feed it, pick up its turds, train it not to bark and get it to a Vet for its vaccinations and checks.

When on Grampians, this group will have their Dog under control and frequently on a lead. They won't let it attack other Dogs or People, nor will the owners allow it to chase Weka or Sheep.

The Dogs are friendly, socially adapted and, with their owners, a delight to meet.

The other 20% of visitors have Dogs that are aggressive. They won't have it on a lead and don't know, or care where it is running or what it is doing or what it is chasing. They won't see, or prefer to ignore their Dog, doing its "business" as they look the other way or the Dog may be nowhere near them.

They also tend to be aggressive people and will be fast to enforce their and the Dog's "rights" with assertive and often vulgar language.

These are the problem people with problem Dogs that need attention.

They don't appear fit an age group or Dog type.

I have been threatened by Poodles as well as Rottweilers.

Dogs owned by this group of people can be aged in their teens or elderly pensioners and Male or Female. These are the 20%.

A change to the current status on Grampians means all Dog owners would need to comply with the need to have their Dog on a lead at all times when on Grampians reserve.

I now agree with this rule change.

In other reserves, Council do not have the luxury of being able to get animals to do grass control. Better Dog control will mean it's more economical for Sheep to keep the grass short, reduce grass and weeds over all the open spaces on Grampians, thereby reducing the increased fire risk and saving the ratepayers the cost of machinery.

Better Dog control will also mean the visit should be safer for all members of the public, other Dogs and a much safer life for Weka.

"Birdlife on Grampians" Volunteers are striving to give Nature a helping hand and the site of Weka that have been killed by Dogs is annoying and quite unnecessary.

We now have Weka back in our City after an absence of over 50 years and we owe it to these delightful and cheeky birds to provide places where they are not at risk of injury or death for want of something as simple as good Dog control.

Grampians: In a nutshell.

All Dogs on leads means better Dog control, which means more sheep can be used for grazing and will be safer from Dog attack, which means less grass and weeds, which means reduced year round fire risk and a safer public.

I have attached some photos to hopefully underline my concerns.

I am happy to speak to the meeting on March 24th if asked to attend.

Bryce Buckland

February 2020

Phone 

(10 photos attached)

Mowing creates Fire risk



Before the mower



Same place after the mower



Stones struck by mower



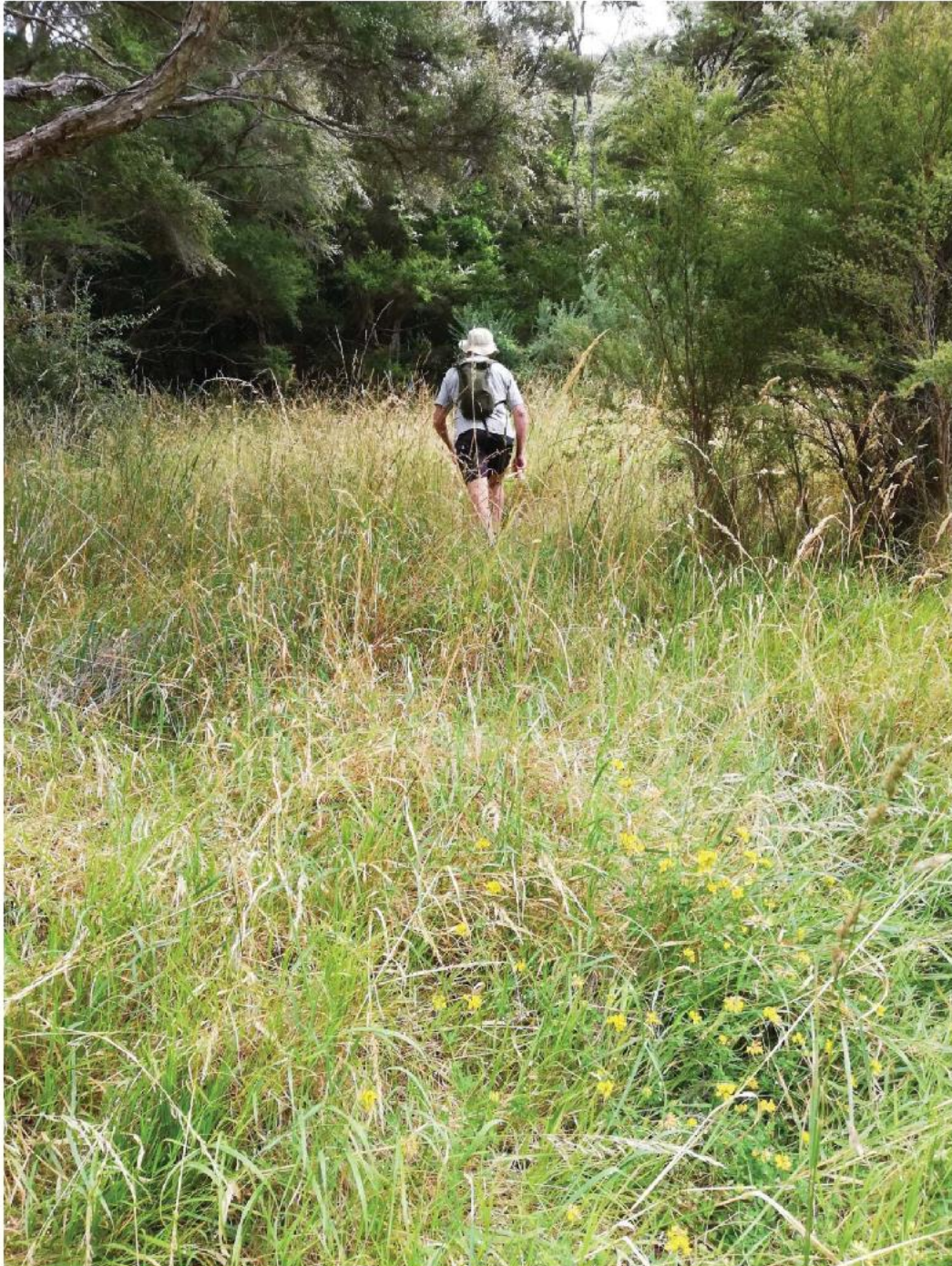




Where the sheep graze



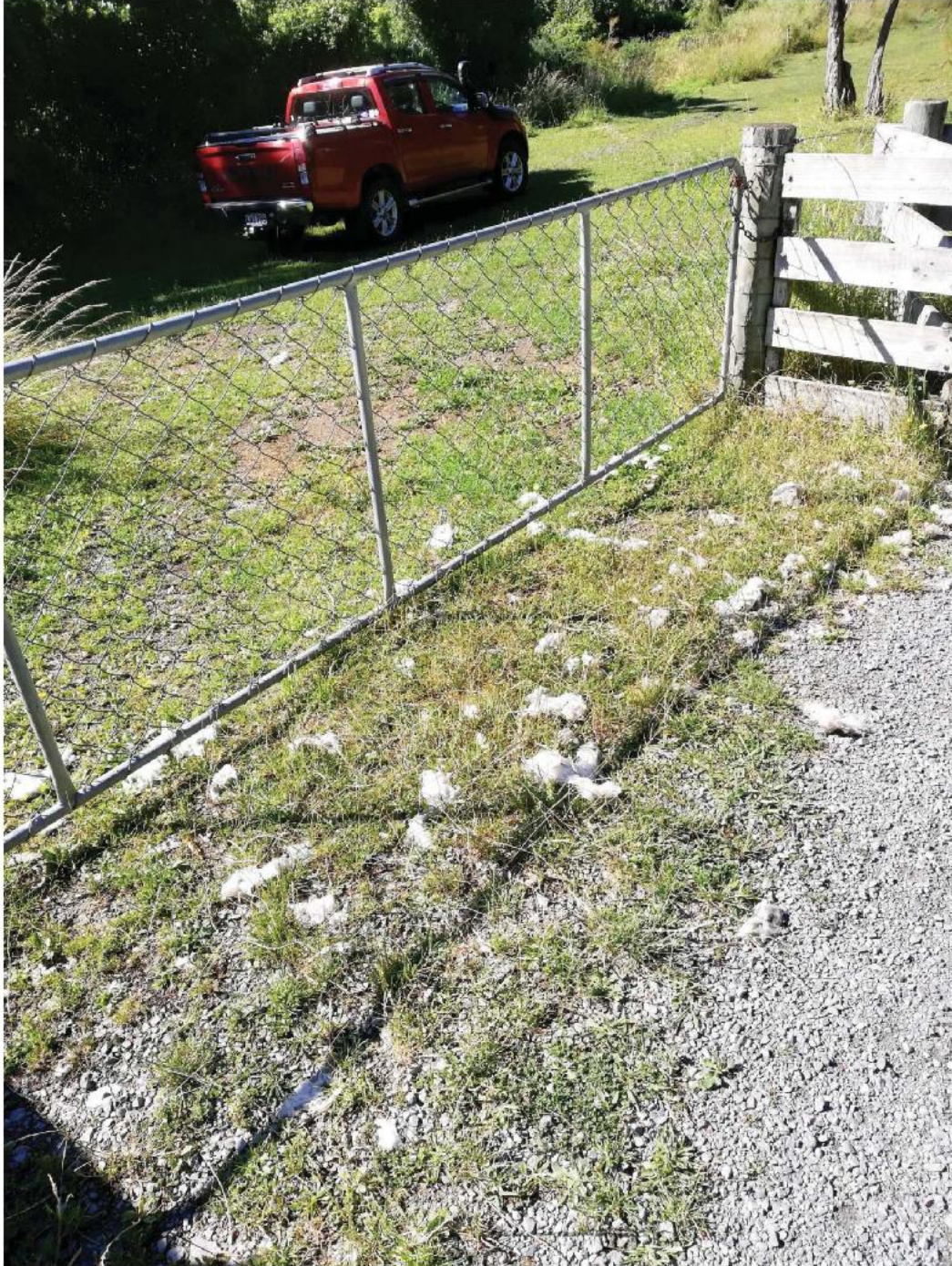
Where the Sheep DON'T graze.



Where there are no sheep



Where there are Sheep



Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21600

Jude Tarr

Nelson South
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 01: Railway Reserve - Off-leash for the whole Railway Reserve, plus signage and publicity	I support this approach	As a user of the Railway Reserve for commuting by bicycle I find dogs off-leash are safer than dogs on a retractable lead. Keeping them off lead is safer for other users of the wonderful Railway Reserve.
NCC - Environmental Management	Proposal 03: Grazed Reserves - On-leash at all times on grazed land owned by the Council excluding the grazed area at Paremata Flats Reserve	I do not support this approach	<p>The Grampians are our daily place to walk and exercise our dog, usually in the early hours when it is cooler. We strongly believe dogs need off-lead exercise areas and do not support this proposal.</p> <p>We appreciate the need to keep down weeds and reduce the fire risk to all users. We would like to recommend the Grampians:</p> <ol style="list-style-type: none"> 1. is intensively grazed only two months of the year 2. has no sheep on the reserve for the rest of the year 3. grass areas are replaced with native plantings, hence long-term lowering the need to graze this area <p>We're happy to walk the dog on-lead for the proposed two months which can be clearly communicated to dog walkers. i.e. texting all registered dog owners of the stock grazing, signage at the gates and in the community newspapers. The not knowing if to expect stock in the grazed areas has caused many dog owners great anxiety and this is not useful when considering exercising the dog is great for positive mental and physical health!</p> <p>Source: Who is Rescuing Whom? Dog Ownership and Cardiovascular Health</p>

Item 4: Copy of Submissions

			<p>by Dhruv S Kazi (originally published 8 Oct 2019) https://www.ahajournals.org/doi/10.1161/CIRCOUTCOMES.119.005887</p> <p>Also Kia Ora magazine (Air NZ) Pet Project February 2020</p>
NCC - Environmental Management	Proposal 08: Boulder Bank - On-leash at all times and dogs prohibited from The Cut towards Boulder Bank Drive for 4 kms, from October to February each year	I do not support this approach	
NCC - Environmental Management	Proposal 09: Multiple Dogs - Remove the Policy and rely on enforcement powers where required	I support this approach	
NCC - Environmental Management	Proposal 10: Good Dog Owner Policy - Remove the Good Dog Owner Policy	I do not support this approach	Maybe it is timely NCC introduce a good cat owner policy too.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21598

Mrs Mindy Silva

Atawhai
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 01: Railway Reserve - Off-leash for the whole Railway Reserve, plus signage and publicity	I support this approach	
NCC - Environmental Management	Proposal 02: Isel Park - Off-leash throughout the park	I support this approach	
NCC - Environmental Management	Proposal 05: Titoki Reserve - On-leash	I do not support this approach	
NCC - Environmental Management	Proposal 06: Whakatu Drive Foreshore Reserve - On-leash	I do not support this approach	
NCC - Environmental Management	Proposal 08: Boulder Bank - On-leash at all times and dogs prohibited from The Cut towards Boulder Bank Drive for 4 kms, from October to February each year	I do not support this approach	
NCC - Environmental Management	Proposal 10: Good Dog Owner Policy - Remove the Good Dog Owner Policy	I do not support this approach	

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21548

Ms Natalie Gousmett

Stepneyville
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 01: Railway Reserve - Off-leash for the whole Railway Reserve, plus signage and publicity	I support this approach	Yes I strongly support this, it is a vital area for dog and human exercise in this neighbourhood and for our family a safe area for us to bike with our family and dog
NCC - Environmental Management	Proposal 02: Isel Park - Off-leash throughout the park	I support this approach	I believe from your summary document what you are proposing is no change which is actually off-leash in part of the park not "throughout the park" as you state above. I do support off-leash at Isel park and it would be great if it was more or all of the park. Arbitrary borders between on and off leash areas are hard for people to follow and remember and Isel is a wonderful place for families to walk, picnic and enjoy and our family, including many others in Nelson, includes a dog. Having a dog on leash when you are trying to picnic, push a buggy, carry a balance bike and negotiate with a toddler is hard work, letting our dog off lead so she can pottle along, sniff and what she wishes and chase a stick is far more preferable for us
NCC - Environmental Management	Proposal 03: Grazed Reserves - On-leash at all times on grazed land owned by the Council excluding the grazed area at	I do not support this approach	This is a massive reduction in off-lead areas for exercising dogs in Nelson without any addition of new areas except for a the small area proposed to be added at Monaco. If there are genuine issues with off-leash dogs in grazed council reserves then I would like to see NCC add some additional areas for off-leash exercising of dogs. Dogs need to exercise off-leash, it is good for their physical and mental health it is also good for their owners to be

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	Paremata Flats Reserve		able to get out into a natural environment and run, walk or ride with their dog and not be encumbered by a lead. In particular our family would have our use restricted in the Grampians, Sir Stanley Whitehead reserve and the Maitai by these changes in a negative way. We love getting out and walking or biking as a family in these areas. We would use the Maitai for cycle access to to Codgers Mountain bike park at times. It is basically impossible and not safe at all to bike with a dog on lead but this is something we love to do as a family and a great way for us to exercise our dog.
NCC - Environmental Management	Proposal 10: Good Dog Owner Policy - Remove the Good Dog Owner Policy	I do not support this approach	We need to be increasing incentives for good dog ownership not taking away the one incentive we have
NCC - Environmental Management	Proposal 04: Monaco Reserve - Off-leash excluding the playground where dogs are prohibited	I support this approach	
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		<p>On the whole I support the change to on-lead for areas where there is a genuine concern for nesting birds. However, I would like to see more off-leash areas added in Nelson if so many are being removed, why is that not part of this proposal? How can you take away such large areas of off-lead reserve and only add a small area at Monaco and consider that a fair proposal to the dog owning community?</p> <p>As I have said in my other comments, dogs need off-leash exercise in nature for their physical and mental health as do their owners. As a family with a dog we find Nelson highly restrictive because we find very few areas we can enjoy with our children and our dog off-lead. Eg - if we wish to swim at the beach with our children and dog we can only go to back beach which is not exactly safe for young children to swim especially with kite surfers wizzing past! When it is hot we cannot take our dog to the beach then leave her in the car while we swim at the main part of the beach. There are no cold showers, changing rooms or proper toilets at the dog beach which makes swimming there with kids tricky too. If we wish to picnic after our swim, there are no picnic tables at back beach, I am not sure if there are any picnic tables at Tahuna where dogs are allowed at all, I don't know of any BBQs. So we can go as a family with our dog to back beach but if we want to safely swim with our children, or picnic/BBQ or shower we would have to leave our dog in the car or make a separate trip (neither of which are reasonable</p>

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			<p>options). We run into similar issues up the Maitai, all the swimming holes that have safe access for children to swim and/or picnic tables/BBQs don't allow dogs (Dennes hole, Sunday hole, Camp hole). While Black Hole does have picnic tables, BBQs and toilets dogs are only allowed to access it from the far side, which has terrible/unsafe access for swimming with children. Families with children own dogs, dog owners are not a separate group from families with children but we seem to be treated as two completely separate groups. We need more areas where we can enjoy the beautiful Nelson outdoors with our whole family (including our dog) not less, so if these areas must be made off-leash can we please have some areas added AND/OR some additional facilities added at the current dog areas such as back beach and Maitai. Ideally there would be one whole swimming hole up the Maitai with picnic and toilet facilities that dogs are allowed.</p>
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		<p>I would like to know what the annual income is for NCC for dog registrations over the last three years and how that money is spent. I feel like our dog registration fees are not contributing to many dog facilities but would like to see the data. Thanks</p>

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #22831

Denis Blomquist

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached

22831-1

2 March 2020

Dog Control
Nelson City Council
PO Box 645
Nelson 7040

Greetings, my name is Denis Blomquist and I have been working as a volunteer at the Havens Hole Reserve, planting trees, trapping, killing noxious weeds and picking up rubbish from the beach and along the side of the highway.

This year two pairs of Black Oyster Catches and a pair of Pied Stilts have tried to nest. I not sure of the results as I have kept my distance.

This is the first time I have seen this and I believe it is a popular site for Oyster Catches, Stilts and Herons and I would like to encourage more nesting in this area.

I was wondering if dogs could be banned in front of the Havens Hole reserve from the beach on the east side of the freedom campers site to the eastern end of the beach where it meets the wall at the highway. This would take affect in the nesting period from 1st September to 1st January.

Looking forward to your reply.

Sincerely

Denis Blomquist



Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21550

Mr John Gray

Tahunanui
Nelson 7011

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached.

21550-1

Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (overleaf) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name JOHN T. GRAY

Daytime phone [REDACTED]

Address [REDACTED] NELSON.

Organisation represented (if applicable) N.A.

Do you wish to be heard in support of your submission? ☒ YES ☐ NO # of pages

 If you do not tick a box we will assume you do not wish to be heard.

Public information: All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of the submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

The consultation/proposal my submission relates to:

DOG REGISTRATION

My submission is:

FEES.

REDUCTION IN DOG REG. FEES.

(1) DOG WELL LOOKED AFTER

(2) NCC HAS CEASED TO DOSE FOR HYDATIDS.

(3) PENSIONERS HAVE DOG COMPANIONSHIP & SHOULDN'T FACE PENALTY IMPOSED UPON THEM FOR OWNING DOG.

(4) WATCH-DOGS PROVIDE DEGREE OF SECURITY.

(5) STOCK DOGS - ASSIST WITH EARNING A LIVING & 'NZ' LIVELIHOOD & NATIONAL BUDGET; - NO PENALTY(\$) TO STOCK-DOG OWNERS/SHEPHERDS.

(6) ENCOURAGE CHILDREN TO HAVE PET DOGS & DEVELOPE SENSE OF RESPONSIBILITY

Date 10.02.2020

Signature [REDACTED]



Nelson City Council
te kaunihera o whakatū

PO Box 645 • Nelson 7040
03 546 0200 • nelson.govt.nz

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Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21594

Mrs Claire Bywater

Britannia Heights
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 10: Good Dog Owner Policy - Remove the Good Dog Owner Policy	I do not support this approach	
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		My area of concern about dogs doesn't appear to come up in this document. if it should be raised elsewhere please direct me. Otherwise I'll briefly outline in attachment. I would only speak to this submission if it is indeed Council business.

21594-1

1. Dogs and public transport

I didn't realise dogs couldn't go on the bus until I tried to catch one. That rules bus use out for me as my small four legged friend is a constant companion. Other regions allow dogs on public transport. Time to address this? Could regulate for size and number.

2. Dogs and cafes/bars

Had a very nice coffee in Sunday Café, Christchurch lately where dogs are allowed inside. There seems to be a culture in the Nelson Café scene where owners appear to believe dogs are "banned" by the Council. Some clarity around this could be useful. Dogs are increasingly family members and Nelson is in stark contrast to the inclusion of dogs in the UK and Europe.

Thank you for reading this. I'm fully aware these points may be irrelevant to you.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21432

Mrs Julie Malthus

RD 1
Nelson 7071

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		I own 2 pet dogs who I walk every day as any good dog owner does. Nelson needs to be adding more off lead areas not restricting the very few areas we have. We are surrounded by National Parks which severely restricts the areas we can take our dogs. Owning a dog is proven to be beneficial to your health and NCC should be doing everything it can to promote good dog ownership not make it harder and harder to own and walk your dog. There are a lot of elderly people living in Nelson and for some having a dog is their only companion. Dogs need off lead areas to get a good amount of exercise. If NCC really wanted to operate in the communities best interest it would be adding areas of off lead exercise not restricting them. I strongly believe we need more areas not less. I hope that people making submissions such as myself are actually listened to and this just isn't a PC stunt because the council is required by law to get submissions.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #22731

Mr David Melville

The Ornithological Society of New Zealand/Birds New Zealand

RD 2

Wakefield 7096

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached.

28 February 2020

Dear Sir/Madam,

Nelson City Council Dog Control Policy and Bylaw Review 2020

I am writing on behalf of the Nelson Branch of the **Ornithological Society of New Zealand (OSNZ)/Birds New Zealand** with respect to the above document. The Society is an organization concerned with the study of birds in New Zealand and the dissemination of this knowledge. The Objects of the Society include, *inter alia* 'To assist the conservation and management of birds by providing information, from which sound management decisions can be derived'.

Protected wildlife

I note that the 'objects' of the Dog Control Act 1996 include:

- (a) to make better provision for the care and control of dogs—
 - (iv) by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or **protected wildlife** [emphasis added]

There appears to be no direct provision within the proposed revised Nelson City Council Dog Control Bylaw for the provision of safeguarding protected wildlife, although a number of the current, and proposed, restrictions on dogs have this effect. Consideration should be given to including wording to the effect that:

'Every dog shall be kept under continuous leash control on any occasions that it is likely to injure, endanger, or cause distress to any protected wildlife'

In support of this, 'protected wildlife' should be included in the 'definitions' e.g. as: 'Protected Wildlife - means any animal that is absolutely or partially protected in accordance with the Wildlife Act 1953 and any marine mammal within the meaning of the Marine Mammals Protection Act 1978' – this would align the NCC and Tasman District Council definitions.

Sand Island

We submitted on the Dog Control Bylaw in 2012, highlighting the ornithological importance of 'Sand Island' in Waimea Inlet, between Nelson Airport and Rabbit Island. The current Dog Control Bylaw Schedule 1 identifies Sand Island as a 'dogs prohibited area'

- 21. Sand Island. This site is of regional and national importance as both a breeding and roosting site for a number of birds including: Black Fronted Tern, Black-billed Gull, Pied Shag, Red-billed Gull, Caspian Tern, South Island Pied Oystercatcher, White-fronted Tern and the Variable Oyster Catcher. In addition, Godwits roost on this island during spring tides.

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Sand Island has undergone considerable change since 2012, initially growing in area, with a substantial *Spinifex* dune at the northern side, but subsequently being eroded by severe weather such that currently it is barely above water on spring tides. It does, however, still support roosting shorebirds. As such, it contributes to aviation safety at Nelson Airport by providing an attraction for birds to roost away from the airfield and operational areas.

This is not the first time that Sand Island has risen from the deep only to disappear some years later and then re-appear – as shown by historic aerial surveys and topographic maps.

As such, it is appropriate to retain the current designation as a 'dog prohibited area'.

Boulder Bank

Nelson Haven and the Boulder Bank support important numbers of shorebirds and seabirds. In addition to the breeding colony of Red-billed Gulls [At Risk – Declining¹] and White-fronted Terns [At Risk – Declining] near The Cut, it is notable that Ron Moorhouse² recorded an exceptionally high density of breeding Variable Oystercatchers [At Risk – Recovering] along the Boulder Bank south from Boulder Bank Drive (there being considerably more birds/km than at Motueka Sandspit or Farewell Spit, for example) and making the site of international importance under the Ramsar Convention.

Dr. Moorhouse also reported Banded Dotterels [Nationally Vulnerable] along the Boulder Bank. This is a species which appears to be declining rapidly³ and thus potential disturbance any breeding site is of concern.

Disturbance to birds along the Boulder Bank will be reduced by the proposed designation of the area as 'on lead'. We have no information about the use of the beach between Boulder Bank Drive and Glenduan by nesting shorebirds and note that this area does not appear to have been included in Dr Moorhouse's survey.

In view of the fact that Banded Dotterels may start to nest in August⁴, i.e. earlier than Variable Oystercatchers, gulls and terns, consideration should be given to bringing forward the starting date for the dog prohibition season to 15 August.

Paremata Flats

There continues to be community involvement to increase biodiversity values of this site, in particular habitat enhancement for Banded Rail [At Risk – Declining] and Fernbird [At Risk – Declining].

¹ Threat classification from Robertson, H.A. *et al.* 2017. *Conservation status of New Zealand birds, 2016*. Department of Conservation.

² Moorhouse, R. 2017 Results of Nelson Nature Environmental Monitoring – coastal habitats shorebird survey – October 2016 to January 2017. MS

³ Schuckard, R., Melville, D.S. 2013. *Shorebirds of Farewell Spit, Golden Bay and Tasman Bay*. Report prepared for Nelson City Council and Tasman District Council.

⁴ Bomford, M. 1988. Breeding of the Banded Dotterel *Charadrius bicinctus* on the Cass River Delta, Canterbury. *Notornis* 35: 9-14.

Whakatu Drive Foreshore Reserve

Dr. Moorhouse recorded Banded Rail [At Risk – Declining] along this section of coast.

Public education/awareness and enforcement

The provisions within the dog control policy and bylaw to safeguard Nelson's rich biodiversity, in particular, 'threatened' and 'at risk birds', will only be achieved if supported by dog owners (supported by relevant awareness raising activities) and, where necessary, appropriately enforced.

We wish to be heard.

Yours faithfully



David Melville

The Ornithological Society of New Zealand/Birds New Zealand



RD 2 Wakefield

Nelson 7096

Tel. [Redacted]

Email: [Redacted]

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21662

Mr Ian Barker

Stoke
Nelson 7011

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 02: Isel Park - No change. Part Off-leash, part On-leash	I support this approach	<p>The current delineation within the park has been very successful as it provides an opportunity for a large number of people with their dogs to recreate together and enjoy the amazing ambience. It is interesting to see the bylaw operating as planned when one attends the Thur. evening market. There are always a number of dogs there and their owners respect the on lead requirement. I am currently walking a dog at Isel most days and I get very positive feedback about the exercise benefits and the value of having the the place to go to.</p> <p>I believe it would be wise to have doggy do bags available at the front gate but in saying this I am in no way intimating that dog owners are not responsible. Owners are very careful in ensuring that they clean up after their dogs relieve themselves, as an inspection of the park would confirm to you.</p>
NCC - Environmental Management	Proposal 01: Railway Reserve - Off-leash for the whole Railway Reserve, plus signage and publicity	I support this approach	I have seen no need to change the current system.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #22738

Mr Adrian Abraham

Atawhai
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached.

Dog control Policy and Bylaw 2013 Review – Submission

The council states (regarding 2013 Policy and Bylaw):

“The current Policy and Bylaw reflect Council’s preferred direction at that time, which was:

- To allow dogs off-leash in most places (if they are under control)
- To require dogs to be on a leash in urban centres and most neighbourhood reserves
- To continue to prohibit dogs from a list of sensitive areas including conservation reserves, the playing surfaces of sports fields, and playgrounds.”

What is wrong with that? – it seems eminently sensible (well, perhaps apart from the overly restrictive on leash requirement in most neighbourhood reserves – a rule that seems to be widely ignored with no detrimental effect whatever).

My concern is with the council’s proposal to effectively block access to the majority of the best walks in Nelson that are suitable for my dog and I with an unnecessary on-leash requirement. I live alone (with my dog) and it is essential for my health and well-being that I am able to take regular hill walks. The dog needs the exercise too. Having the dog on a leash (while fine on the flat, such as in the CBD) is totally impractical on rough hill tracks. I have personally suffered a number of health issues (including four major back surgeries) and while this does not preclude physical activity it does mandate some restrictions – I need to use a walking pole and take some additional care.

While I try to take a good variety of walks, for both my own sanity and that of the dog, my top four walks in order are:

- 1) Sir Stanley Whitehead Park (best walk close to home)
- 2) Grampians Reserve (excellent walking and variety but not quite so handy)
- 3) Titoki Reserve (short but only accessible walk that does not require the car)
- 4) Maitai River upstream from Sunday Hole on true left (when health issues or fire risks do not permit hill walks).

On the current council proposal every single one of these will become unavailable. In recent times we have already lost two very good walks – (1) from the top of Bay View Road (due to housing development) and (2) the excellent Matai Track on the Grampians (due to pest control). This will be a loss of six!

The Mt Richmond Forest Park provides a lot of fabulous walking opportunities for half day plus but is not practical for short one to two hour walks – options closer to home are needed.

I am aware that there can be issues with dogs and accordingly I met with Matt Heale to request some details on the extent of perceived problems. Matt liaised with NCC officers from Parks and Science Environments teams and staff from Environmental Inspections Limited (EIL).

Grazing Areas

Covering the period of the last three years, EIL was able to locate just one infringement notice relating to the grazing area in the Grampians and none in any of the other grazing areas. In addition EIL stated that they believed the Grampians was the main area of concern. This is supported by the graziers comments that 35 sheep were killed in the middle of lambing and another 8 in one go during Easter. This is an extraordinary level of loss which demands some consideration as to the cause. The idea that this has come about through dog owners genuinely thinking they had their dogs under control, only to find they didn't is simply beyond belief. Therefore there are only three plausible explanations:

- 1) The dog owners were in deliberate breach of the bylaw by not having their dogs under control,
- 2) The dog owners were aware that their dogs could not be controlled in the presence of sheep but were unaware of the possibility of sheep being present,
- 3) Despicable owners were deliberately permitting their dogs to target sheep.

Changing the bylaw to require dogs to be on leash will have little or no impact on (1) and (3) above although it presumably would for (2). Yet (2) would be better resolved by ensuring that owners are aware. I question whether signage is really adequate in the Grampians Reserve. And I think it would be prudent to state that if your dogs have not been socialised to be in the presence of sheep then they should be kept on lead.

As Matt has been unable to find any significant instances of problems outside of the Grampians, I would ask that these areas remain off leash. In order for the Dog Control Bylaw to be effective, it needs at least the buy-in from responsible dog owners and unreasonable restrictions is not a way to achieve that.

Given the extent of the problems in the Grampians, I would be open to the idea of experimenting with this being on leash however I doubt (in the absence of any other actions) that it will have more than a nominal beneficial outcome.

Perhaps a more practical and effective solution would be to follow the lead of the Department of Conservation with the Mt Richmond Forest Park. That is to require a permit to take dogs into the relevant areas. In issuing the permits, it would be very easy to make it abundantly clear what the issues are with stock and what actions owners need to take. It would also be easy to deny a permit to irresponsible owners and those with dangerous dogs.

Titoki Reserve

In regard to Titoki Reserve, Matt has advised that it is unknown how many (if any) birds have been lost due to dog attack. He also advises that it is unknown how many (once again, if any) conflicts there have been with stock on surrounding land. He does advise that some fencing was put in to deal with some

initial issues on adjoining farmland. Presumably this refers to the fenced access way through the private farm land to the reserve and this is entirely appropriate (as it would be to have a dog on leash when crossing private farm land with stock present). Given that there are no known problems within Titoki Reserve and the lack of other areas in Nelson north, please leave it as off leash.

Dog Control Enforcement

I have, in the past, had cause to call the council regarding dog problems caused by irresponsible owners and I personally know of three other people who have had cause to do the same (all four for different reasons, I might add). In every instance the dog control officers have been excellent in turning up promptly and dealing with the problems. But in every single instance (of the four I am personally aware of) the dog owners behaviour continued unabated resulting in further calls to the council and further prompt response from the dog control officers. No infringement notices were ever issued so the behaviour continued. I am sure the dog control officers are operating entirely within the guidelines they have been given but there is a clear need for much stricter enforcement. Matt has advised that there were approximately 1700 complaints last year with 288 infringement notices issued (i.e. 17% of cases). Obviously not all complaints are genuine and, of those that are, not all would be significant but on a conservative assumption that 50% are that still only leaves a rate of only 1 in 3. Stronger action needs to be taken against irresponsible dog owners in order to protect the rights and privileges of the responsible majority.

I am not suggesting that infringement notices should be issued where it is clearly a matter of owner education – i.e. the owners action (or lack of action) is genuinely a result of ignorance (or even inexperience if only recently acquired a dog and are still learning). Nor am I suggesting that infringement notices should be issued where the offence is technical in nature, did not cause harm or nuisance and had no realistic possibility of doing so. But where an offence does cause harm or nuisance (or has the realistic possibility of doing so) and the owner is or should be aware of that then an infringement notice should be issued unless there are very good reasons for just a warning.

Good Dog Owner

While the GDO scheme is a valiant attempt to ensure that the irresponsible owners pay a bit more of the dog control costs (user pays principle) it is clearly a failure in the way that it is implemented. I support it being discontinued. I have owned my dog since 2018 and I can't qualify yet. Based on the figures that Matt has provided, if the \$19.50 discount were provided for all eligible dogs, this would result in a shortfall of \$46,290. If a more appropriate level of enforcement were taken (say doubling the current income from fines from offenders) this would require a licence fee increase of \$3.00 per dog to cover the shortfall which I think is acceptable. Having the offenders pay a greater share of the costs through enforcement is a better approach to user pays with the added benefit that it is likely to reduce the incidence of problems and nuisance.

An alternative, which entails little in the way of administrative costs, would be to charge a lower fee to owners with no proven complaint or impounding in the prior three years.

Summary

All I ask is that I have access to handy walks that suit my physical limitations and that the dog can come too. And I guarantee that neither my dog nor I will cause harm or nuisance. The dog has been properly trained, fully socialised around people, children, other dogs, farm animals, sheep, goats and wekas and she knows full well not to interfere with pest traps. The dog is fully under control because, as a responsible owner, I have taken the trouble to expose her to her environment (including wekas and other native bird life) and let her know exactly what is expected.

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21694

Ms Helen Black

The Brook
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		Please see attached document. I wish to speak to my submission but it depends on my health at the time unfortunately. Thank you.

**Submission to the Nelson City Council on the
Proposed Changes to the Dog Control Policy and Bylaw 2013 – January 2020**

Thank you for the opportunity to comment on the above documents. My name is Helen Black, dog owner, walker and ratepayer.

The authors of this proposal believe that the council accommodate enough for dogs/dog owners re the use of some recreational areas – I disagree. They also believe NCC provide more dog friendly areas than other councils – I disagree. The suggested loss of off-leash areas is enormous. The whole enjoyment of exercising with a dog is wiped out when the dog has to be leashed - for the dog and the owner. Both are stressed and irritated with each other. It's so counter-productive. Dogs want to get out of the way of hazards and they can't when trapped on the end of a lead. Dogs want to sniff and pee and tend to head for the shrubs to the side of the shared pathways, while owners tend to stay on the paved area, as a general rule. Many dog owners cannot give their dog sufficient exercise on leash.

This proposal will force dogs and their owners onto narrow footpaths, shared cycle/walk paths and the outskirts of sport fields. As the garden areas in modern housing are becoming smaller, people need more dog friendly areas to exercise their dogs. Many people see their dogs as part of their family and they have an obligation to offer them adequate shelter, food, stimuli and exercise. Safe off-lead areas provide both mental health and wellbeing to their owners and dogs. This proposed policy fail to deliver this.

1. I would like to see overall **restrictions reduced**, more areas open up to off-lead rather than restricting and penalising dogs and dog owners. Potential conflicts between other user groups will increase in my view if more dogs, either on or off leash are congregated on narrow footpaths, shared paths and fewer and smaller green areas. Currently the council seems to believe that increase in restriction will minimise conflicts and more complaints for the Council (p. 8 in this proposal)

2. **Railway Reserve:** I personally don't frequent this area but I believe in **Option A** as part of dog owners need more off leash areas. As for signage I suggest the council try to minimise the signage in general to make the important signs count. It's far too many signs around Nelson, one stop reading them.

3. **Isle Park: Option C** I encounter a lot of children and elderly who want to interact with my dog. If she is on leash with people looming over her trying to pat her she can become frightened. When she is off leash she is much more relaxed. Common canine behaviour.

4. **Grazed Reserves: Option A** Grazing in urban areas ought to be phased out and turned into meadows or planted wooded areas. As Nelson and Richmond grow and become more urbanised stock may not be available in the future. Something to plan for. New planting can't happen in grazed areas and grazing also affect the water quality downstream which we already have problems with in Nelson. If the council chooses grazing, cows ought to be used as they are normally not affected by dogs. Sheep during lambing times ought to be replaced with cows. An additional option would be for the council to encourage weka and sheep aversion training. Some attacks will always happen whether it's from dogs that escaped/roams, or while out on a walk or bike ride. The number of attacks doesn't seem to have increased despite an increase in dogs (apart from the multiple damage during a couple of attacks). To know that one's dog would be destroyed if attacking sheep would be a good incentive to keep the dog under control and this needs to be heavily emphasised. Encourage people to use a muzzle esp when biking with dogs as it can be harder to keep control of one's dog at speed.

5. **Good Dog Policy: Option A** Dog Control Officers need to be involved early, so, for example, registration could involve a home visit to check the dog's behaviour and environment. Where necessary, the DCO could insist that training be undertaken. GDP could be tweaked to incl that if

someone can't pay registration on time but contact the council before hand they can still keep DGO status. Doesn't have to be a higher income issue.

At the moment, dog owners feel disenfranchised by the heavy burden of legislation falling on on our shoulders. I would like to see dog owners invited to when Council is considering bylaw changes. One such example was not long ago when the council initially told people they and their dogs couldn't swim at the back beach, Tahunanui because of the Kite surfers. Later dog owners were told the dogs could swim there but not their owners!!!

The proposed policy and dog bylaw refers to "the need to minimise danger, distress, and nuisance to the community generally". On the other hand recreational groups receive council funding without contributing to the council. One such example is the Nelson Mountain bike club. Much of its use is on public land, no regulations and operate on a 'bikers code' only. A speeding biker has a potential to cause fatal to minor injuries or simply startle people, which would fall in the category of danger, distress, and nuisance, same as what the dog bylaw is wanting to achieve. Nearly \$1 million was gifted to the MTB club last year whilst dog owners pay registration fees and are heavily regulated. I see this as discrimination by the council. It's not as if dog ownership is a small group in our community and it's enjoyed by all age groups.

6. Monaco Reserve: Option B.

7. Titoki Reserve: Option A. I believe we need to recognise that cities and urban areas main existence is to cater for people and their lifestyles. There has to be green, treed areas where people and their pets are allowed to frequent. There's enough areas around Nelson/Tasman that cater for birds.

8. Whakatu Drive Foreshore Reserve: Option A. People must come first when it comes to outdoor pursuit which includes off-leash dogs.

9. Boulder Bank: Option A. The Boulder Bank is one of the only areas in Nelson where one can get away from other dogs and cyclists. It's important that the off leash status is retained.

10. Number of Dogs: Option B.

11. All other neighbourhood reserve: Off-leash. Fence off the play grounds and allow families with dogs to be able to multitask, to take the dog out at the same time as the children. People can throw a ball to their dogs while their children are playing safely on a swing etc. Work towards educating and informing all non-dog-owning members of the community so that everyone gains a general understanding of dog behaviours particularly around canine-human interactions. For example an on-leash dog is more hostile-defensive than an off-leash dog who can get out of the way. Narrow spaces and on-lead dogs are generally a bad match. Under exercised dogs are also potentially more hostile-defensive.

12. If the Brook Valley Waterworks Reserve is not in fact a waterworks reserve, why not open the Dun Mountain Trail for dogs off leash? These areas do not appeal to the average dog owner, but a few of us crave forested walks with our dogs. Owners could be asked for dogs to wear a muzzle;
AND

Playing fields are in use for so little time. With appropriate signage and education, such fields could be made available to dogs/owners when they are not being used for anything else. I'm sure volunteers could be found to make sure the playing areas are not fouled.
AND

Barking dogs are infuriating. Under exercised dogs bark. The proposed policy will not encourage one lazy owner to get up and exercise their dogs.
AND

Dogs need to be socialised in all settings to be good all-round canine citizens which means there's a limitation to what a dog park can offer.

Item 4: Copy of Submissions

AND

Neutering of dogs should be carried out when a dog comes to the attention of the Council

AND

The toxic algae prevents me and my dog to swim in the Maitai part of the year. It's impossible to when the algae is toxic. It would be helpful if the swimming restrictions were changed to suit the summer school holidays rather than the December-March prohibition.

AND

At the end of Branford Park, in the little valley there is a BMX track. It is rarely used but put in the middle of a very frequented dog off leash exercise area. These are areas where negative interactions between different user groups could occur. Plan better! Use community forums and I am sure we could come up with better solutions than this.

AND

The Conservation and Landscape Reserves Management Plan 2009 (5.12) states "one of the most important purposes of the reserves is to provide opportunities for public use... This plan aims to achieve a balance between unrestricted public access and the protection of reserve values and reserve users". Dog owners are reserve users. They deserve safe areas where owners can meet their dogs' needs.

AND finally

New Zealanders in general are a pet loving and outdoor country. I want to offer another perspective in regards to fears and phobias when it comes to dog related injuries/safety. In 2011 ACC paid out \$44 million in animal related injuries, this includes \$2.4 million for injuries caused by dogs.

During 2009-2011 ACC dealt with 216,500 animal related injuries, which makes for an average of 72,000 claims per year. Dogs were involved in 11,700 claims, livestock in over 15,000 claims, and the rest of the claims involved various other pets and wildlife.

ACC figures for schoolyard injuries to over 60,000 pupils came to a cost of \$14 millions in 2010.

Unfortunate incidents are part of life and rather than a fear-based new dog policy and bylaw, I would like to see an inclusive approach.

Nelson's motto seems to be about shared spaces and activities, so please let dogs be included in a way that benefit both dogs and owners.

Summary:

- a) More off-leash areas spread out over the whole region.
- b) Good Dog Owners - To view all good dog owners as good dog owners. The council wrote in this proposal that as it stands now "good dog owners need to prove they are good dog owners rather than assuming all dog owners are good dog owners and penalising those who are not."(p.19) This restrictive dog bylaw proposal which increases on-leash and prohibited areas assume that all dog owners are 'bad' dog owners by catering to the minority of disrespectful dog owners. Or put in other words 'When a cyclist offends against a pedestrian on a shared pathway, do you limit all cyclists to on-road cycling only?'
- c) Allow dogs to be dogs without penalize their owners or the dogs, educate dog owners of their responsibilities.

Helen Black

[REDACTED]

Nelson

Email: [REDACTED]

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21697

Ms Erice Jackson

The Brook
Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		<p>I am disappointed that council is considering the removal of the slight reduction in fees when registering our dogs. I know it may not seem a lot of money but in a city of sunshine wages ie low hourly rates every increase in costs can hurt. I feel responsible dog owners need recognition and this might encourage dog owners who let their dogs exercise unrestrained in city sports fields, keep more than two dangerous dogs in poorly fenced properties etc might be inspired to follow council guidelines in keeping dogs.</p> <p>Yet again an increase in fees from council without anything to show why. It's not as though there are any more outlets for doggie do bags or more dog Rangers that could monitor the number of unrestrained dogs on the streets.</p> <p>In summary give us a break and keep our reduced fee for being a responsible dog owner.</p>

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21689

Mr & Mrs Ross Whitlock

Maitai

Nelson 7010

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Proposal 03: Grazed Reserves - On-leash at all times on grazed land owned by the Council excluding the grazed area at Paremata Flats Reserve	I do not support this approach	<p>We have walked along the Maitai /Tanragee Walkway most days for over 12 years. No matter what time of day or day of the week the area is being enjoyed by a wide range of people walking and biking with their dogs. It is a healthy, low cost and thoroughly enjoyable activity that costs the council little. It is the only area near Nelson city, that is easily accessible where dogs can be safely off leash (away from roads), uncrowded in a more rural environment and can be exercised for several kms. There are no endangered ground birds, no special plants and often no stock.</p> <p>The freedom of this recreational amenity to rate payers and visitors you propose to sacrifice due to "low cost maintenance of grazing" Why not surprise us dog owners by instead of introducing restrictions upon restriction you actually embrace us and make this area "a dog off leash area" by stopping stock grazing. The maintenance cost of some mowing and brush cutting could be easily offset by the cost of badly needed improved fencing (stock often wander), the supply of fresh clean water (often scant apart from winter and an animal welfare issue) and avoidance of pollution of waterways by faecal run-off during heavy rain. This area could become a real gem for Nelson (akin to Rough Island) instead of poor grazing land at best. It does not have to be manicured parkland, semi wilderness is great and welcomed by most.</p> <p>As an aside although you mention it is difficult to get any one to graze the area due to dogs being off leash, I note that stock seem to be rarely checked and when moved on there are always several sheep and even adult cows left behind - presumably unintentionally and often distressed at being separated from the reminder of the flock/herd. I have never in over 12 years seen any dog harm stock</p>

Submission Summary

Dog Control Policy and Bylaw 2013 Review - Submission #21483

Mr Ferry van Mansum

RD 1
Nelson 7071

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Any other comments? - Are there any changes you would like made to any other aspects of the Policy and Bylaw		As a regular dog walker for about 25 years I know the area quite well. I don't assume that many of you have ever walked the whole length of the Boulder Bank and are aware where nesting sites are. The first part at the end of the Boulder Bank Drive to the left and right is well used by walkers and birds do not nest there. Look at the high water mark made by drift wood! After the storm a few years ago the top of the bank is covered in stones that makes it hard for people to walk and near impossible for dogs to run. A little part of the 12 km long bank can be accessible for dog owners while keeping their dogs under control. No dogs allowed after the second sign to the left makes sense.

Timing of Dog Control Policy and Bylaw Deliberations

1. Purpose of Report

- 1.1 To consider the timing of deliberations on the Good Dog Owner Policy and all other aspects of the Dog Control Policy and Bylaw.

2. Summary

- 2.1 The hearing of submissions and deliberations on the Dog Control Policy and Bylaw have been delayed due to the COVID-19 pandemic. This delay has the potential to impact on a related decision on dog control fees for the 2020/21 financial year.
- 2.2 This report considers the option of deliberating on the Good Dog Owner Policy at an earlier date than the remainder of the Dog Control Policy and Bylaw matters. Making a decision on the Good Dog Owner Policy on 19 May would inform the Environment Committee's deliberations on the proposed amendments to the Dog Control Fees on 4 June.

3. Recommendation

That the Environment Committee

- 1. Receives the report **Timing of Dog Control Policy and Bylaw Deliberations (R16959)** and its attachment (A2337794); and***
- 2. Commences the Dog Control Policy and Bylaw Deliberations on 19 May 2020 in order to make a decision on the Good Dog Owner Policy; and***
- 3. Reconvenes the Dog Control Policy and Bylaw Deliberations on 4 June 2020 to make decisions on all other aspects of the Dog Control Policy, and to make recommendations to Council on all aspects of the Dog Control Bylaw.***

Item 5: Timing of Dog Control Policy and Bylaw Deliberations

4. Background

- 4.1 Consultation on the proposed amendments to the Dog Control Policy and Bylaw was carried out from 27 January 2020 to 28 February 2020, and was not affected by COVID-19 restrictions. However, the hearing scheduled for 24 March 2020 was postponed until 21 April, and deliberations are now scheduled for 4 June 2020.
- 4.2 Council consulted on a Statement of Proposal for Amendments to the Dog Control Fees (see Attachment One — A2337794) which included a preferred option to increase dog registration fees to better cover the actual costs for dog control services. This proposal included an attachment showing the effect of the Proposed Dog Control Fees with the Good Dog Owner Scheme and without the Good Dog Owner Scheme.
- 4.3 The consultation period for the Proposed Amendments to the Dog Control Fees ran from 17 March 2020 to 17 April 2020. The Environment Committee is scheduled to deliberate on the Fees and Charges on 4 June 2020, in time for the decision to be reflected in the dog registration fees in the 2020/21 financial year.

5. Discussion

- 5.1 The two consultation processes are inter-related, because a decision on whether to retain or remove the Good Dog Owner Policy (and to provide a discount on dog registration fees for eligible dog owners) will affect the dog control fees in the 2020/21 financial year.
- 5.2 Considering submissions and making a decision on whether or not to retain, amend or remove the Good Dog Owner Policy on 19 May 2020 would enable the Environment Committee to make an informed decision on the Proposed Amendments to the Dog Control Fees at its deliberations meeting on 4 June 2020.

6. Options

Option 1: Two deliberations meetings, with the Good Dog Owner Policy considered on 19 May and all other Dog Control Policy and Bylaw matters considered on 4 June 2020.	
Advantages	<ul style="list-style-type: none">• A decision on the Good Dog Owner Policy on 19 May would support Environment Committee decision making on Dog Control Fees on 4 June.• If the Environment Committee required further information before making a decision on the Good Dog Owner Policy, this could be provided in time for the 4 June deliberations.

Item 5: Timing of Dog Control Policy and Bylaw Deliberations

Risks and Disadvantages	<ul style="list-style-type: none">• Councillors and staff would need to participate in two separate deliberations meetings.• Submitters wishing to observe deliberations (and who have an interest in both the GDO Policy and other matters) would need to access links to two different meetings.
Option 2: One deliberations meeting with all Dog Control Policy and Bylaw matters considered on 4 June 2020.	
Advantages	<ul style="list-style-type: none">• All issues related to the Dog Control Policy and Bylaw would be able to be considered at the same time.
Risks and Disadvantages	<ul style="list-style-type: none">• Delaying a decision on the Good Dog Owner Policy until 4 June would provide very little time between making a decision on the Good Dog Owner Policy and making a decision on dog registration fees for the 2020/21 financial year.• There would be a risk that the Environment Committee might need to seek further information related to the Good Dog Owner Policy, which would not be able to be provided prior to deliberations on Dog Control Fees on 4 June. In this situation, Council would not have time to amend dog registration fees in time for the 2020/21 financial year.

7. Conclusion

- 7.1 Deliberations on the Proposed Dog Control Policy and Bylaw have been delayed until 4 June due to the COVID-19 pandemic. However, a timely decision on the Good Dog Owner Policy is necessary to inform the Environment Committee's decision on the proposed amendments to the Dog Control Fees. This can be achieved by commencing deliberations on 19 May to consider the Good Dog Owner Policy, then reconvening the deliberations meeting on 4 June to consider all other matters related to the Proposed Dog Control Policy and Bylaw.

Author: Clare Barton, Group Manager Environmental Management

Item 5: Timing of Dog Control Policy and Bylaw Deliberations

Attachments

Attachment 1: A2337794 - Dog control proposed fees and charges - Statement of Proposal - Jan2020 [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	A decision on the timing of Deliberations on the Proposed Dog Control Policy and Bylaw will enable democratic decision-making and action by, and on behalf of, the Nelson community.
2. Consistency with Community Outcomes and Council Policy	<p><i>Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement</i></p> <p>Council leaders are strongly connected to our people and mindful of the full range of community views and of the generations that follow.</p>
3. Risk	If the Environment Committee does not consider submissions on the Good Dog Owner Policy until 4 June there is a risk that Council will not have time to amend dog registration fees in time for the 2020/21 financial year.
4. Financial impact	If Council is unable to amend the existing dog control fees for the 2020/21 financial year, dog registration fees will not fairly cover the costs of dog control activities at a rate proportional to the private benefit gained from the services.
5. Degree of significance and level of engagement	This matter is of medium significance because of the potential impact on the registration fees for all dog owners in Nelson. For this reason, special consultative procedures have been carried out on both the Good Dog Owner Policy and the proposed amendments to the Dog Control Fees.
6. Climate Impact	Climate impact has not been considered in the preparation of this report.
7. Inclusion of Māori in the decision making process	No engagement with Māori has been undertaken in preparing this report as it affects the timing of Deliberations, rather than the content of the proposals.
8. Delegations	The Environment Committee has the following delegations to consider dog control policies, bylaws and fees.

Item 5: Timing of Dog Control Policy and Bylaw Deliberations

Areas of Responsibility:

- Bylaws, within the area of responsibility
- Environmental regulatory matters including (but not limited to) animals and dogs

Delegations:

The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.

The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):

- Reviewing and determining whether a bylaw or amendment, revocation or replacement of a bylaw is appropriate
- Undertaking community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes.

Environment Committee Powers to Recommend to Council

- Matters that, under the Local Government Act 2002, the operation of law or other legislation, Council is unable to delegate

Council

Council will also make all decisions on matters that must be exercised by Council or unable to be delegated by law. This includes, but is not limited to:

- The power to make a bylaw



Statement of Proposal

AMENDMENTS TO THE DOG CONTROL FEES

Commencing 1 July 2020

A2337794

1

1. Nelson City Council's proposed amendments to the Dog Control Fees

Nelson City Council (**Council**) would like to know what you think of the proposed amendments to the fees relating to the registration and control of dogs.

Council has reviewed these fees and is proposing some changes as described below. In making decisions on this proposal, Council will be taking account of all submissions made.

The proposed Dog Control Fees are attached to this Statement of Proposal, with the changes underlined. Paper copies of this document are available at the Council's Customer Service Centre and in Nelson libraries.

2. The Proposal

Detailed analysis of the issues and options is provided in section 4 of this proposal. The fees schedule with proposed changes is included in Attachment 1. In summary, it is proposed to:

- a) Delete the good dog owner scheme category (should this be decided through the separate review of the Dog Control Policy and Bylaw) and increase the:
 - standard registration from \$86 to \$95.80 and
 - rural dog registration from \$48 to \$53.50 **or**
- b) Retain the good dog owner scheme category (should this be decided through the separate review of the Dog Control Policy and Bylaw) and increase the:
 - standard registration from \$86 to \$108.50 and
 - good dog owner registration category from \$66.20 to \$84 and
 - rural dog registration from \$48 to \$61 **and**
- c) Increase the afterhours call out fee from \$75 to \$80 **and**
- d) Include the words "Community working dog such as" at the start of the Police, seeing-eye dogs category

Consideration under the Dog Control Act 1996 and the Local Government Act 2002

This Statement of Proposal to amend the Dog Control fees has been prepared in accordance with the following legislation:

- Dog Control Act 1996, section 37
- Local Government Act 2002 (LGA), sections 83 and 150

Note: Section 37 of the Dog Control Act does not require Council to use the special consultative procedure (SCP) when setting fees for registration and dog control activities, but Council has chosen to use it this year because:

- For some regulatory fees and charges (e.g. Resource Management Act fees and charges and Food Act), they are required to follow the SCP.
- Council is consulting on a variety of fee proposals at the same time this year, some of which require SCP and some which do not and having all proposals follow the same consultation approach (i.e. SCP) is helpful for consistency of timing and process and ease of understanding by the public.

The LGA provides that the special consultative procedure must include:

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- A statement of proposal (and a summary of it if required) being made as widely available as practicable as a basis for consultation section 83(1)(c)). The statement of proposal must include a statement of the reasons for the proposal, an analysis of the reasonably practicable options and any other information the local authority identifies as relevant (section 87(3)).
- An identified consultation period of at least one month during which feedback on the proposal may be provided to Council (section 83(b)(iii)).
- An opportunity for people to present their views to the Council (section 83(d)) and a description of how Council will provide persons interested in the proposal with an opportunity to present their views (section 83(b)(ii)).

Special Consultative Procedure

Outcomes of this special consultative procedure could include:

- Retaining the existing fees and charges
- Adopting the proposed amendments outlined in this Statement of Proposal, or a variation of these, based on community feedback
- Adopting different fees and charges, based on community feedback

3. Criteria for Fixing Fees and Charges

Section 37(4) of the Dog Control Act requires the Council to have regard to the relative costs of the registration and control of dogs in the various categories set out in section 37(2). Section 37(2) states penalties for late registrations shall not exceed 50% of the registration fee and section 37(8) states any increase in fees can only take effect at the commencement of that year (being 1 July 2020).

In addition, when fixing these fees Council may have regard to any other matters the territorial authority considers relevant.

The Local Government Act enables Council to prescribe fees or charges under other enactments as long as the fees do not recover more than the reasonable costs incurred by the Council for the service for which the fee is charged.

4. Issues and Options

Dog control services are funded mostly by registration fees, dog impounding fees and some minor income from infringement fees and Court awarded costs.

The costs of the dog control services have increased due to an increase in overheads, an increase in the contractor price for dog control services and an increase in legal expenses compared to budgeted costs.

The dog control fees and charges were increased by 1.8% in 2019 and before that were increased by similar amounts reflecting the consumer price (CPI) index increases. For the 2015/16 financial year the fees met 98% of the costs and all costs were met by fees for 2016/17. In 2017/18 the fees met 85% of the costs or 91% of the costs when the extension to the pound is excluded. In 2018/19 the fees met 83% of costs and this year fees are tracking to meet 79% of the costs.

Costs for dog control services are not easily reduced. There are currently three dog control officers, plus management and administration support. There are around 6,000 dogs to register each year, officers investigate approximately 1,700 complaints or service requests (some resulting in dog seizures), issue over 280 infringement notices, provide

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information for and appear at prosecution hearings and proactively patrol popular dog exercising areas (averaging 10 hours per week).

Standard registration fee

The actual staff time to register a dog (in any category) is half an hour to check and update details in the database, process payment and send out a registration tag. There are also large amounts of staff time required to prepare systems, prepare public communications and send letters each year for re-registration. This equates to a total of 0.75 hours of staff time for each registration.

If the fees were set at the actual time taken to perform the registration function the charge would be \$120 (based on an hourly charge out rate of \$160), 40% more than the current charge. The proposal is instead to increase income earned from fees by between 23% and 27%, to ensure most of the Council's costs in providing registration and dog control services are funded by dog owners instead of through rates income.

Registration categories

Staff time to register a dog is the same for all categories. The Dog Control Act enables the charges to be reduced for working dogs and responsible dog owners anticipating there is an associated reduced level of dog control services required. It actually takes more staff time to administer the good dog owner scheme (an additional cost of \$16,500 each year), and this category is proposed to be deleted in the review of the Dog Control Policy and Bylaw, which was consulted on separately.

It is proposed to increase the rural dog registration fee and the good dog owner scheme (if it is retained) by the same percentage to maintain the same degree of difference that currently exists.

The category for police, seeing-eye and hearing dogs is proposed to be renamed as a community working dog category to be more inclusive of the various types of working dogs providing benefits to the community. The fee is proposed to remain unchanged at \$5.00 which essentially covers the cost of the registration tag.

Registration penalties

Penalties are set at no more than 50% of the standard registration category in compliance with legislation. The increase in the penalties simply reflects the increase in the registration fee.

After hours call out fee

The minimum staff time required for a call out is half an hour. The current fee of \$75 is proposed to increase to \$80 to reflect the minimum time of half an hour per call out.

The proposed registration fees in the various categories provide reasonable relativity between the categories consistent with the expectations of section 37(4) of the Dog Control Act.

Assessment of options against criteria

The options are to keep the current fees as they are, increase fees as proposed in Attachment 1, or increase the fees to meet all of the costs of providing the services.

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	Reasonable	Relativity of costs
Option 1 No changes	Current fees do not fairly cover costs at a rate proportional to the private benefit gained from the services. Current fees do not fully reflect the actual time to carry out the various tasks	The current fees have different fees between categories
Option 2 Increase fees as proposed	Increasing fees better reflects the private benefit proportion of the services and better reflects the actual time and costs for the services	Proposed amendments are considered to maintain relativity for those categories that are retained and more fairly represent the actual time to register the dogs
Option 3 Increase fees to cover all costs of providing the services	Some services have a wider public benefit so it is not reasonable to apportion this to dog owners alone	Different fees between categories can be retained at the higher level to meet all costs in providing the services

Options Analysis

Option 1 — While dog owners would not face increased fees, the current fees do not reflect the actual time to perform that activity. In addition the dog owners are not paying a large enough proportion of the costs of the services that have increased. If no changes to the fees are made now there may need to be larger increases in the future.

Option 2 — Amending the fees as proposed in Attachment 1, improves the proportionality of dog owners covering the cost of services under the Dog Control Act, better reflects the actual time taken to perform tasks and reduces the potential for larger increases in the future. Increasing fees may cause dissatisfaction or difficulty for some dog owners, but the impounding fees and infringement fines help ensure the responsible dog owners are not subsidising the costs of repeat offenders.

Option 3 — Increasing the fees to cover all the costs of providing the services does not reasonably apportion the services between dog owners and ratepayers when there are services that have wider public benefit (such as the dog education programme). The larger fee increase is likely to cause more dissatisfaction and difficulty for some dog owners.

Preferred Option

Option 2 — Increase Dog Control fees as proposed in Attachment 1 and outlined in section 2 above.

Reasons

The proposed amendments better cover the actual costs for the service and are a reasonable increase compared to existing fees. Higher increases could be justified but on balance it was not considered fair or reasonable to propose this.

Submissions

Anyone may make a submission about any aspect of the Dog Control fees and any other options that have been considered. Council, in making its decision, will take account of all submissions made.

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All submissions, including the name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details be kept private and explain why it is necessary to protect your privacy. Council will not accept any anonymous submissions.

Submissions can be made:

- online at nelson.govt.nz/council/consultations
- by post to Dog Control Fees Amendments, PO Box 645, Nelson 7010
- by delivering your submission to Civic House, 110 Trafalgar Street, Nelson.

Submissions must be received no later than 4pm 17 April 2020.

Any person who wishes to speak in support of their submission will be given the opportunity to address the Council at a hearing on **19 May 2020**.

Attachment 1**Proposed Dog Control Fees for 2020/21 – with the Good Dog Owner Scheme****(all charges include GST)**

Registration Fees	Fee \$
Rural dogs (properties of 1 hectare or more)	48.00 61.00
Good Dog Owner Scheme	66.20 84.00
All other urban dogs	86.00 108.50
All dogs classified as dangerous (standard registration fee, plus 50% surcharge as required by statute)	129.00 162.75
<u>Community working dog such as</u> Police, Seeing Eye and Hearing Dogs	5.00
A late payment penalty of 50% of the registration shall apply to all registrations remaining unpaid on 1 August of each year and all dogs unregistered after 1 September of each year shall incur a further \$300 infringement fee, plus penalty. Such penalties (set by statute) are to be made clear on the invoice for registration.	
Replacement registration disc	5.00
Registration discounts (applied annually): Neutered dog (proof from vet is required)	-5.00
Impounding Fees (in any 12 month period)	
First Impounding	75.00
Second Impounding	150.00
Third Impounding	225.00
Daily charge (for each day following impounding)	15.00
After hours callout charge (outside normal working hours)	75.00 80.00
Install microchip to impounded dogs where required	38.00

or

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Proposed Dog Control Fees for 2020/21 – without the Good Dog Owner Scheme

(all charges include GST)

Registration Fees	Fee \$
Rural dogs (properties of 1 hectare or more)	48.00 53.50
Good Dog Owner Scheme	66.20
All other urban dogs	86.00 95.80
All dogs classified as dangerous (standard registration fee, plus 50% surcharge as required by statute)	129.00 143.70
<u>Community working dog such as</u> Police, Seeing Eye and Hearing Dogs	5.00
A late payment penalty of 50% of the registration shall apply to all registrations remaining unpaid on 1 August of each year and all dogs unregistered after 1 September of each year shall incur a further \$300 infringement fee, plus penalty. Such penalties (set by statute) are to be made clear on the invoice for registration.	
Replacement registration disc	5.00
Registration discounts (applied annually): Neutered dog (proof from vet is required)	-5.00
Impounding Fees (in any 12 month period)	
First Impounding	75.00
Second Impounding	150.00
Third Impounding	225.00
Daily charge (for each day following impounding)	15.00
After hours callout charge (outside normal working hours)	75.00 80.00
Install microchip to impounded dogs where required	38.00

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