

#### 4.1 DOG MANAGEMENT POLICY AND BYLAW 2018 DELIBERATIONS

**File Number:** A2268355

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##### PURPOSE OF THE REPORT

To commence the process of decision-making for Council's Dog Management Policy and Bylaw 2018.

##### EXECUTIVE SUMMARY

The Far North District Council's Proposed Dog Management Policy and Bylaw 2018 were adopted on 28 June 2018 for public consultation. A Special Consultative Procedure (in accordance with section 83 of the Local Government Act 2002) took place between 30 July and 24 September 2018. There was a remarkable response from the community with 1285 submissions received and more than 100 submitters speaking at hearings in Kaitaia on 18 October, Kaikohe on 24 October, and Kerikeri on 30 October.

Submission feedback was comprehensive and diverse; often characterised by similar levels of community support for and against the proposals in the consultation material. Broadly speaking, the submissions revealed a desire for:

- more off-leash and under control opportunities;
- greater recognition and support for responsible dog ownership; and
- more access to public on-leash areas.

It is now for Council to consider the submissions received to complete decision-making before adopting a Dog Management Policy and Bylaw on 13 December 2018.

The deliberations process is robust. It involves three phases over three meetings so that the Council has the opportunity to consider the submission feedback from a policy position, understand the community and operational impacts of making amendments, and then settle on the final form of the Policy and Bylaw. The timing for these three phases is as follows:

**6 November 2018.** Debate and agree high-level principles within the context of feedback received.

**15 November 2018.** Debate the changes made as a result of the 6 November decisions. A new draft of the policy and bylaw will be considered for refinement ahead of adoption on 13 December.

**13 December 2018.** Formally adopt the Dog Management Policy and Bylaw 2018.

The main changes that Council Officers recommend are:

- Off-leash areas that are appropriate based on location and suitability
- Default off-leash rules for the District and a new mechanism to allow the establishment of additional off-leash areas triggered by the reserve management planning process
- On-leash and prohibited areas based on defined criteria
- The removal of limits on the number of dogs per premise
- The inclusion of policy statements promoting responsible dog ownership.

##### RECOMMENDATION

**That the Council amend the proposed Dog Management Policy and Bylaw as follows:**

**Deliberation Topic 1: Off-leash and Exercise Areas**

**1a) Make the following areas subject to district wide access rules:**

- Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12**
- Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)**
- Kerikeri – 391 Wiroa Road (behind crematorium)**

**1b) Add the following locations as permitted off-leash areas:**

- Waitotara Reserve, Kerikeri**
- Sammaree Place, Kerikeri**

**1c) Investigate the following areas as potential off-leash or designated dog exercise areas:**

- Section of playground off Matthews Ave, Kaitaia**
- Undeveloped land behind netball courts, Kerikeri**
- Fenced area on Council land near sportsgrounds, Russell**
- Taupo Bay – reserve area near the cul-de-sac at the end of Marlin Drive**
- Land near Opononi Refuse Centre / Opononi Bowling Club**
- Reserves at Watea in Haruru Falls**

**Deliberation Topic 2: District-wide access to public places (excludes beaches)**

**2c) Add a new district-wide access rule that requires Council to consider off-leash and/or dog exercise provisions when developing reserve management plans.**

**Deliberation Topic 3: Dog access on Beaches**

**3a) Change the default district-wide access rule for beaches from the proposed on-leash from 1 December to 31 March from 9am to 6pm to off-leash all year unless otherwise specified in the policy.**

**3b) Principle agreement that dogs be prohibited all year from beaches identified as Special Character because of their cultural value.**

**3c) Principle agreement that dogs be prohibited all year from beaches identified as Special Character because of their high conservation value.**

**3d) Principle agreement that beaches identified as a shorebird nesting sites be designated on-leash between 1 October and 31 March.**

**3e) Principle agreement that beaches identified as popular destinations be designated as prohibited for a time range on each day during a summer date range and including all public holidays. Deliberations on the specific date and time ranges are the subject of Deliberation Topic 4**

**Deliberation Topic 4: Summer Date and Time Rule for Dog Access on Beaches**

**4a) The summer date and time range be specified as 15 December to 28 February (including public holidays), 10am to 5pm.**

**Deliberation Topic 5: Limitations on Number of Dogs**

**5a) The limitation on the number of dogs per premise be removed, and the Dog Control Act and other Bylaw provisions used to achieve the objectives of the Dog Management Policy as outlined.**

**Deliberation Topic 6: Responsible Dog Ownership**

**6a) Include a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw.**

**Deliberation Topic 7: Resourcing Implementation**

**7a) That Council consider the allocation of budget and the setting of fees to support the implementation of the Policy and Bylaw as part of the annual planning process for 2019/20 and following years.**

## **1) BACKGROUND**

The Dog Control Act 1996 requires Council to adopt a policy on dogs and to give effect to the policy through a bylaw. In accordance with this requirement, officers commenced a review of the current bylaw and policy in 2016. Feedback from that consultation process demonstrated dog management as an issue that generates passion and strong feelings in the Far North, with a number of lobby groups being formed for the purpose of influencing Council's policy and bylaw. As a result, Council asked officers to start the review process again.

On 28 June 2018 the Council adopted a new proposed Dog Management Policy and Bylaw 2018 for public consultation. A special consultative procedure took place from 30 July to 24 September throughout during which all practicable means were used to ensure anyone likely to have an opinion about dogs in the Far North district were informed and given the opportunity to provide written and/or verbal feedback. The last day of hearings was completed on 30 October 2018 in Kerikeri.

It is now for Council to commence the decision-making process. Considering the level of interest in the topic and to give effect to the decision making principles in the Local Government Act 2002, the Council will undertake a three phase deliberations process. It begins with the Council considering the submission feedback from a policy perspective, then understanding the community and operational impacts of making amendments, before settling on the final form of the Policy and Bylaw. These deliberations will take place over three meetings on 6 November, 15 November and 13 December.

## **2) DISCUSSION AND OPTIONS**

Throughout consultation, 1285 submissions were received, and over 100 submitters presented to Council hearings. The consultation report ('Submission results and analysis' attachment 1) summarises these submissions. The Deliberations Report ('Topics, options and recommendations' attachment 2) proposes rules for on-leash, off-leash and prohibited areas within the context of feedback received. These proposed rules are contained within seven deliberation topics identified in the Deliberations Report. These seven topics are:

- Off-leash and exercise areas
- District-wide access to public places (excluding beaches)
- Dog access on beaches
- Summer date and time rules for dog access on beaches
- Limitations on the number of dogs
- Responsible dog ownership
- Resourcing implementation.

For each deliberation topic an overview of the topic along with officer analysis and a recommendation are included in the Deliberations Report.

Following this meeting, the draft policy and bylaw will be amended for further refinement on 15 of November. The final version will be presented for adoption at the Council meeting on 13 December 2018.

## **3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

Decision-making on the policy and bylaw may have financial implications that are not currently budgeted. Should Council decide that additional expenditure for dog-related resources, education programmes and/or amenities is warranted this will be subject to the annual planning process in the applicable year.

**ATTACHMENTS**

1. **Submission Results and Analysis - A2236683**
2. **Topics, Options and Recommendations - A2245428**

**Compliance schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This issue is of high significance and has a high level of community interest as evidenced by the number of submissions received, media (including social) comment and lobbying by interest groups.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Dog Control Act 1996 Local Government Act 2002 Resource Management Act 1991  <b>Our mission</b> Creating great places, supporting our people <b>Our values - tikanga</b> Kaitiakitanga: Environmental stewardship and sustainability Mana tangata: Respect and fairness Te Tiriti o Waitangi: Partnership <b>Tumanako - our expectations</b> Oranga taiao, oranga tangata: Nurturing the environment so it nourishes us Mana i te whenua: The role of tangata whenua is valued and respected Te ira tangata: Rich heritage and diversity respected and celebrated  Tangata whai ora: Happy, healthy, safe and purposeful people
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This proposal has a District wide relevance. Community boards have been consulted on previous proposals, and Community Board Chairs provided their views at a Council workshop prior to consultation.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Specific cultural considerations have included: <ul style="list-style-type: none"> <li>- protection of kai moana (particularly shell fish);</li> <li>- protection of taonga (indigenous wildlife).</li> </ul>

<p>Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.</p>	<p>Given that this issue has district-wide relevance, a print, digital and radio media campaign was undertaken to raise awareness of the opportunity for submissions on the proposal, and the submissions period was open for eight weeks.</p> <p>A Special Consultative Procedure in accordance with section 83 of the Local Government Act 2002 was undertaken.</p> <ul style="list-style-type: none"> <li>- Submissions analysis results have been taken into account in the preparation of staff recommendations.</li> </ul>
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>There may be additional costs associated with the decisions of this report. Financial implications will be considered within the Annual Plan process.</p>
<p>Chief Financial Officer review.</p>	<p>The Chief Financial Officer has reviewed this report</p>

# **Proposed Dog Management Policy and Bylaw Consultation 2018**

**Report on Outcomes of Consultation**

**Undertaken by the  
Far North District Council**

**Dated 31 October 2018**

Dr Jane Hurst

Tattico Ltd

**tattico**

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## 1. Introduction

The Far North District Council has undertaken consultation on its Proposed Dog Management Policy and Bylaw. The submission period opened on 30 July 2018 and closed on 24 September 2018. In total, 1285 submissions were received from individuals, groups and organisations. This report provides an overview of key themes and trends arising from this consultation.

The following analysis approach was adopted.

- Responses to specific questions have been quantified.
- Many submissions included comments in response to each specific consultation question. These comments were analysed inductively and using an open coding approach to determine key themes. These have been summarised and reported based on frequency of comment.
- Detailed submissions by groups and organisations have been summarised by question area.

An overview of the responses to each question (as presented in the submission form) are contained in section 2 of this report.

More detailed information on the responses to each question are contained in Appendix 1. This includes responses to the rules proposed for specific areas in the Proposed Dog Management Policy and Bylaw.

## 2. Overview of Consultation Responses

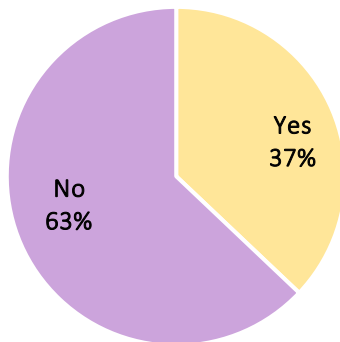
### 2.1 District-wide rules: All beaches, unless specified elsewhere (Dogs on beaches)

**Proposal:** Dogs would be allowed off-leash on most beaches at all times, except from 1 December to 31 March and on public holidays from 9am – 6pm when they would need to be on-leash.

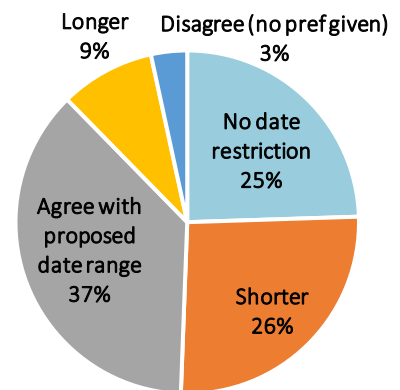
#### 2.1.1 Date Range:

Responses to the proposed date range of 1 December to 31 March and public holidays are summarised below.

Do you agree with the proposed date range?



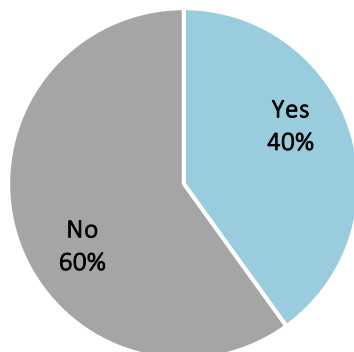
Preferred options for date range



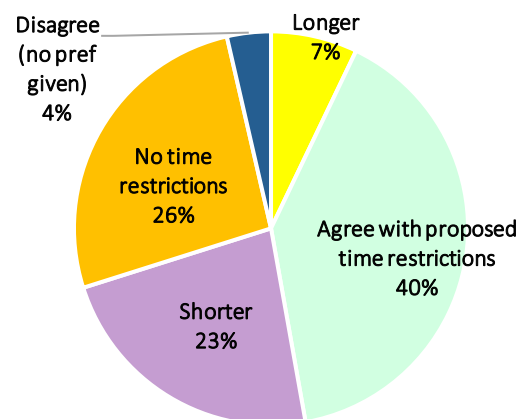
#### 2.1.2 Time restrictions:

Responses to the proposed time restrictions of 9am to 6pm are summarised below

Do you agree with the proposed time restrictions?



Preferred options for time restrictions



A significant number of submitters commented that:

- The seasonal period of heavy use is shorter than proposed and that the date restrictions should be linked to either the school or Christmas holidays.
- The restricted times should be shorter than proposed to better match the times of day when the beach is busiest.

Others commented that dogs should be on leash at all times.

Detailed submissions from groups and organisations were mixed in their views, with some commenting that:

- Dogs should be on leash at all times (or prohibited) as the default position, to protect people and wildlife.
- Dogs should be allowed off leash as the default position, as the beach is integral to the exercising of dogs.

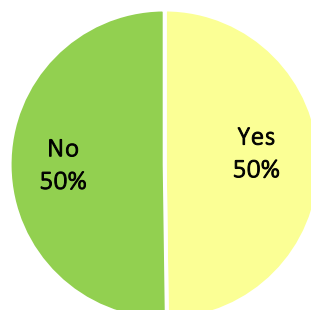
## 2.2 Special character rules

**Proposal:** *Some areas in our District have been identified as having high conservation and/or cultural value. To preserve and protect these parts of our District, we propose restricting and prohibiting dogs in the following areas as below:*

Special character areas	April 1 – 30 Nov	1 December – 31 March and all public holidays
<b>Hihi Beach</b>	On-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Mahinepua Beach</b>	Prohibited	Prohibited
<b>Tapaka Point Beach</b>	On-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Taupo Bay</b> – from the southern Marlin Drive beach entrance to the bluff	Prohibited	Prohibited
<b>Tauranga Bay</b> - east of tractor access point toward the sandspit	Prohibited	Prohibited
<b>Te Haumi Beach</b> - from the public toilets to the bridge	Prohibited	Prohibited
<b>Te Tii Beach</b> – from the roundabout toward Waitangi and along the beach behind Te Tii Marae	Prohibited	Prohibited
<b>Waitangi</b> - the beach from Waitangi Bridge to the Waitangi Treaty Grounds	Prohibited	Prohibited

Responses to the proposed special character areas were as follows.

Do you agree that places listed should be special character areas?



Responses to the rules proposed for specific character areas are contained in Appendix 1.

A significant number of submitters commented that the restrictions should be decreased, to generally permit dogs on beaches on-leash (or under control), (rather than completely prohibited). A smaller number of submitters commented that the restrictions should be increased.

Detailed submissions from groups and organisations were mixed. Some agreed with the proposed special character rules, while others did not support these restrictions in their entirety or for certain beaches.

Additional special character areas were also proposed by submitters (including groups and organisations). These are contained in Appendix 1.

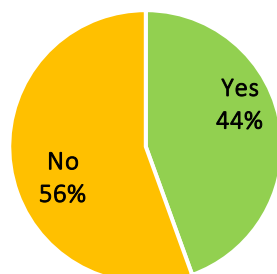
## 2.3 Exceptional rules for beaches

**Proposal:** *We have many beaches in our District that are popular with visitors and holiday-makers. To protect people from dog-related harm, we propose the following seasonal restrictions:*

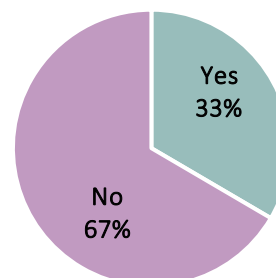
Exceptional rules areas	April 1 – 30 Nov	1 December – 31 March and all public holidays
<b>Cable Bay</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Coopers Beach</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Paihia Beach</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Russell Beach</b>	Off-Leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Taupo Bay</b> – north of the southern Marlin Drive beach entrance, toward the boat ramp	On-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Tauranga Bay</b> - west of tractor access toward the campground	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Te Tii Beach</b> – from the roundabout to the bluff	Off-leash	Prohibited 9am – 6pm, otherwise on-leash

Responses to the proposed exceptional rules for beaches were as follows.

Do you agree with the proposed exceptional rule areas?



Do you agree with the proposed restrictions and prohibitions?



Responses to the rules proposed for specific areas are contained in Appendix 1.

For those who commented on this question, a significant number of those comments were that the restrictions should be decreased and that:

- Dogs should be allowed on beaches on-leash (or under control) at all times.
- The date and time restrictions should be reduced.
- There should be no restrictions.

A smaller number of submitters commented that the restrictions should be increased, including a minimum requirement that dogs should be on a leash at all times.

Detailed submissions from groups and organisations were mixed. Some submitted that the restrictions should be increased due to concerns about wildlife, while others maintained that the restrictions should be decreased to allow dogs on-leash at all times and off-leash outside of the peak times.

Additional areas for inclusion were also proposed by submitters (including groups and organisations). These are contained in Appendix 1.

## 2.4 Limitation on number of dogs (two dog limit per property)

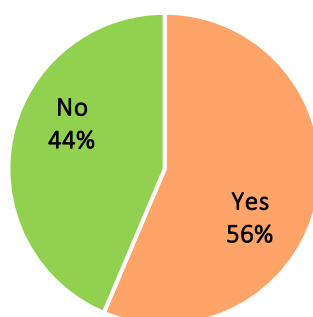
**Proposal:** Many areas in our District already have a limit on the number of dogs that can be kept at a property. We propose to retain this limit, but increase the areas that the limit will apply to. To keep more than two dogs in these areas, dog owners would have to obtain written permission. The proposed rules would apply to properties that are identified as coastal residential, residential, commercial and industrial in our District Plan, as well as properties with similar characteristics. These areas are listed below.

Ahipara	Awanui	Cable Bay	Coopers Beach
Haruru Falls	Hihi	Horeke	Houhora
Kaero	Kaikohe	Kaimaumau	Kaitaia

Kawakawa	Kerikeri	Kohukohu	Manawaora
Mangonui	Matauri Bay	Mitimiti	Moerewa
Ngawha	Ninety Mile Beach (Waipapakauri Ramp)	Ohaeawai	Okaihau
Okiato	Omapere	Opito Bay	Opononi
Opuā	Orongo	Paihia	Parekura Bay
Point Veronica	Pukenui	Rangiputa	Rangitane
Rawene	Russell	Taipa	Tapeka Point
Taronui	Taupo Bay	Tauranga Bay	Te Hapua
Te Haumi	Te Ngaere	Tokerau Beach	Totara North
Waimamaku	Waipapa	Whangaroa	Whatuwhiwhi

Responses to the proposed two dog limit were as follows.

Do you agree with the two dog limit in these areas?



Responses to specific areas are contained in Appendix 1.

Of those submitters who commented on this question, a significant number commented that the limit should either increase or that there should be no limit. Other key comments included that there should be an exemption for working dogs and that the limit should not apply to visiting dogs.

## 2.5 Off-leash areas

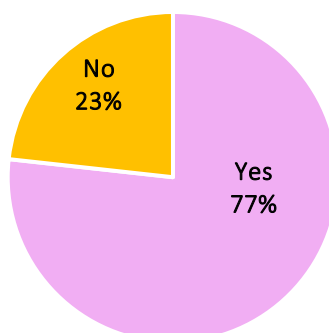
**Proposal:** *We have recognised the wellbeing and recreational needs of dogs and their owners. We are proposing a number of areas in the District where dogs can be exercised off-leash provided they are under control.*

Off-Leash and Under Control
<b>Kaikohe</b> – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12
<b>Kaikohe</b> – Old Rugby League Field, Lindvart Park, Recreation Road
<b>Kaitaia</b> – 38 Empire Street, (at the end of Empire Street next to Awanui River)

<b>Kerikeri – 391 Wiroa Road (behind crematorium)</b>
<b>Kerikeri – Roland’s Wood, 240 Kerikeri Inlet Road</b>

Responses to the proposed off-leash areas were as follows.

Do you agree with the proposed off-leash areas?



Responses to specific areas are contained in Appendix 1.

Submitters commented that it was too far to travel to the proposed off-leash areas and that more were needed within their communities, particularly given the proposed restricted access to beaches. Comments were also made on the suitability of some of the proposed off-leash areas. Specific additional locations were also proposed by submitters. Details of these areas are set out in Appendix 1.

## 2.6 District-wide access rules

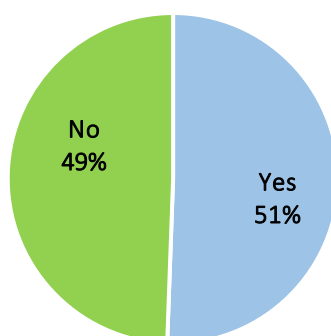
**Proposal:** *The purpose of the proposed district-wide access rules is to ensure the safety of the public and to reduce the risk of any dog-related harm, while also providing for the wellbeing and recreational needs of dogs and their owners. The proposed rules are below:*

Area and description	April 1 – 30 Nov	1 December – 31 March and all public holidays
All children’s playgrounds	Prohibited	Prohibited
All public swimming pool areas	Prohibited	Prohibited
All beaches, unless specified elsewhere in this schedule	Off-leash	On-leash 9am – 6pm, otherwise off-leash
All parks, sportsgrounds and reserves, unless specified elsewhere in this schedule	On-leash	On-leash
All public footpaths, roads and other public spaces	On-leash	On-leash
Pou Herenga Tai – Twin Coast Cycle Trail	On-leash	On-leash
All other public places not specified	On-leash	On-leash

*[Note: The district-wide rule relating to beaches is covered in section 2.1 above. Responses to that aspect of the proposed district-wide rules are covered in that section only, unless the submission relates to the general question of whether the submitter agrees with the proposed rules.]*

Responses to the proposed district-wide access rules were as follows.

Do you agree with the proposed district-wide access rules?



A number of submitters commented that the restrictions should be reduced, with the main comments that dog owners should be trusted, and that dogs should be allowed off-leash in parks and reserves if they are under control. A smaller number of submitters commented that the restrictions should be increased, with a requirement that all dogs be on the leash when out in public. Their concerns related to the impact on threatened bird species and the nuisance caused by dogs to other people.

## **2.7 Other issues and general comments**

**Proposal:** *We are proposing other changes so that our bylaw and policy reflect current legislation and are easier to understand.*

Submitters commented on the following issues.

- The need for better and more effective enforcement (dog registration, roaming dogs, neglect, owners not picking up dog faeces).
- Importance of education and training (dog safety, handling, owner responsibilities, kiwi aversion training).
- Concern that the bylaw will only affect responsible dog owners.

Specific amendments to the wording of the bylaw were also proposed by some submitters.

More detail is contained in the relevant section of Appendix 1.



## Appendix 1: Detailed Analysis

Submissions were provided for analysis in spreadsheet format, broken down by question. Where supplementary information was submitted (including detailed submissions by groups and organisations), this was provided in original format. There were 15 duplicate submissions. These were determined to be invalid and as such, were not included in the analysis. Submitters were also given the option of identifying their nearest town. This information has been used to provide a breakdown of question response by ward. A detailed summary of the submissions on each question is set out below.

### District-wide rules: All beaches, unless specified elsewhere (Dogs on beaches)

**Proposal:** Dogs would be allowed off-leash on most beaches at all times, except from 1 December to 31 March and on public holidays from 9am – 6pm when they would need to be on-leash.

Responses to the proposed default district-wide rules for beaches is as follows.

Do you agree with the proposed date range? (1 December to 31 March)		
Ward	Yes	No
Bay of Islands – Whangaroa	192	378
Kaikohe-Hokianga	57	39
Te Hiku	144	253
Outside District	19	51
Not Specified	24	19
<b>TOTAL</b>	<b>436</b>	<b>740</b>

Submissions on proposed date range (1 December to 31 March) <sup>1</sup>				
Ward	No date restriction	Shorter date restriction	Agree with proposed date range	Longer date restriction
Bay of Islands – Whangaroa	142	156	192	57
Kaikohe-Hokianga	13	13	57	10
Te Hiku	105	113	144	24
Outside District	25	18	19	6
Not Specified	3	7	24	8
<b>TOTAL</b>	<b>288</b>	<b>307</b>	<b>436</b>	<b>105</b>

<sup>1</sup> Note: 40 submitters who answered “no” to the first question did not express a preference on the proposed date range.

<b>Do you agree with the proposed time restriction of 9am -6pm?</b>		
<b>Ward</b>	<b>Yes</b>	<b>No</b>
Bay of Islands – Whangaroa	194	357
Kaikohe-Hokianga	52	40
Te Hiku	168	221
Outside District	22	47
Not Specified	20	17
<b>TOTAL</b>	<b>456</b>	<b>682</b>

<b>Submissions on the proposed time restriction (9am-6pm)<sup>2</sup></b>				
<b>Ward</b>	<b>No time restriction</b>	<b>Shorter time restriction</b>	<b>Agree with proposed time restriction</b>	<b>Longer time restriction</b>
Bay of Islands – Whangaroa	141	147	194	48
Kaikohe-Hokianga	16	12	52	9
Te Hiku	111	82	168	16
Outside District	28	14	22	3
Not Specified	3	6	20	5
<b>TOTAL</b>	<b>299</b>	<b>261</b>	<b>456</b>	<b>81</b>

### ***Frequent comments***

Frequent comments were as follows (in descending order of frequency).

- The seasonal period of heavy use is shorter than proposed (link to school/Christmas holidays)
- Time periods should be shorter (to match when the beach is busiest)

### ***Less frequent comments***

Less frequent comment were as follows (in descending order of frequency).

- Don't penalise responsible dog owners (it is their responsibility to control their dogs)
- Beaches are important off-leash exercise areas for dogs

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<sup>2</sup> Note: 41 submitters who answered “no” to the first question did not express a preference on the proposed time restrictions.

- Dogs should be on-leash at all times, all year
- Beaches are important recreational areas for people with dogs (they are part of the family)
- Allow dogs off leash at any time (as long as not dangerous and under control)
- Provide off leash beaches or a section of the beach for dogs (or when beach is quiet)
- Remote/quiet beaches should not have restrictions (or be more specific in areas covered, especially for longer beaches)
- Need better dog control and enforcement
- Beaches are recreational areas for people not dogs (concerns about scary and nuisance dogs)
- Restrictions are needed to protect nesting birds (wildlife concerns)
- There are health risks from dogs on beaches (concern about dog poo)

### ***Other comments***

Other comments include the following (in descending order of frequency).

- Need reliable data and consultation with local community to support any restriction (and must be beach specific)
- Allow dogs on-leash at all times (as a minimum)
- Prohibit dogs from all beaches (or those with nesting birds)
- Extend date restrictions (at least to Easter and maybe to Spring and Autumn and/or to cover nesting season)
- Only apply restrictions to specific beaches (eg those with nesting birds or tourist beaches)
- Don't penalise dog owners because of summer visitors to the area
- Why change what works
- Happy with the proposed balance between dogs and people (off leash OK outside restricted time)
- Beach is used by others for longer periods during the day, so time periods should be longer (reflect daylight saving)
- Unsociable and menacing dogs should be on leash (and/or muzzled) at all time (or not allowed on the beach)
- Dogs should be on-leash when nesting birds and threatened wildlife are present
- There are no health risks or harm caused by dogs on beaches

### ***Submissions by groups and organisations***

The following comments and detailed submissions were made by groups and organisations.

Organisation/ Group	Submission	Rationale
Scrumptious Fruit Trees (trustees)	The district-wide rule should require dogs on leash at all times as the default	Protect people and wildlife from attacks by dogs Consistent with rules for other public places A default district-wide off-leash rule for beaches is unlawful Off-leash rule grossly over-compensates for the perceived needs of a small minority of dog owners
Rangiputa Residents and Ratepayers Association	Rangiputa Beach should allow dogs off-leash (but under control) at all times: no restrictions on dates or times	No evidence of problems with dogs on the beach and the beach is long enough to cope with different uses The beach is integral to the exercising of dogs (with the closest off-leash area a 1 hour round trip away) and dogs accompany owners everywhere Families come to stay at their bach with their pets during the proposed dates Penalties and provisions imposed on dog owners under the Dog Control Act are sufficient to protect the public FNDC needs to consider the diversity of each community
Guardians of the Bay of Islands Inc	Dogs should be on-leash when on beaches and rocky coastlines	Needed to protect native birds, including blue penguin and kiwi living, feeding and nesting in the area Specifically identify areas suitable for off-leash dog exercise
The Bay of Islands Watchdogs	All beaches should be off-leash, unless specified	Unfair and unenforceable to restrict access to 1,800km of coastline for 1/3 <sup>rd</sup> of the year (especially when many beaches are near empty even during holiday periods)
Department of Conservation	Extend date restriction to 1 October to 31 March	Coincides with shorebird nesting season
Kiwi Coast Trust	Dogs should be on-leash when on beaches, rocky coastlines and near kiwi zones	Needed to protect native birds, including blue penguin and kiwi living, feeding and nesting in the area Specifically identify areas suitable for off-leash dog exercise
New Zealand Kiwi Federation	Supports Kiwi Coast Trust submission (above)	
Royal Forest & Bird Protection Society of New Zealand – Far North Branch	All dogs should be on-leash in coastal areas Define “beach” to avoid confusion	In the absence of a comprehensive assessment, a default on-leash rule is required to protect threatened native birds in the coastal environment Identify specific coastal areas that are suitable for off-leash dog exercise
Forest and Bird Membership	A default rule requiring dogs to be on leash when	Required to protect threatened native birds in the coastal environment

Organisation/ Group	Submission	Rationale
	on beaches and rocky coastlines	Identify specific coastal areas that are suitable for off-leash dog exercise
Friends of Rangitane Stream	Dogs should be prohibited from all beaches	Includes beach areas, sand dunes, adjacent land where they could disturb or injure birds Identify specific areas where dogs could have access
Te Puke Ki Waitangi Taonga Kaitiaki Trust	Dogs should be on-leash when on beaches, rocky coastlines and near kiwi zones	Needed to protect native birds, including blue penguin and kiwi living, feeding and nesting in the area Specifically identify areas suitable for off-leash dog exercise
PF Olsen Forest Manager for China Forestry Group in Northland	Shorter date restriction Agree with time restriction	28th February cut off
Cherry Bay Lodge	Shorter date and time restriction	Summer season is December to end of Feb.
Kiwis for Kiwis	Longer date restriction Agree with time restriction	Coastal ground nesting birds should have a longer window
Taupo Bay Dog Owners Group	Shorter date and time restriction	Allow off leash at Taupo Bay as well
White Rose Kennels and Cattery	No restrictions on dates or times	Parts of beaches restricted. Half days restricted
White Rose Boarding Kennels	Shorter date and time restriction	1800 kms of beaches! Surely some sensible sharing solutions? eg Taipa - sign half-way designating dogs allowed one side/not the other
Taipa Beach Improvement Society and Coast Care	Dogs at all times on a leash at Taipa	
Te Wahapu Reserves	Agree with date and time restrictions	Leashes prevent dogs from entering or soiling adjacent private properties (an ongoing problem in summer at Te Wahapu carpark and beach). Good for safety
Hihi Ratepayers	Agree with date and time restrictions	That looks just fine - but the next page says that my beach has NO off lead access all year round - this prohibits swimming. I agree with on lead access only during summer months between 9-6pm but in return want off lead times for the same beach out of "peak time" period
Consulting Design Engineers Ltd	Longer date and time restrictions	I don't believe that Councillors and staff have visited enough beaches and spoken with the locals to see what they want. Restrictions thrust upon ratepayers without checks that they are really appropriate for that beach. Birds don't nest on busy beaches

Organisation/ Group	Submission	Rationale
Puketotara Landcare group	Longer date restriction	Perhaps increasing it to the summer daylight saving dates. A default rule requiring dogs to be on leash when on beaches, rocky coastlines and near kiwi zone . Areas that are suitable for off leash dog exercise should be specifically identified in the policy
Apatu Aqua	Shorter date and time restriction	The period should be shorter as the busiest period on our beach (Coopers Beach) is for the first 3 weeks of January. The times for on lead could be 10am - 4pm
Bay of Islands Canine Association	Shorter date restriction	Who is going to police it?
Commercial St Surgery	Shorter date and time restriction	Beaches are perfect for dogs to run on. Appropriate statutes should allow for control, not only on leash. 10am - 5pm, Mid Dec - Mid Feb.
Rawene Area Residents Association	Agree with date and time restrictions	Introduce restrictions if there is an event on the beach

## Special character rules

**Proposal:** *Some areas in our District have been identified as having high conservation and/or cultural value. To preserve and protect these parts of our District, we propose restricting and prohibiting dogs in the following areas as below:*

Special character areas	April 1 – 30 Nov	1 December – 31 March and all public holidays
Hihi Beach	On-leash	Prohibited 9am – 6pm, otherwise on-leash
Mahinepua Beach	Prohibited	Prohibited
Tapeka Point Beach	On-leash	Prohibited 9am – 6pm, otherwise on-leash
Taupo Bay – from the southern Marlin Drive beach entrance to the bluff	Prohibited	Prohibited
Tauranga Bay - east of tractor access point toward the sandspit	Prohibited	Prohibited
Te Haumi Beach - from the public toilets to the bridge	Prohibited	Prohibited
Te Tii Beach – from the roundabout toward Waitangi and along the beach behind Te Tii Marae	Prohibited	Prohibited
Waitangi - the beach from Waitangi Bridge to the Waitangi Treaty Grounds	Prohibited	Prohibited

The number of submitters who agreed/disagreed with the proposed special character areas is as follows.

Do you agree with the proposed special character areas?		
Ward	Yes	No
Bay of Islands – Whangaroa	220	342
Kaikohe-Hokianga	61	30
Te Hiku	230	150
Outside District	35	33
Not Specified	21	17
<b>TOTAL</b>	<b>567</b>	<b>572</b>

Submitters were asked to identify the specific special character areas they disagreed with. Responses are set out in the table below.

Special character areas	Disagree
Hihi Beach	275
Mahinepua Beach	263
Tapeka Point Beach	266

Special character areas	Disagree
<b>Taupo Bay</b> – from the southern Marlin Drive beach entrance to the bluff	327
<b>Tauranga Bay</b> - east of tractor access point toward the sandspit	275
<b>Te Haumi Beach</b> - from the public toilets to the bridge	336
<b>Te Tii Beach</b> – from the roundabout toward Waitangi and along the beach behind Te Tii Marae	290
<b>Waitangi</b> - the beach from Waitangi Bridge to the Waitangi Treaty Grounds	240

### ***Comments in favour of decreased restrictions***

A significant number of submitters (around 395) commented that the restrictions should be decreased in the following way (in descending order of frequency of comment).

- Allow on-leash at all times (or under control)
- No specific restrictions
- Allow off-leash in winter or when beach is quieter or at certain times (including allowing off-leash access to parts of beach)
- Remove prohibition/ restrictions on specific area or areas (or restrict the area covered by the prohibition)
- Same as general beach restrictions
- Allow on-leash at certain times (not prohibited all of the time)
- Reduce date restrictions
- Reduce time restrictions
- Reduce prohibition to summer times or breeding season only
- No change from current bylaw

The following reasons were provided (in descending order of frequency of comment).

- Dog owners are responsible (don't punish responsible owners)
- Important beaches for dog users and to exercise dogs
- Prohibited areas unfairly affect adjoining homes
- No wildlife or environmental issues (including at specific beach/ area of beach)
- Need more evidence/ explanation
- Beaches are for families and dogs
- Conservation must not be an excuse for extending restrictions to other areas
- The beach is mostly quiet



**Comments in favour of increased restrictions**

A smaller number of submitters (around 65) commented that the restrictions should be increased in the following way (in descending order of frequency of comment).

- Dogs should be on leash at all times
- Prohibited beach restrictions (at all times) should be increased to other specific beaches /areas
- Prohibited beach restrictions (at all times) should be on all beaches
- Prohibit dogs at these locations
- On and off leash restrictions should be increased to other beaches
- Extend restriction dates
- Extend restriction times

The following reasons were provided (in descending order of frequency of comment).

- Need to protect wildlife (Ecological values)
- Beaches are for people not dogs (recreation/ tourism/ cultural values) and need to protect people

**Additional areas**

The following additional specific areas were proposed.

<b>Areas currently proposed (special character rules or exceptional rules for beaches)</b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Russell Beach	Special character values include heritage, recreation/culture, tourism and ecological (shorebirds and penguins) Proposed restriction: Prohibited
Tapeka	Special character values include heritage, recreation/culture, tourism and ecological (shorebirds and penguins) Proposed restriction: Prohibited
Coopers Beach	Very popular swimming beach We are trying to re-introduce bird life to Rangikapiti Pa reserve and it must be assisted to be predator free Proposed restriction: On-Leash Only
Te Tii Beach	Proposed restriction: Prohibited
Paihia Beach	Proposed restriction: Prohibited
Taupo Bay – Northern End	Wildlife protection: have heard kiwi at the Northern end of the beach close to the shore, and the dotterel are spread along the beach Proposed restriction: Prohibited
The entire Tauranga Bay Beach	Where there are dotterels. Proposed restriction: Prohibited for entire breeding season

<b><i>Additional areas proposed</i></b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Long Beach	Special character values include heritage, recreation/culture, tourism and ecological (shorebirds and penguins) Protect kiwis and weka populations Proposed restriction: Prohibited
Reserve area on the Te Wahapu Peninsula	This reserve of 65 hectares is an important habitat for Australasian Bitten, Fern Bird, and Kiwi. There is no reason not to prohibit dogs from this reserve. Proposed restriction: Prohibited
Matauri Bay	Proposed restriction: Prohibited
Takou Bay	Proposed restriction: Prohibited
All Russell Beaches	Impact on people and their health Proposed restriction: Prohibited
Opua beaches, south of the marina (along the cycleway)	Wildlife protection Proposed restriction: Prohibited
Ahipara Beach	Is a nesting ground for birds Proposed restriction: On-Leash Only or Total Prohibition
Tapuaetahi	Kiwi and dotterel protection The north western end of Tapuaetahi and its estuary are well known haunts for dotterel, stilts, oyster catchers, Caspian Terns, Terns etc yet dogs are off leash all over these places. Proposed restriction: Prohibited
Anywhere that has environment conservation programmes in place	Anywhere that has dotterels nesting or where pingao seedlings are planted Proposed restriction: Prohibited
Wairoa Bay beaches	Even though this is a kiwi restricted zone with no dogs, there are frequently dog walkers in the bay on Waitangi land
Butterfly Bay	Where there is also dotterel breeding. Proposed restriction: Prohibited for entire breeding season
Marble Bay	Proposed restriction: Prohibited for the entire breeding season
All Northland Beaches where there are Dotterels.	Proposed restriction: Prohibited for the entire breeding season
Taronui Reserve	Dogs off leash are a regular occurrence at Taronui Reserve.
All Pahia beaches	
Taipa/ Eastern end of Taipa Bay beach	In the vicinity of the estuary where dotterels and other shore birds rest and nest.
Track/river esplanade completely behind the	Proposed restriction: Prohibited

<b>Additional areas proposed</b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Waitotara Drive properties	
Non-beach reserves	Where there are threatened species
Waimamaku Beach	Proposed restriction: On leash
Opito Bay Beach	Has high conservation value because of kiwi, as has been recognised by our community in establishing Kerikeri Peninsula Pest Control Dogs should be prohibited at all times.
Sullivans Beach	No rationale provided
Tokerau Beach	Has become very busy. Should be considered especially for the holiday periods
Waitata Beach or Donkey Bay west of Oneroa or Long Beach at Russell	Has nesting dotterel and needs the wildlife protection provisions
Pipiroa Beach	Has penguin and dotterel usage in summer, and needs wildlife protection provisions
Oneroa/Long Beach	On leash rules be reinstated
Elliot Bay	Dogs should be prohibited at all times.

The following other location specific restrictions were proposed by Forest & Bird members.

<b>Additional areas for dog prohibitions</b>
The Kiwi area at the end of Darwin Road
Opuia Beach at Beechy St
Skudders Beach wetland
The publicly owned margins of Rangitane Stream and Kapiro Stream
South half of Taupo bay per proposal
No dog covenants in new subdivisions where kiwi are present.
Paihia and Waitangi beaches
Waitangi Forest area, bridge at Haruru and Waitangi as barriers
Rainbow Falls Track
Arai Te Uru Reserve
Cable Bay
All local bush walking tracks around Kerikeri

<b>Additional areas for dog prohibitions</b>
<b>Dogs to be kept on leash in the following areas</b>
Ahipara
Diggers Valley
Herekino Forest.
Opuia in all areas
The Kiwi area at the end of Darwin Road
Rangitane Recreation Reserve
All of Tauranga bay
Onekura Reserve, as well in the bush areas next to it and bush on corner Pungaere and Onekura roads
All of Taupo Bay
All of Henderson Bay Beach
All of Tapuaetahi
On the beaches stretching from Opononi to Omapere
Hupara Road, Hupara Hill, Hautapu Rd, Ngahuhu Rd, Pinehill Rd, Smeath Rd
Coopers Beach
All of Rarawa Beach

### ***Submissions by groups and organisations***

The following comments and detailed submissions were made by groups and organisations.

<b>Organisation/ Group</b>	<b>Submission</b>	<b>Rationale</b>
Taupo Bay Dog Owners Group	Agree with the proposed special character rules for Taupo Bay – from the southern Marlin Drive beach entrance to the bluff	This is a dotterel protection area The Group will work with the local community and visitors to ensure all dog owners are aware of this area and the importance of keeping dogs away. Clear signage is needed to avoid confusion.
Wakaangi Land Care Trust	Does not support these further restrictions on Hihi Beach	Dogs are not the problem in Hihi and further restrictions will alienate the community and lead to responsible dog owners not registering their animals Undertakes kiwi aversion therapy which is well patronised by dog owners
Scrumptious Fruit Trees (trustees)	Agree with the special character rules for the eight beaches (including the prohibited areas) Increase the number of beaches and beach areas	Needed to create a sustainable foreshore environment Dogs must be on-leash or prohibited in all beach areas where members of the public are present or where there are unique environments and wildlife

Organisation/ Group	Submission	Rationale
	covered by the special character rule	People should always be able to enjoy some areas of beach free from dogs
Guardians of the Bay of Islands Inc	Supports special character rules	Supports wildlife protection provision for areas identified as having high conservation values
The Bay of Islands Watchdogs	<p>Mahinepua Beach – on-leash at all times</p> <p>Tapeka Point Beach – remove from the list</p> <p>Hihi Beach – December/January on-leash between 10am and 5pm, off-leash at all other times</p> <p>Taupo Bay – Middle part of beach (between boat ramp and surfie car park)</p> <ul style="list-style-type: none"> <li>• 1 December to 31 January - 10am to 5pm on leash, otherwise off-leash</li> <li>• 1 February to 30 November – off-leash</li> </ul> <p>Taupo Bay - boat ramp to western end- off-leash all year</p> <p>Sandspit: a dog prohibited area with clear signage of bird nesting area</p> <p>Tauranga Bay (east of tractor access) – on-leash all year</p>	<p>No mandate to limit dog access to beaches on the basis of cultural considerations</p> <p>Rename to reduce confusion (eg Areas of High Cultural Value and Areas of Wildlife Protection)</p> <p>Further consultation is needed to find practical solutions (including on areas where wildlife protection is needed)</p> <p>Dogs on a lead do not represent a threat</p>
Russell Landcare Trust	<p>Include Pipiroa Beach (on-leash at all times)</p> <p>Include Waitata/Donkey Bay, to the north of Long Beach Russell (prohibited)</p> <p>Include Oneroa/Long Beach as on-leash from Labour Day to Easter Monday</p>	<p>Proximity of highly significant wildlife</p> <p>Oneroa is an increasingly popular Beach during summer – issues with dog control when off-leash</p>
Department Conservation	Change prohibited season for Tapeka Point Beach to 1 October to 31 March	<p>Better aligns with shorebird nesting season</p> <p>Supports all other provisions and sites as they are known for having significant number of shorebirds nesting and flocking throughout the year</p> <p>Supports definition of “Special Character Rules”</p>

Organisation/ Group	Submission	Rationale
Royal Forest & Bird Protection Society of New Zealand – Far North Branch	Establish additional areas or prohibit dogs from specified habitat types	Supports the Special Character Rules applicable to some areas identified as having high conservation value Need to include important habitat areas (wetlands, riparian margins, estuaries, sand bars and areas with resident threatened bird species) Taipa Beach is an example Name these areas Wildlife Protection Areas
Forest and Bird Northland Membership	Additional Special Character (Wildlife Protection) Areas to be created	To ensure that the full range and extent of important native bird habitats are protected from dog incursions. Need to include important habitat areas (wetlands, riparian margins, estuaries, sand bars and areas with resident threatened bird species)
Friends of Rangitane Stream	Support prohibitions	The two on-leash areas are only acceptable if dog-vulnerable birds do not feed, breed or roost in those locations
Te Puke Ki Waitangi Taonga Kaitiaki Trust	Add Waitangi Estate Lands	An area of high conservation, historic, economic and cultural value
Cherry Bay Lodge	Dogs on-leash for bird nesting season only	
Bay of Islands Vets	Disagree with special character rules	Responsible dog owners should be able to walk dogs on leads
Action World, Pahia	Disagree with special character rules	Where are Pahia residents to walk their dogs? 9am - 6pm restriction, NOT totally prohibited.
White Rose Kennels and Cattery	Disagree with special character rules for Hihi Beach	Off leash April - November 1/2 days only
White Rose Boarding Kennels	Disagree with special character rules for Hihi Beach	Hihi has no beach at high tide - any restrictions imposed are pointless. Many locals will ignore any laws!
Hihi Ratepayers	Disagree with special character rules for Hihi Beach	Dogs may not be off lead anywhere outside a property according to your rules. Not on the footpath, not in any of the parks and now, not on the beach. Why don't you just say "dogs are prohibited from swimming at any Northland beach"
Consulting Design Engineers Ltd	Disagree with special character rules	Don't believe in privatisation of beaches. We all need the opportunity to share, not just a select few
Apatu Aqua	Allow dogs on leash at all times not prohibited	Agree with restrictions in areas to preserve bird life etc but they could still be allowed on leash
Taupo Bay Press		The proposal to reinstate a fully prohibited area from the end of Marlin Drive cul de sac to the south end is overdue and a widely accepted

Organisation/ Group	Submission	Rationale
		control to help protect year-round bird nesting and ecology.
Living Water Bay of Islands		If Council is unable to enforce the "dogs must be on a leash at all times" rule, then the following areas should become prohibited areas: Pipiroa Scenic and Recreation Reserves and the Pipiroa accessway, Okiato; and the 66ha Te Wahapu Scenic Reserve plus the associated coastal public land
Bay of Islands Canine Association	Disagree with special character rules	At least make them on leash areas
Commercial St Surgery	Disagree with special character rules	Limit restrictions. Need to be acceptable to visitors and local ratepayers - 10am - 5pm, Mid Dec - Mid Feb.

## Exceptional rules for beaches

**Proposal:** We have many beaches in our District that are popular with visitors and holiday-makers. To protect people from dog-related harm, we propose the following seasonal restrictions:

Exceptional rules areas	April 1 – 30 Nov	1 December – 31 March and all public holidays
<b>Cable Bay</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Coopers Beach</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Paihia Beach</b>	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Russell Beach</b>	Off-Leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Taupo Bay</b> – north of the southern Marlin Drive beach entrance, toward the boat ramp	On-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Tauranga Bay</b> - west of tractor access toward the campground	Off-leash	Prohibited 9am – 6pm, otherwise on-leash
<b>Te Tii Beach</b> – from the roundabout to the bluff	Off-leash	Prohibited 9am – 6pm, otherwise on-leash

The number of submitters who agreed/disagreed with the proposed exceptional rules areas is as follows.

Do you agree with the proposed exceptional rule areas?		
Ward	Yes	No
Bay of Islands – Whangaroa	214	329
Kaikohe-Hokianga	64	24
Te Hiku	169	208
Outside District	25	41
Not Specified	23	16
<b>TOTAL</b>	<b>495</b>	<b>618</b>

Submitters were asked to identify the specific exceptional rule areas they disagreed with. Responses are set out in the table below.

Exceptional rules areas	Disagree
<b>Cable Bay</b>	338
<b>Coopers Beach</b>	344
<b>Paihia Beach</b>	336
<b>Russell Beach</b>	327



Exceptional rules areas	Disagree
<b>Taupo Bay</b> – north of the southern Marlin Drive beach entrance, toward the boat ramp	395
<b>Tauranga Bay</b> - west of tractor access toward the campground	306
<b>Te Tii Beach</b> – from the roundabout to the bluff	314

Submitters were also asked whether they agreed with the restrictions and prohibitions proposed at these locations. Responses were as follows.

Do you agree with the restrictions and prohibitions proposed at these locations?		
Ward	Yes	No
Bay of Islands – Whangaroa	135	327
Kaikohe-Hokianga	44	49
Te Hiku	119	218
Outside District	22	45
Not Specified	10	18
<b>TOTAL</b>	<b>330</b>	<b>657</b>

#### ***Comments in favour of decreased restrictions***

A significant number of submitters (around 470) commented that the restrictions should be decreased in the following way (in descending order of frequency of comment).

- Allow dogs on leashes at all times
- Reduce summer time restrictions
- No restrictions
- Reduce summer date restrictions
- Allow off leash between 1 April and 30 November (and when not busy)
- Allow off leash in summer outside restricted times
- No restrictions on certain beaches (or restrict to specific areas of a beach)
- Apply the same rules to all beaches (and/or don't change the current rules)

The following reasons were provided (in descending order of frequency of comment).

- The beach is an important off leash exercise area. It is important for dogs (there no other viable areas)
- The beach is not crowded or busy (either generally or at certain times)

- Don't punish responsible dog owners
- Focus on dog owner controls and enforcement
- Our dog is part of the family
- More restrictions require more dog parks
- Need better education/ signage/ dog fouling stations
- Shouldn't impose restrictions for benefit of tourists
- Need more evidence and local consultation
- Only restrict controlled dogs and dogs likely to cause harm

A significant number of submitters commented that the restrictions should be reduced for Taupo Bay. Main comments were as follows (in descending order of frequency of comment).

- Allow off-leash between 1 April and 30 November (and when the beach is not busy)
- Allow off-leash in the summer outside the restricted times
- The beach is not crowded or busy (either generally or at certain times)
- Reduce the summer time restrictions
- Reduce the summer date restrictions
- Allow dogs on-leash at all times

***Comments in favour of increased restrictions***

A smaller number of submitters (around 85) commented that the restrictions should be increased in the following way (in descending order of frequency of comment).

- Dogs should be on leash at all times (as a minimum)
- Dogs should be prohibited at all times (generally or on a specific beach)
- Increase the date restrictions
- Increase the time restrictions
- Prohibit dogs during summer
- Prohibit dogs between 9am and 6pm in summer
- Dogs should always be on leash during summer (for some or all of the beach)

The following reasons were provided (in descending order of frequency of comment).

- Wildlife concerns
- Concerns relating to personal safety and health issues
- Popular beaches are places for people not dogs

**Additional areas**

The following additional specific areas were proposed.

<b>Areas that are currently proposed (as either special character rules or exceptional rules for beaches)</b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Te Tii Beach	No reason provided
Paihia Beach	No reason provided
Taupo Bay (full length of the beach from the southern Marlin Drive entrance to the north end of the beach including the boat launching area.)	No reason provided

<b>Additional new areas proposed</b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Tapeka Beach	Proposed restriction: Prohibited from Labour Weekend to Easter weekend
Ahipara	Where families and children are Proposed restriction: On Leash
Matauwahi Bay and all reserves	Protect kiwis Proposed restriction: Prohibited
Donkey Bay and all reserves	Protect kiwis Proposed restriction: Prohibited
Matauri Bay	No reason provided
Opua (in front of the Hall)	No reason provided
Long beach	Health risks, roaming dogs, kiwis and wekas in danger
90 Mile Beach	No reason provided
Kaimaumau	No reason provided
Whites beach	No reason provided
Henderson bay	No reason provided
Houhora	No reason provided
Waipapakauri	No reason provided
Shipwreck Bay	No reason provided
Marble Bay	No reason provided
Butterfly Bay	No reason provided
Tapuaetahi Beach	No reason provided
Taronui Reserve	No reason provided

<b>Additional new areas proposed</b>	
<b>Beach</b>	<b>Rationale and Restrictions Proposed by Submitters</b>
Matauri Bay	During the summer months there are far too many Dogs off leashes on the beach, chasing the wildlife and causing havoc, urinating on private possessions whilst unattended (whilst swimming etc)
Opononi/ Opononi boat ramp to Baker Rd, outside Copthorne.	On-leash 10 December - 9 February 10 am - 5 pm, off-leash rest of year
Sullivans Beach	On leash at all times
Lake Ngatu and surrounding walkways	Dogs on-leash at all times
Te Ngaere Bay	What is the situation - is not mentioned
Waimamaku	No rationale provided
Tokerau Beach	Has become very busy and I feel that this beach should be considered especially for the holiday periods
Taipa Beach	No rationale provided
Opua South tidal beach (Rotopouri) adjoining area known as Colenso Triangle	Dogs on leashes only or wearing muzzle
Te Oheroa a Tohe	All of Ahipara beach from Shipwreck to Kaka St onramp

### **Submissions by groups and organisations**

The following comments and detailed submissions were made by groups and organisations.

<b>Organisation/ Group</b>	<b>Submission</b>	<b>Rationale</b>
Taupo Bay Dog Owners Group	<p>Taupo Bay – north of the southern Marlin Drive beach entrance, toward the boat ramp</p> <ul style="list-style-type: none"> <li>• 1 December to 31 January - 9am to 5pm on leash, otherwise off-leash</li> <li>• 1 February to 30 November – off-leash</li> <li>• North of the boat ramp - off-leash all year</li> </ul>	<p>The beach is quiet in the early morning and late afternoon when people need to be able to walk their dogs off-leash</p> <p>The peak visitor period is only during summer school holiday period (December-January). No merit to this section of beach being off-leash in the off-peak season.</p> <p>About 4 out of every 10 properties during the summer visitor season has at least 1 dog</p> <p>The area north of the boat ramp is mainly used for parking tractors over the summer and is unused by tourists</p> <p>The Group will commit to ongoing education of the rules to visitors and the local community and support the Council to ensure the rules are adhered to</p> <p>Clear signage of the three distinct areas is needed to avoid confusion</p>

Organisation/ Group	Submission	Rationale
Scrumptious Fruit Trees (trustees)	Cable Bay, Coopers Beach, Pahia Beach, Russell Beach, Te Tii Beach, Tauranga Bay should be on-leash areas between 1 April and 30 November Agree with the on leash requirements at Taupo Bay outside the prohibited areas/restricted times	These beaches should have the same on-leash requirements as Taupo Bay Description of access to Taupo and Tauranga Bay must make it clear that the entire beach outside of the prohibited areas are on-leash Critical for conservation
The Bay of Islands Watchdogs	Require dogs to be on leash, not prohibited during the day in busy periods Delete Taupo Bay All areas: Dogs to be allowed on on-leash between 10am and 5pm (1 December to 31 January and public holidays), otherwise off-leash Taupo Bay – remove from the exceptional rules section	Rename as Rules for Popular Tourist Beaches School holiday period and public holidays are key periods for tourists Residents should be able to walk dogs off-leash before and after work Need to provide clear signage, education, and monitoring of on leash requirements
Department of Conservation	Add Long Beach, Russell (on-leash from 1 April to 30 September and prohibited 1 October to 31 March and all public holidays) Change prohibited season at Taupo Bay, Tauranga Bay, Te Tii Beach to 1 October to 31 March (otherwise on-leash)	High density of kiwi through the Russell Peninsula  Protection of nesting and flocking shorebirds Many off-leash dogs cannot be controlled and can easily harass or kill shorebirds
Friends of Rangitane Stream	Default rule should be prohibition on all beaches	Includes beach areas, sand dunes, adjacent land where they could disturb or injure birds Identify specific areas where dogs could have access
Cherry Bay Lodge	Prohibited should be 10am to 5pm	
Action World, Pahia	Disagree with rules and restrictions for Pahia Beach and Te Tii Beach	Restrictions in peak season 9am - 6pm from later December to Waitangi Day - no longer!
White Rose Kennels and Cattery	Dogs prohibited 9am - 12pm only. at Cable Bay and Coopers Beach	Beaches are virtually clear at 4pm

Organisation/ Group	Submission	Rationale
White Rose Boarding Kennels	9am - 12pm only from 20 December	
Joyeux Dog Grooming	All dogs on leashes at anytime	
Consulting Design Engineers Ltd	Summer - Mid December to end of Feb - prohibition, 10am-6pm then off leash. Winter off leash.	On beaches with reasonable vehicular access, all known nesting sites to be fenced off during nesting season to prevent man and dog interfering with birds. Have good notices explaining why areas are restricted. Fences to be removed once nesting over.
Apatu Aqua	Reduce date restrictions	1 December to 31 March is too long a period. The beach is busy for a shorter period than that
Taupo Bay Press	The proposed descriptions of on-leash access on to Taupo Bay and Tauranga Bay are ambiguous and need to be refined so as not to infer there are any areas of off-leash at any time	The population at Taupo Bay increases hugely between December to April, and the off peak season visitor numbers seem to have doubled over the last 5 years as more people let their properties out  Taupo Bay - The boat ramp end is not an appropriate off leash area. It is also the end closest to the main public reserve and where the majority of camp ground families attend to relax and play. It is inappropriate to facilitate any off leash activity in this area
Commercial St Surgery	Change the hours to 10am - 5pm, dates 15 Dec - 15 Feb.	Cable Bay, Paihia Beach, Russell Beach, Te Tii Beach
Wairoro Park	Change on leash to 10am-4pm	Russell has many responsible dog owners. Many retired - most of the owners walk their dogs on the beach in the day in a reasonable way for their dogs and self-exercise

### Limitation on number of dogs (Two dog limit per property)

**Proposal:** Many areas in our District already have a limit on the number of dogs that can be kept at a property. We propose to retain this limit, but increase the areas that the limit will apply to. To keep more than two dogs in these areas, dog owners would have to obtain written permission. The proposed rules would apply to properties that are identified as coastal residential, residential, commercial and industrial in our District Plan, as well as properties with similar characteristics. These areas are listed below.

Ahipara	Awanui	Cable Bay	Coopers Beach
Haruru Falls	Hihi	Horeke	Houhora
Kaeo	Kaikohe	Kaimaumu	Kaitaia
Kawakawa	Kerikeri	Kohukohu	Manawaora
Mangonui	Matauri Bay	Mitimiti	Moerewa
Ngawha	Ninety Mile Beach (Waipapakauri Ramp)	Ohaeawai	Okaihau
Okiato	Omapere	Opito Bay	Opononi
Opuia	Orongo	Paihia	Parekura Bay
Point Veronica	Pukenui	Rangiputa	Rangitane
Rawene	Russell	Taipa	Tapeka Point
Taronui	Taupo Bay	Tauranga Bay	Te Hapua
Te Haumi	Te Ngaere	Tokerau Beach	Totara North
Waimamaku	Waipapa	Whangaroa	Whatuwhiwhi

The number of submitters who agreed/disagreed with the proposed two dog limit per property is as follows.

Do you agree with the proposed two dog limit in the areas specified?		
Ward	Yes	No
Bay of Islands – Whangaroa	300	260
Kaikohe-Hokianga	52	52
Te Hiku	246	149
Outside District	27	39
Not Specified	34	10
<b>TOTAL</b>	<b>659</b>	<b>510</b>

Submitters were asked to tick the areas where they thought the two-dog limit should apply. Responses for each area are set out in the table below

Area	Agree	Area	Agree	Area	Agree
Ahipara	262	Mitimiti	204	Rawene	213
Awanui	240	Moerewa	251	Russell	254
Cable Bay	267	Ngawha	224	Taipa	242
Coopers Beach	268	Ninety Mile Beach (Waipapakauri Ramp)	227	Tapeka Point	210
Haruru Falls	248	Ohaeawai	217	Taronui	193
Hihi	242	Okaihau	220	Taupo Bay	253
Horeke	215	Okiato	210	Tauranga Bay	223
Houhora	222	Omapere	220	Te Hapua	201
Kaeo	239	Opito Bay	229	Te Haumi	222
Kaikohe	265	Opononi	232	Te Ngaere	213
Kaimaumu	212	Opu	244	Tokerau Beach	230
Kaitaia	285	Orongo	206	Totara North	223
Kawakawa	254	Paihia	263	Waimamaku	207
Kerikeri	272	Parekura Bay	207	Waipapa	223
Kohukohu	210	Point Veronica	215	Whangaroa	219
Manawaora	199	Pukenui	219	Whatuwhiwhi	231
Mangonui	257	Rangiputa	221		
Matauri Bay	231	Rangitane	209		

### **Comments**

A significant number of submitters (around 360) responded that the limit should be increased or there should be no limit. A much smaller number submitted that the limit should be extended to other areas (around 45) or that the limit should be decreased (around 25).

### **Frequent comments**

Frequent comments were as follows (in descending order of frequency).

- The limit is not necessary/too restrictive (Council has no right to restrict or tell people what to do)
- Allow exceptions (eg for farmers, hunters, breeders, service dogs, rescue dogs)
- Don't punish responsible dog owners
- Visitors should be able to bring their dogs (and allow others to temporarily look after other dogs)



***Less frequent comments***

Less frequent comments were as follows (in descending order of frequency).

- Permit should be needed for more than two dogs (and need a clear criteria and process)
- Large (or fenced) properties should be able to have more than 2 dogs
- The Council needs to enforce the limit
- Two dogs is enough
- Encourage good behaviour and education
- Judge the situation on a case by case basis and/or allow more flexibility
- Don't apply a limit to rural areas (only apply it to residential zones/ populated areas)

***Other comments***

Other comments were as follows (in descending order of frequency).

- The breed and size of the dog is relevant
- Allow more than two dogs if the owner sits a good owner license or is checked and confirmed to be a good owner
- Decreasing the limit to one dog is needed to protect wildlife
- The limit of two dogs will be too expensive or difficult to enforce. Focus on other actions such as subsidising neutering
- Only apply the two dog limit in problem areas or restrict to problem people
- Don't apply the limit to existing owners of more than two dogs
- Decrease the limit to address issues with neglect and aggression
- Restrict the numbers of dogs in kiwi zones (either apply the two dog limit to all kiwi zones or restrict to one or no dogs)
- Neighbour permission/ consultation should be required for more than two dogs
- Restrict the numbers of dogs in urban areas/ neighbourhood streets
- Restrict dog numbers because of concerns over nuisance barking
- Extend the two dog limit to rural areas
- Apply the two dog limit to identified problem areas
- Rental properties should only have one dog
- Why would people other than farmers need 2 dogs
- Some comments related to other issues such as dog control, the need for dog designated play areas, and other issues such as the problems caused by cats.

**Additional areas for two-dog limit**

The following additional specific areas were proposed by submitters.

Area	Rationale and Restrictions Proposed by Submitters
Te Wahapu Point on the Russell peninsula	It adjoins large areas of DOC and Council Reserves on which wildlife habitat restoration is being undertaken. Straying dogs are still a problem and this rule can reduce that risk.
Russell Peninsula	Acknowledged as a Kiwi Concentration Zone. Limit of two dogs per household to extend across the Russell Peninsula to at least a line between Clendon Cove and Man'O War Creek.

**Submissions by groups and organisations**

The following comments and detailed submissions were made by groups and organisations.

Organisation/ Group	Submission	Rationale
Taupo Bay Dog Owners Group	Does not support the two dog limit without further information. Must allow additional dogs to visit on a temporary basis	Many residents with dogs have family members who bring dogs when they visit, exceeding the 2 dog limit per property. There needs to be an inclusion to allow dogs to visit on a temporary basis for a period of up to 3 weeks
The Bay of Islands Watchdogs	No limit should apply Delete section 6	Harms responsible dog owners Many households have more than 2 dogs (including farmers and hunters)
Russell Landcare Trust	Add Russell Peninsula	Russell Peninsula is a Kiwi Concentration Zone Brown kiwi and North Island weka are very vulnerable to dog predation A limit is required on peri-urban and rural areas Exclude working dogs
Federated Farmers of New Zealand	Reinstate the word "urban"	To avoid restrictions on farmers with working dogs
Department of Conservation	Agree with limit	Will help kiwi protection (present in high density at sites such as Rangitane, Opito Bay and Russell)
Friends of Rangitane Stream	2 dog limit should apply to the entire district	Risk to wildlife and people includes rural areas Exemption for working dogs, registered dog breeders, or similar
PF Olsen Forest Manager for China Forestry Group in Northland	Two dog limit everywhere	

Organisation/ Group	Submission	Rationale
Cherry Bay Lodge	No restrictions	There has never been a problem with more than two dogs, just how they are cared for
Sunbeamland Museum	Allow exemptions	Special conditions for farmer and some pig hunters (kiwi trained and checked regularly)
Bay of Islands Vets	No restrictions	Why are you restricting the number of dogs people can own
Ngawha Prison		Exceptions for breeders of registered breeds
Action World, Pahia	No restrictions	Good dog owners and animal lovers don't need restriction
Wairoro Park		I have 9 dwellings on my property of 160 acres. Could have many dogs (as we do at Xmas)
Hihi Ratepayers	Allow exemptions	Distinguish between dog classifications. Farmers and hunters and breeders can't observe such rules.
Joyeux Dog Grooming		Inspect properties first
Consulting Design Engineers Ltd		Agree as long as Council is realistic regarding applications for additional dogs
Apatu Aqua		Can't see this rule making those that have more than 2 dogs limit the dogs they have or register them.
Bay of Islands Canine Association		This is going to restrict people who have visitors come to visit with dogs, families bringing their pets when visiting when there are already 2 dogs. Who is going to police it?
Commercial St Surgery	Apply limit to town/urban areas	

## Off-leash areas

**Proposal:** *We have recognised the wellbeing and recreational needs of dogs and their owners. We are proposing a number of areas in the District where dogs can be exercised off-leash provided they are under control.*

Off-Leash and Under Control
<b>Kaikohe</b> – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12
<b>Kaikohe</b> – Old Rugby League Field, Lindvart Park, Recreation Road
<b>Kaitaia</b> – 38 Empire Street, (at the end of Empire Street next to Awanui River)
<b>Kerikeri</b> – 391 Wiroa Road (behind crematorium)
<b>Kerikeri</b> – Roland’s Wood, 240 Kerikeri Inlet Road

The number of submitters who agreed/disagreed with the proposed off-leash areas were as follows.

Do you agree with the proposed off-leash areas?		
Ward	Yes	No
Bay of Islands – Whangaroa	397	153
Kaikohe-Hokianga	83	10
Te Hiku	291	68
Outside District	44	18
Not Specified	30	7
<b>TOTAL</b>	<b>845</b>	<b>256</b>

Submitters were asked to identify which proposed off-leash areas they disagreed with. Responses are set out in the table below.

Off-leash areas	Disagree
Kaikohe Cemetery	80
Kaikohe, Lindvart Park	66
Kaitaia, Empire St	82
Kerikeri, Wiroa Road	84
Kerikeri, Rolands Wood	78

***Frequent comments***

Frequent comments were as follows (in descending order of frequency).

- Need more off-leash areas
- Nowhere for dog owners to go to exercise their dogs off-leash. There needs to be areas for [all] other communities (within walking distance)

***Less frequent comments***

Less frequent comments were as follows (in descending order of frequency).

- Need off leash beach/coastal areas
- Too far to travel to proposed areas
- Off-leash areas should be fenced
- Off-leash areas are important given the restrictions proposed for beaches and parks (as will be no off-leash areas in the community)
- Dogs need off leash exercise areas
- Develop a reserve/park/ vacant council land as an off-leash area
- Allow off-leash in parks sportsfields, school grounds when not being used

***Other comments***

Other comments were as follows (in descending order of frequency).

- Areas proposed are too small (potential for too many dogs in too small an area)
- Dogs should be on leash at all times (no off-leash areas)
- Need to properly maintain off leash areas
- More areas would increase responsible dog ownership and dog socialisation (and also be good for owners)
- Dogs need to be under control at all times
- Enforcement, education and signage needed
- Provide purpose built dog parks with for example, exercise equipment, water area for swimming, and dog fouling stations
- Allow dogs on leash in all parks and walking tracks
- Educate dog owners and get rid of rules, don't punish responsible dog owners
- There are too many aggressive, roaming dogs so not a safe area
- Need dog fouling stations (poo bins etc)
- Encourage landowners (and DOC) to make dog areas available
- Dog areas should be completely separate from child play areas (health and safety issues)

- Fencing is not necessary
- Very few dogs are under control when off leash
- Check and don't allow off-leash access if there is the presence of kiwi/ threatened wildlife/ kauri
- Need separate areas for different size dogs
- Enforcement is not realistic
- Proposed areas should be free of dogs (safety issue, family areas)
- Not a Council responsibility to provide exercise areas
- It's an animal friendly town but nowhere for dogs to socialise together
- Areas proposed are too open and uncontrolled (large dogs attack smaller dogs)
- Prohibit dogs at all times
- Proposed areas are public spaces so there should be no off leash dogs

### ***Issues with proposed off-leash areas***

Submitters raised the following issues with the following proposed off-leash areas.

<b>Off-Leash Area</b>	<b>Issues Raised by Submitters</b>
Rolands Wood	The area is neglected Too many dogs at times Not disabled friendly Not enough space to exercise dogs that are high energy Problems with big and small dogs off-lead, need separate areas
Kerikeri, Wiroa Road	It is unsafe to have dogs off-leash as there are cattle grazing regularly Not fenced adequately Inadequate signage Too small Inconvenient to access and too far away/out of town Unsafe for dogs and children The space needs to be made more appealing
Kaitaia, Empire Street	Too many children are playing here. Also, the elderly go for walks and some breeds of dogs are really frightening to them Not big enough, not fenced, no parking This property is not going to be ready for use for years. It is not a suitable property, would cost too much to fix Flood prone, uneven ground, unsafe Not enough reaction time, no open vision to see other dogs, plus running water, not enough open space to run. Not much thought put in here for owner or dog safety, on or off leash.

Off-Leash Area	Issues Raised by Submitters
Kaikohe Cemetery	<p>Too close to the state highway</p> <p>Have the neighbours been consulted?</p> <p>Disrespectful to let dogs run around a cemetery</p> <p>Cemetery is a peaceful place, to visit with deceased whanau, not for dogs running around</p> <p>Too far away to walk to</p>

### ***Additional off-leash areas***

The following areas were proposed as additional off-leash areas. The rationale for proposing these areas is included, where provided by the submitter.

Off-Leash Areas Proposed by Submitters (With Rationale, Where Provided)
The Waipapa Rd end of Waitotara Reserve. It only needs battens on the fence and a gate or two
Stone store pa reserve
Waipapa road track by culinary institute
Taumarumaru Reserve at the western end of Coopers Beach
Rangikapiti Pa reserve in Mangonui
Unused commercial areas such as Samaree Place, Kerikeri and the old Carters site, Opuia on SH11
Russell walk / Opuia-Paihia coast walk
Lindvaart Park
Kerikeri Domain
Kerikeri sports domain (when not in use for sports)
A&P showgrounds Kaitaia, Kaikohe, Waimate North when not in use
Cycle track in Moerewa
Waitotara Reserve and Fairy Springs
Section of playground off Matthews Ave
The Domain/park at Kawakawa
The fenced grassed area on the Waitotara River Reserve between the QRC culinary school carpark and the footbridge. The field and water access at the bottom of the trail behind the new church at the heritage bypass. Undeveloped land behind netball courts and playing grounds at Kerikeri Rugby club
Matthews Park by Matilda Place, Kaitaia
The playground off Matthews Ave can be sectioned off for an off leash area. Giving families the opportunity to take children and dogs
Fence the triangular reserve at the corner of Hope Ave and Florence Ave (Matawhi Bay, Russell) for use as a dog exercise area (with time restrictions to prevent nuisance to neighbours) or land near the wastewater treatment plant and/or acquire more land at/near the sports ground
Reserve at Tauranga Bay

<b>Off-Leash Areas Proposed by Submitters (With Rationale, Where Provided)</b>
The donated area on the corner of Davis crescent Paihia, could be a good off leash area
Taupo Bay has reserves that could be used as off leash exercise areas (such as along the stream and also at the Southern end of the beach)
The north end of Ahipara
Taupo Bay - between the boat ramp and northern end of beach is a perfect place for dogs to have an off leash area.
The reserve area next to New World in Kerikeri can be an off leash area for well-behaved dogs
The grassy area on the west side of the road at Te Haumi would be a good place for dogs to run
Rainbow Falls if the dogs are kiwi trained
The big wood chops paddock next to the Opononi refuse centre dogs when events are not being held
Paradise Road - is a park never used
Recreational parks in Coopers Beach opposite the bowling club
The land adjacent to the bus carpark above the Pear Tree in Kerikeri
Totara North recycling centre has a lovely grassy area which does not get used much
The sports fields near Russell, they are hardly ever used and could easily be multi-use for dogs and sport
Area behind Pear Tree Restaurant and Pa affords a great area for dogs to run free
Sullivans Beach in Paihia. from the Paihia beach toilets to the Te Haumi beach bridge. This is a very popular dog walking spot, unpopular with beach goers as there are much easier beaches to get to in Paihia
Kerikeri Bypass Playing Fields
The land surrounding Kerikeri Airport. Part of the enormous forest between Kerikeri and Kaeo - a waste of land - Puketi Forest
Haruru Sports fields. Cycle trail between Opua and Kawakawa
Reserve at northern end of Coopers beach. Only people I see year round have dogs. Cater for the majority
Area near Lindvart Park. Used to be bike track for kids. Fence off near recreation and carpark to left. Area can be used, big space to walk, run in
Pipiroa Bay Okiato
Kaitaia, the park by the dump would be a perfect spot for a dog park
Hone Hika reserve down to the Pear tree would be a great start
Lake Manuwai
The FNDC Recreation Reserve at the corner of Pipiroa Rd and James Clendon Place is largely fenced already. It was set up for recreation by no longer used for its original purpose it would be ideal for dog exercise
The FNDC Reserve at Matauwhi Bay (could be fenced)
Fairy Pools Reserve be developed as an accessible off-leash area for dog walking
Make Te Tii Beach bluff to playground a swimming beach for dogs and owners in summer - it is partially fenced
The Kerikeri Walkways Group is working with FNDC to open the Peacock Gardens reserve in Kerikeri a dog exercise area



**Submissions by groups and organisations**

The following comments and detailed submissions were made by groups and organisations.

<b>Organisation/ Group</b>	<b>Submission</b>	<b>Rationale</b>
Guardians of the Bay of Islands Inc	More designated areas are needed	Places should be readily accessible to urban/built up communities
The Bay of Islands Watchdogs	Include Lindvaart Park and Showgrounds in Kaikohe and Domain in Kerikeri	Off-leash exercise areas are needed in each town, which everyone can access All parks and reserves should be off leash unless there is a sound rationale (park specific) Work with the community to expand the list
Russell Landcare Trust	Include a defined area near Russell	Possible areas: Reserve between Hope and Florence Avenues Fenced area on Council land near sportsground James Clendon Place Reserve, Okiato
Bay of Islands Maritime Park Inc	Include an off-leash dog exercise area in Okiato	Recreation reserve at corner of Pipiroa Road James Clendon Place as it is already adequately fenced
Royal Forest & Bird Protection Society of New Zealand – Far North Branch	Need to identify suitable areas for owners across the District	To satisfy the exercise needs of dogs and owners
Friends of Rangitane Stream	Support proposed locations Add more off-leash exercise areas	Additional specific locations area needed which are away from at risk/threatened native species, avoid kauri, and avoid where children play
Te Puke Ki Waitangi Taonga Kaitiaki Trust	Lack of exercise areas in Pahia and Russell	Ratepayer issue to supply the funds if dog owners want more exercise parks
Sunbeamland Museum		Disagree with Kaikohe Cemetery – too restrictive
Bay of Islands Vets	More areas needed	The Domain, Kawakawa could easily be made into an off leash area
White Rose Kennels and Cattery	More areas needed - Mangonui, Taipa Beach	If you are going to restrict dogs, where are the dogs going to go?
White Rose Boarding Kennels	Far too few areas for the entire district.	Only area in Doubtless Bay is DoC land! Where's the alternative but beaches?
Hihi Ratepayers		The proposed areas don't help those in your proposed restricted areas
Joyeux Dog Grooming	All should be on leash if off own property	Too many dogs - unsafe for other dogs and owners for other dogs.
Rangiputa Residents and Ratepayers Association		Kaitaia is one hour round trip from Rangiputa

Organisation/ Group	Submission	Rationale
Consulting Design Engineers Ltd	Use Kerikeri Domain before 10am. Waitotra Res and Fairy Springs would be good for off leash	Need more areas close to retirement villages and residential areas.
Puketotara Landcare group	Disagree with certain areas	KeriKeri, Wiroa Road is in an area known to have Kiwi living and we feel it is culturally insensitive to have dogs exercising on land adjacent to the burial place of people
Apatu Aqua		That's a long way for people to travel to these specific areas
Living Water Bay of Islands	Off-leash dog exercise area needed in Okiato	Suggest that the Council Recreation Reserve at the corner of Pipiroa Road and James Clendon Place could be used for this purpose, as it is already adequately fenced. It was set up for recreation but is almost never used for this purpose.
Federated Farmers of New Zealand	Support dedicated, fenced, dog exercise areas	
Commercial Street Surgery		These represent small geographic areas of Northland - others cannot use these with any practicality. Restricting dogs to designated off-leash areas denies freedom and access to most ratepayers due to distance and lack of areas.

## District-wide access areas

**Proposal:** *The purpose of the proposed district-wide access rules is to ensure the safety of the public and to reduce the risk of any dog-related harm, while also providing for the wellbeing and recreational needs of dogs and their owners. The proposed rules are below:*

Area and description	April 1 – 30 Nov	1 December – 31 March and all public holidays
All children's playgrounds	Prohibited	Prohibited
All public swimming pool areas	Prohibited	Prohibited
All beaches, unless specified elsewhere in this schedule	Off-leash	On-leash 9am – 6pm, otherwise off-leash
All parks, sportsgrounds and reserves, unless specified elsewhere in this schedule	On-leash	On-leash
All public footpaths, roads and other public spaces	On-leash	On-leash
Pou Herenga Tai – Twin Coast Cycle Trail	On-leash	On-leash
All other public places not specified	On-leash	On-leash

*Note: Rules relating to dogs on beaches are specifically covered in previous sections of this report and as a result, responses to this aspect of the proposed district-wide access rules are not covered in this section, other than as they relate to the general question of whether the submitter agrees with the proposed rules*

The number of submitters who agreed/disagreed with the proposed district-wide access rules were as follows.

Do you agree with the proposed district-wide access rules?		
Ward	Yes	No
Bay of Islands – Whangaroa	233	313
Kaikohe-Hokianga	67	31
Te Hiku	209	172
Outside District	36	26
Not Specified	27	17
<b>TOTAL</b>	<b>572</b>	<b>559</b>

Submitters were asked to identify which specific district-wide rules they disagreed with. Responses as set out in the table below.

District-wide rules	Disagree
Children's playgrounds	80
Public Swimming Pool Areas	54
Beaches (unless specified otherwise)	402
Parks, sportsgrounds and reserves (unless specified otherwise)	265
Public footpaths, roads and other public spaces	205
Pou Herenga Tai - the Twin Coast cycle trail	189
All other public places not specified	223

### ***Frequent comments***

Frequent comments were as follows (in descending order of frequency).

- The restrictions should be reduced
- Don't punish responsible dog owners/ trust them to do the right thing
- Allow dogs off leash if under control or no one around (or outside the specified hours)

### ***Less frequent comments***

Less frequent comments were as follows (in descending order of frequency).

- Increase the restrictions
- Focus on dog control issues
- We enjoy taking dogs with children to playgrounds and on walks (dogs are part of the family) so at least allow on-leash
- There is nowhere to exercise off leash
- Dogs should be on-leash (in specific areas and/or all areas all times) and/or muzzled
- Allow dogs off leash in reserves if under control (includes specific reserves or in winter)
- Allow dogs on leash in all areas or more areas (instead of prohibitions)

### ***Other comments***

Other comments were as follows (in descending order of frequency).

- Should be able to cycle with and/or walk dog off leash (including on the Twin Coast Cycle Trail)
- Enforcement of the rules will be difficult
- Dogs must have off leash exercise areas in every area
- All other public places is very vague - specific areas should be listed
- Focus on educating people
- Restrictions are sensible and a good balance

- Need dog fouling stations (eg poo bins)
- Comments relate to Bylaw wording (or clearer wording is needed)
- Must be compulsory to pick up dog waste
- Dogs should be restricted/prohibited in areas such as bush reserves with native birds
- Control dangerous or antisocial dogs (need to be muzzled)
- Need better signage
- There should be on-leash restrictions for all walking and cycle trails (or banned)
- Agree that dogs should be on-leash where there are lots of children
- It is important to socialise dogs
- Dogs should be prohibited in school grounds and/or sports grounds
- Why change what works
- No dogs in public places
- Dogs in public places are a health and safety issue
- Restrictions should be all year
- Comment relates to subdivision restrictions

#### ***Submissions by groups and organisations***

The following comments and detailed submissions were made by groups and organisations.

<b>Organisation/ Group</b>	<b>Submission</b>	<b>Rationale</b>
The Bay of Islands Watchdogs	Partial agreement Changes recommended	Accept dogs should be prohibited from children's playgrounds and public swimming pools Accept on-leash on the Pou Hereanga Tai – Twin Coast Cycle Trail and on public footpaths and roads (but remove reference to "other public spaces") All other places otherwise not specified - should be off-leash and under control. Further formal consultation with community needed (with rationale) if Council wants to ban off-leash in "all other places" All parks, sportsgrounds and reserves should be off-leash and under control (subject to consultation with the community on a park by park basis)
Russell Landcare Trust	Support on-leash in all council reserves, roads and footpaths Include Council controlled bush reserves and walking tracks, including Pipiroa Scenic Reserve, Pipiroa accessway, Okiato, and Te	Presence of threatened bird species Include all council controlled natural area reserves and unformed legal roads Signage and enforcement required

Organisation/ Group	Submission	Rationale
	Wahapu Scenic Reserve plus associated coastal public land. Make these prohibited areas if on-leash cannot be enforced	
Bay of Islands Maritime Park Inc	Support on-leash in all council reserves, roads and footpaths  Include Council controlled bush reserves and walking tracks, including Pipiroa Scenic Reserve, Pipiroa accessway, Okiato, and Te Wahapu Scenic Reserve plus associated coastal public land. Make these prohibited areas if on-leash cannot be enforced	Presence of threatened bird species Signage and enforcement required
Department of Conservation	Definition of Beach Supports dogs on-leash on public footpaths, roads and other public spaces	Amend to define as “foreshore to low tide” Protection of kiwi close to the roadside Traffic safety
Royal Forest & Bird Protection Society of New Zealand – Far North Branch	Supports dogs on-leash in all parks and reserves and longer seasonal prohibition for dogs on beaches	Important for protecting native birds and minimising threats from kauri dieback
Friends of Rangitane Stream	Restrict dog access in most public places and areas of vulnerable wildlife Supports prohibition on playgrounds and public swimming pools Support on-leash in parks, sportsgrounds, public footpaths, roads, and twin coast cycle trail	Prohibit where there is at risk/threatened wildlife, kauri, and where children play Dogs threaten native birds, carry infected soil, and can be a nuisance and cause harm to the community Default rule should be on-leash in all public places. Must be on a short leash and under full control (but likely to be sections of the cycle trail where dogs need to be prohibited)
PF Olsen Forest Manager for China Forestry Group in Northland	On-leash should be the default position in the absence of other signage. All no-dog covenants should be enforced.	
Bay of Islands Vets	Off leash areas	Not all dogs are dangerous – should be able to exercise dogs off leash
Ngawha Prison	Specific area	Riverstream Drive - need to clarify that the kiwi reserve is the bush and not the road

Organisation/ Group	Submission	Rationale
White Rose Boarding Kennels	Why restriction on parks?	Agree if formal sports in play, but not other use
Consulting Design Engineers Ltd	<p>Pou Herenga Tai: on leash 10am - 5pm off leash outside those hours</p> <p>Non-specified public places: on leash 10am - 5pm, off leash outside those hours</p>	If spaces for off leash are not provided then people will ignore the rules
Puketotara Landcare Group	A default rule requiring dogs to be on leash when on beaches, rocky coastlines and near kiwi zones	Areas that are suitable for off leash dog exercise should be specifically identified in the policy.
Living Water Bay of Islands	Support dogs on a leash at all times in all Council reserves and on roads and footpaths.	Would like to see this re-enforced by appropriate signage and enforcement. Currently, where reserves and other Council lands (including unformed legal roads) are natural areas, there is no signage to say an area is reserve or an unformed legal road and so the public does not know that all dogs are to be on a leash at all times.
Federated Farmers of New Zealand	<p>Agree with restricting dog access to public spaces such as playgrounds and swimming pools.</p> <p>Do not support dog access on cycle ways through farmland</p>	Not all owners are responsible and have their dogs leashed. Even gentle-natured dogs retain their natural predatory instinct and can lose their calm around stock, particularly energetic lambs.

## **Other issues and general comments**

Many of the general comments reiterated responses to other questions.

### ***Frequent comments***

The most frequent additional general comments related to the need for better dog control and enforcement and in particular the following.

- Tougher fines and penalties for unregistered owners and better policing of dog registration
- More dog control officers and more resources put into enforcement
- Stricter controls on nuisance barking
- Encourage and incentivise de-sexing and microchipping
- Ban dangerous breeds from residential areas
- Stricter enforcement in cases of neglect and abuse
- More action and stricter penalties regarding roaming dogs, aggressive dogs and dog attacks
- Penalties for not picking up dog waste (and the need to provide facilities to encourage this to happen)
- Licensing dog ownership
- Enforcing no dog covenants
- Better conditions at the pound (and specify what operating procedures apply when a dog has been impounded)

### ***Other comments***

General comments also included the need for a greater focus on encouraging and funding education and training relating to:

- Safety around dogs
- Dog handling training
- Dog welfare and good dog ownership
- Kiwi aversion training

Many submitters also raised a general concern that the restrictions in the proposed bylaw will unfairly impact on responsible dog owners.

### ***Bylaw wording***

Some specific submissions related to the wording of the proposed bylaw. These included the following.



- Amend the objectives to recognise that controls are needed to better protect wildlife (“prevent disturbance and predation of native wildlife and enable native species to exhibit natural behaviours and breeding patterns”)
- Beach needs to be defined consistent with the 2006 bylaw
- Clause 5 - Housing and Shelter should retain 5.5 & 5.6 from the current bylaw.
- Clause 12.2 should make reference to new animal welfare regulations in place from Oct 1.
- Will there be a maximum length of lead (and remove the 2-metre leash definition)

### ***Submissions by groups and organisations***

The following comments and detailed submissions were made by groups and organisations.

<b>Organisation/ Group</b>	<b>Comment</b>
Guardians of the Bay of Islands Inc	<p>Change the wording of Schedule 2: Department of Conservation Controlled Dog Areas – No Access, bullet point 1, to specify the area of shoreline above mean low water spring tides.</p> <p>Include Additional Special Character (Wildlife Protection) Areas to protect important native bird areas from dog incursions. Includes wetlands, estuaries, sand bars and area with resident threatened bird species.</p> <p>More targeted rules to manage the threat to kiwi posed by hunting and (to a lesser extent) working dogs. Includes compulsory kiwi aversion training and radio tracking collars.</p> <p>Council commitment needed to dog owner education, dog control, and enforcement</p>
The Bay of Islands Watchdogs	<p>Acknowledgement needed of the higher than average rate of dog ownership in Northland and policy decisions need to be evidence-based</p> <p>Include the following in the Bylaw/Policy:</p> <p>Council obligation for community education to mitigate risk of injury from dog bites</p> <p>Greater focus on dog-welfare, emphasising owner obligations</p> <p>Expanded definition of “under control” to provide thorough explanation and underlying rationale</p> <p>Signage policy needed and ensure signage is consistent (plus remove sign at entrance to Russell Township)</p> <p>Environmentally friendly disposal of faeces by provision and emptying of bins in locations frequented by dog walkers</p> <p>Need for dogs to be exercised to maintain health</p> <p>Relevant research, explanation and evidence for areas where restrictions are proposed</p> <p>Areas and obligations that have been omitted</p> <p>Hunting dogs in the definition of working dogs</p> <p>Work with the community (including establishment of a community advisory group) on issues related to dog ownership (including control when off-leash, wandering dogs, signage, dog exercise areas, impounding and neutering operating procedures)</p>

Organisation/ Group	Comment
	<p>Do not agree with proposals in section 10.3 and 11 of the Bylaw and Policy 2 on neutering and do not support automatic neutering as proposed</p> <p>The submission also contains recommendations on exercise requirements (including for impounded dogs)</p> <p>Consider separating compliance and educational funding in animal management</p> <p>Staff need to provide councillors with a summary of Council's legal obligations to dog owners</p>
Russell Landcare Trust	<p>Include as objectives</p> <p>promote responsible dog ownership</p> <p>protect native wildlife, natural habitats and property</p> <p>Enforcement required of roaming dog rules, removal of faeces, and no dog covenanted areas</p> <p>Stand down period of 2 years on dog ownership where a dog owner has had a dog removed because of contravention of and a conviction under the Dog Control Act</p> <p>Include no dog covenants on new subdivisions where kiwi are present</p>
Federated Farmers	<p>Supports policy 2 (neutering of dogs classified as menacing) and clause 11.2 but suggests retaining discretion by changing "will" to "may" for repeat offenders</p> <p>Amend policy 3 (dog aggression and nuisance) and clause 14 (nuisance) to explicitly deal with dog attacks on livestock</p> <p>Supports exemptions in clause 3 for working dogs relating to dog access areas</p> <p>Exempt working dogs from clause 7 (confinement of dogs)</p> <p>Supports clauses 9 (bitches in season), 12.2 (dogs in or on vehicles), and 13 (diseased dogs)</p> <p>Add to clause 12.1(a) "or cause a nuisance to the public"</p> <p>Introduce registration fee rebates for teams of working dogs</p>
Department of Conservation	<p>Changes recommended to wording of schedule 2</p> <p>Add a brief definition of working dog to clause 2</p> <p>Introduce a new category of responsible dog owner to encourage responsible dog ownership</p>
Kiwi Coast Trust	<p>Include Additional Special Character (Wildlife Protection) Areas to protect important native bird areas from dog incursions. Includes wetlands, estuaries, sand bars and area with resident threatened bird species.</p> <p>More targeted rules to manage the threat to kiwi posed by hunting and (to a lesser extent) working dogs. Includes compulsory kiwi aversion training and radio tracking collars.</p> <p>Council commitment needed to dog owner education, dog control, and enforcement</p> <p>Explanations of dog owner responsibilities on private property and the risk to nearby bird populations</p>

Organisation/ Group	Comment
New Zealand Kiwi Federation	Supports submission by Kiwi Coast Trust (see above)
Royal Forest & Bird Protection Society of New Zealand – Far North Branch	<p>On private property, require dogs to be under direct control or confined so they cannot leave the property</p> <p>Guideline of within sight and approximately 10 metres should be added to the definition of “control”</p> <p>Include Council commitment to dog owner education programmes (including wildlife aversion training), enforcement, signage, and community conservation initiatives.</p>
Forest and Bird Northland Membership	<p>More targeted rules to protect kiwi (including compulsory training and radio tracking collars for hunting dogs)</p> <p>Explanations as to how key dog owner responsibilities set out in the Dog Control Act will be interpreted and applied (controls on private property, including fencing requirements)</p> <p>Commitments by Council to dog owner education, signage, and dog control and enforcement</p> <p>Requirement that dogs be kept on a leash in bush area where they may contribute to the spread of kauri dieback and cause other damage to fragile environments</p>
Friends of Rangitane Stream	<p>Include an explanation and clear description of the legal obligations in the explanatory note</p> <p>Include:</p> <p>Definition of beach</p> <p>2 metre limit on leash length</p> <p>Use the existing definition of nuisance in the 2006 Bylaw</p> <p>Clarify that disability assist dogs must be on-leash in dog restricted places</p> <p>Retain existing 2006 Bylaw wording for land administered by DOC and add “except for designated dog access areas specified on DOC’s website”</p> <p>Retain existing 2006 Bylaw default prohibition on access to areas where dotterel etc live or breed (Bylaw 2006, First Schedule)</p> <p>No dog covenants on new subdivisions where kiwi are present</p> <p>Require a dog to be kept within the property boundary, except where accompanied by the owner or other responsible person (clause 7)</p>
Te Puke Ki Waitangi Taonga Kaitiaki Trust	<p>Include Additional Special Character (Wildlife Protection) Areas to protect important native bird areas from dog incursions. Includes wetlands, estuaries, sand bars and area with resident threatened bird species. Includes no dog covenanted areas such as Wakelin’s Estate Haruru Falls</p> <p>More targeted rules to protect kiwi (as part of the registration process, responsible dog owner licences, compulsory kiwi aversion training, use of muzzles, radio tracking collars for hunting dogs)</p> <p>More emphasis on enforcement, including resourcing, education, signage</p>
PF Olsen Forest Manager for China	All no-dog covenants should be enforced.

Organisation/ Group	Comment
Forestry Group in Northland	
Kiwis for Kiwis	<p>Bylaw: Impounding 10.1 – add:</p> <p>(d) dogs seized in violation of Dog Control Act 1996 particularly section 58 - Dogs causing serious injury, 59 - dogs at large in vicinity of protected wildlife, 60 - dogs running at large among stock and poultry and other offences under the Act.</p> <p>(e) dogs seized from properties where owners are contravening consent conditions.</p>
Puketotara Landcare Group	<p>More targeted rules to protect Kiwi. Rules should include compulsory kiwi aversion training and radio tracking collars for hunting dogs.</p> <p>Explanations on dog owner responsibilities on their own land.</p> <p>Dog owner education programmes should be promoted and properly funded.</p> <p>Adequate signage is erected and maintained to ensure visitors are aware of applicable controls.</p> <p>Dog control and enforcement is properly staffed and funded</p>



**OUR  
DISTRICT**

**Topics, Options and Recommendations – Dog Management Policy and Bylaw  
Deliberations**

2018

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## Introduction

The purpose of this document is to assist Councillors to consider the results of the consultation and to make decisions that will inform amendments to the Dog Management Policy and Bylaw 2018 and enable adoption on 13 December 2018.

To support the decision-making process, the attached report considers matters in seven deliberations topics. Each topic is accompanied by officer comment and recommendations for Council's consideration.

Deliberations will occur in three Council meetings:

**15 November 2018.** Debate and agree proposed rules for on-leash, off-leash and prohibited areas within the context of feedback received from the general public. These principles relate to seven topics:

- Off-leash and exercise areas
- District-wide access to public places (excluding beaches)
- Dog access on beaches
- Summer date and time rule for dog access on beaches
- Limitations on the number of dogs
- Responsible dog ownership
- Budget provisions

**27 November 2018.** Debate the changes made as a result of the 6 November decisions. A new draft of the policy and bylaw will be considered for refinement ahead of adoption on 13 December.

**13 December 2018.** Elected Members will formally adopt the Dog Management Policy and Bylaw 2018. This meeting represents the final opportunity to make changes but it is expected that any changes made at this point will be minor only.

This document relates to the first deliberations meeting, and is therefore not a detailed account of all relevant matters. The intention at the first meeting is to debate and agree the principles upon which further refinements will be made to the proposed policy and bylaw.

Prior to the 27 November deliberations meeting a new report will be circulated that will incorporate the decisions made on 15 November, presenting a new version of the policy and bylaw for further refinement.

The decisions made in these deliberations meetings will be captured in minutes and will inform the final draft of the policy and bylaw scheduled to be submitted to Council for adoption on 13 December 2018.

## Background

On 17 May 2018 officers held a workshop with Councillors and Community Board Chairs on three key issues to confirm potential approaches for the Proposed Dog Management Policy and Bylaw 2018. These issues were:

- Limits on the number of dogs kept on private property
- Dog access to public places
- Designated dog exercise areas.

In considering these issues, officers had regard for the following:

- Protecting community safety



- The exercise and recreational needs of dogs and their owners
- Minimising the risk of injury or distress to stock, poultry, domestic animals and protected wildlife
- Clear and consistent approach for enforcement
- Easy to understand rules.

Officers consolidated the outcomes from this workshop in the development of the proposed Dog Management Policy and Bylaw 2018.

On 28 June 2018 the proposed Dog Management Policy and Bylaw was unanimously adopted for consultation. The proposed Dog Management Policy focuses on Council's obligations under the Dog Control Act 1996 (the Act). These obligations are to:

- Identify public places where dogs are to be prohibited
- Identify public places where dogs are to be on-leash
- Identify any areas that are to be designated as dog exercise areas where dogs may be exercised at large
- State whether dogs classified as menacing are required to be neutered
- Identify any land within the district that is a controlled dog area or open dog area under the Conservation Act 1987.

A special consultative procedure ran from 30 July until 24 September 2018. 1285 submissions were received. These submissions were analysed by an independent consultant. The consultant's report is in Attachment 1 of the Council report.

## Statutory Context

Under section 10 of the Dog Control Act 1996, Council must adopt a policy in respect of dogs in the district. The adopted policy in respect of dogs is given effect through a bylaw under section 20 of the Dog Control Act 1996.

In adopting a policy in respect of dogs in the district under section 10(4) of the Dog Control Act 1996 Council must have regard to:

- a) the need to minimise danger, distress, and nuisance to the community generally; and*
- b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and*
- c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and*
- d) the exercise and recreational needs of dogs and their owners.*

The Dog Control Act 1996 imposes obligations on dog owners to ensure dogs do not injure, endanger or cause distress to any protected wildlife. The Council also has wildlife protection responsibilities under the Resource Management Act 1991 to protect significant habitats of indigenous fauna and maintain indigenous biological diversity.

The Dog Control Act 1996 is the primary regulatory tool for dog control. Outside of what the Dog Control Act prescribes and allows as controls under a policy and bylaw in respect of Dogs in the District, The Dog Control Act contains harsher generic penalties and greater enforcement powers. Although a bylaw does not have the 'teeth' that the Act does, the Council can still regulate where dogs can and can't go.

## Considerations to support decision making on each deliberation topic

The same set of key considerations that informed the development of the Proposed Dog Management Policy and Bylaw has been used to assess options for deliberation topics. The set of key considerations are:

- Protect community safety
- Have regard to the exercise and recreational needs of dogs and their owners
- Minimise the risk of injury or distress to stock, poultry, domestic animals and protected wildlife
- A clear and consistent approach for enforcement
- Easy to understand rules.

## Deliberation Topic 1: Off-leash and exercise areas

### Proposal

At the 17 May 2018 workshop with Councillors and Community Board Chairs, the preferred approach for designated dog exercise areas was that areas could not be designated until they had fencing as a minimum, and that areas should remain as off-leash areas until they can be operationalised as a designated dog exercise area. The policy proposed the following five off-leash areas:

Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12

Kaikohe – Old Rugby League Field, Lindvart Park, Recreation Road

Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)

Kerikeri – 391 Wiroa Road (behind crematorium), and

Kerikeri – Roland's Wood, 240 Kerikeri Inlet Road.

### Community views

*Community feedback can be seen in Attachment 1 (section 2.5 on pages 6-7 and Appendix 1: Detailed Analysis on pages 36-42).*

A majority of submitters (77%) agree with the proposed off-leash areas. Many commented that it was too far to travel to the proposed off-leash areas and that more were needed in their communities, particularly given the restricted access to beaches. Many commented that off-leash beach coastal areas were preferred and that off-leash areas should be fenced. Some commented to develop a reserve/park/vacant council land as an off-leash area and allowing off-leash access in parks, sports fields, school grounds when not being used.

Some commented that many of the proposed areas are unsuitable to be used by dogs and their owners. 38 additional locations were proposed by submitters (see Tables 1.2, 1.3 and 1.4 of the analysis).

### Officer comment and recommendations

Off-leash areas are shared spaces considered suitable for dogs to be exercised off-leash and under control. Designated dog exercise areas are areas where space has been prioritised for the exercise of dogs.

After considering all community submissions, an exercise area should have facilities available for dogs and their owners and would need to be fenced at a minimum as a community safety precaution.

As workshopped with Councillors and Community Board Chairs on 17 May 2018, designated dog exercise areas were omitted from the proposed policy because the Council did not consider any areas as suitable. Officers consider that suitable off-leash areas may transition to a designated dog exercise area after they have been operationalised, i.e. at a minimum fencing is required.

Council will need to consider what facilities would be required to enable an area to become a designated dog exercise area. On balance, some areas in the District may have a higher need to

have a designated dog exercise area than others, e.g. a highly populated area, or an area in a kiwi concentration zone. Some areas in the District may be reasonably suited to off-leash areas only.

Officer comment and recommendations can be found below in Table 1.1: Proposed off-leash areas and Tables 1.2, 1.3, 1.4: Additional off-leash and exercise areas per ward, as identified through submissions.

**Table 1.1: Proposed Off-Leash Areas**

Location	Proposal	Officer comment	Recommendation
Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12	Off-Leash and Under Control	Officers consider land inappropriate to be designated as an off-leash or exercise area due to the close proximity to Kaikohe Cemetery and SH12.	Change to on-leash.
Kaikohe – Old Rugby League Field, Lindvart Park, Recreation Road	Off-Leash and Under Control	This area is suitable as an off-leash area as the field is clearly defined and nearly fully fenced. Officers understand from Sport Northland that this area is no longer used for rugby.	Retain as an off-leash area and set funds aside for the transition into a dog exercise area.
Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)	Off-Leash and Under Control	Officers identified this area as not suitable for an off-leash area. The terrain is uneven, visibility low and many children use the area to play.	Change to on-leash (subject to the suitability of an alternative off-leash area established in Kaitaia (see Table 1.2)).
Kerikeri – 391 Wiroa Road (behind crematorium)	Off-Leash and Under Control	Officers consider this piece of Council land as inappropriate to be designated as an off-leash or exercise area because of the close proximity to the cemetery, Wiroa Road and stock are grazed on the land.	Change to on-leash.
Kerikeri – Roland's Wood, 240 Kerikeri Inlet Road	Off-Leash and Under Control	The Trust Deed for this land states that it is a "shared public space" and therefore is inappropriate to be designated as a dog exercise area.	Retain as an off-leash area

Additional off-leash and exercise areas were identified through submissions. Tables 1.2, 1.3 and 1.4 provide preliminary officer comment and recommendations for each area suggested by submitters. Officers have made a preliminary assessment of these areas in light of land ownership, other uses of the area, parking availability and kiwi zone status. Overall, officers

consider that many of the additional areas identified by the community may be suitable as off-leash or designated dog exercise areas.

Submitters also suggested that the Council investigate public / private partnerships for the funding or land availability for dog exercise areas, such as the A&P showgrounds in Kaitaia, Kaikohe and Waimate North. This was the approach taken by the Whangarei District Council with the Whangarei dog park.

**Table 1.2: Additional Off-leash and Exercise Areas - Te Hiku Ward**

Area	Officer comment	Recommendation
Taumaruru Reserve, Coopers Beach	Department of Conservation land, DOC dog access rules apply.	FNDC has no jurisdiction to designate any specific activity on this land.
Rangikapiti Pa Reserve, Mangonui	Department of Conservation land, DOC dog access rules apply.	FNDC has no jurisdiction to designate any specific activity on this land.
A&P Showgrounds in Kaitaia, Kaikohe, Waimate North	The A&P showgrounds in these areas are not owned or controlled by FNDC.	FNDC has no jurisdiction to designate any specific activity on this land.
Section of playground off Matthews Ave, Kaitaia	This submitter may have been referring to Jaycee Park, Matthews Ave or the children's play area off Davis Cres. Both areas are unsuitable as an off-leash area as they are shared spaces within close proximity to children's play areas. If operationalised either area could be suitable as a designated dog exercise area.	Apply default district-wide rules (deliberation topic 2). If one area is considered suitable as an off-leash area, allocate funds to operationalise part of the land into a designated dog exercise area.
Matthews Park by Matilda Place, Kaitaia	This area is unsuitable as an off-leash area for dogs as it is a shared space within close proximity to children's play areas and residential properties. If operationalised this area could be suitable as a designated dog exercise area.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Coopers Beach Domain	The Coopers Beach Domain Management Plan was adopted by Council on 3 September 2014 and this stated dogs were to be under the owners control at all times. It is noted that dogs and their owners shall comply with the relevant Council bylaws. The development of a designated dog exercise area in the Domain may be appropriate.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
North End of Ahipara	This area may be suitable as an off-leash area for dogs, but not as a designated exercise area. This area is a shared public space.	This area is unsuitable as an off-leash area. Dog access to Ahipara can be considered at the 27 November Council meeting.

**Table 1.3: Additional Off-leash and Exercise Areas – Kaikohe-Hokianga Ward**

Area	Officer comment	Recommendation
A&P Showgrounds in Kaitaia, Kaikohe, Waimate North	The A&P showgrounds in these areas are not owned or controlled by FNDC.	FNDC has no jurisdiction to designate any specific activity on this land.
Land near Opononi Refuse Centre /	This land is adjacent and behind the Opononi Bowling Club on Baker Road. If	Apply default district-wide rules (deliberation topic

Opononi Bowling Club	operationalised, this area would be suitable for use as a designated dog exercise area.	2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
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**Table 1.4: Additional Off-leash and Exercise Areas – Bay of Islands-Whangaroa Ward**

Area	Officer comment	Recommendation
Waitotara Reserve, Kerikeri	This reserve is frequented by dogs and their owners. The area is almost fully fenced. Parking is limited, which may be an issue as the reserve borders Waipapa Road. This land is in a kiwi present zone.	Include the reserve as an off-leash area. The reserve could transition into a designated dog exercise area if funding is allocated and facilities operationalised.
Stone Store Pa Reserve, Kerikeri	Department of Conservation land, DOC dog access rules apply.	FNDC has no jurisdiction to designate any specific activity on this land.
Sammaree Place, Kerikeri	This reserve area is currently a designated dog exercise area. This reserve is used as a shared space with a public walkway. Officers identify that there may be outstanding interests on this reserve regarding the Kerikeri Menz Shed. Officers note that the Reserves Act 1977 may need to be considered if the area was to be designated as a dog exercise area.	Include as an off-leash area. If considered suitable as a designated dog exercise area, part of this land could be operationalised.
Old Carters site, Opuā	This property is on SH11, Opuā. This property is privately owned.	FNDC has no jurisdiction to designate any specific activity on this land.
Opuā-Paihia coast walk	Not suitable as an off-leash area as this walk is a popular shared space, close to conservation land, culturally sensitive areas and private property.	Apply default district-wide rules (deliberation topic 2).
Donated land at Davis Crescent, Paihia	A reserve management plan for Lucy Elizabeth Williams Scenic Reserve was adopted on 3 September 2014 and this stated dogs were not to be permitted on the reserve. This land is in a kiwi present zone.	Prohibit dogs from the Lucy Elizabeth Williams Scenic Reserve, as per the reserve management plan.
Kerikeri Domain	Popular shared public space used for sports, adjacent to a school and used as a thoroughfare. Officers consider that at present, this area may not be suitable as an off-leash area. If it was considered that an area of the domain was suitable, an off-leash area could transition into a designated dog exercise area.	Apply default district-wide rules (deliberation topic 2). If an area of the domain was considered suitable as an off-leash area, allocate funds to operationalise part of this area into a designated dog exercise area.
Cycle track, Moerewa	The cycle trail is a popular shared space that crosses private and significant land. Pou Herenga Tai – Twin Coast Cycle Trail Bylaw 2016 advises dogs are allowed on-leash at all times. This is noted in the district-wide rules section of the Policy.	Dog access on the Pou Herenga Tai – Twin Coast Cycle Trail remains on-leash at all times.
Fairy Springs, Kerikeri	This area is a popular shared walkway and picnic area that leads to Fairy Pools,	Apply default district-wide rules (deliberation topic

	adjacent to Kerikeri River. This area may not be suitable as an off-leash or exercise area because it is a popular shared space with limited clearing. This land is in a kiwi present zone.	2). If this area was considered suitable as an off-leash area, the Council should consider fencing off the area to minimise risk of dog-related harm.
Kawakawa Domain Recreation Reserve	This area is owned by DOC and is an open dog access area under the Conservation Act.	Any further considerations regarding this reserve should be discussed with DOC.
Undeveloped land behind netball courts, Kerikeri	This area is unsuitable as an off-leash area for dogs as it is a shared space within close proximity to the sports grounds. Officers understand that the Kerikeri Sports Complex Management Plan 2011 identifies this area as a site for future development of squash courts. If this area was considered to be suitable, it could be developed into a designated dog exercise area. This land is in a kiwi present zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Playing grounds at Kerikeri Rugby Club, Kerikeri	This area is unsuitable as an off-leash area for dogs as it is a shared space and primarily used for sporting activities. If an area on the grounds was identified and operationalised, this area could be suitable as a designated dog exercise area. This land is in a kiwi present zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Corner of Pipiroa Road and James Clendon Place, Okiato	This area is unsuitable as an off-leash area for dogs as it is a shared space within close proximity to native bush and protected wildlife and residential properties. If operationalised this area could be suitable as a designated dog exercise area. This land is in a kiwi concentration zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Reserve between Hope and Florence Avenues, Russell	This area is unsuitable as a dog off-leash as this is a shared space with a notable tree on site. The site is probably too small, and too close to residential properties to become a dog exercise area. This land is in a kiwi concentration zone.	Apply default district-wide rules (deliberation topic 2).
Fenced area on Council land near sportsgrounds, Russell	This area is currently unsuitable as an off-leash area for dogs as it is a shared space and primarily used for sporting activities. If an area on the grounds was identified and operationalised, this area could be suitable as a designated dog exercise area. This land is in a kiwi concentration zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise part of this land into a designated dog exercise area.
Land near wastewater treatment plant, Russell	There are various vacant lots near the WWTM off Russell-Whakapara Road. An identified area may be suitable a designated exercise area. This land is in a kiwi concentration zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Taupo Bay – area between boat ramp	This area is considered unsuitable as an off-leash area. Rules for beaches will be	This area is unsuitable as an off-leash area. Dog

and northern end of beach	considered as part of Deliberation Topic 3, and at the 15 November Council meeting for specific beaches.	access on Taupo Bay can be considered at the 27 November Council meeting.
Taupo Bay – reserve near the cul-de-sac at the end of Marlin Drive	This area is between 57 and 59 Marlin Drive. The area is unsuitable as an off-leash area for dogs as it is a shared space within close proximity to sensitive coastal and estuarine areas. This area would be suitable for a designated dog exercise area and would require full fencing at a minimum. This area is within a kiwi present zone.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Totara North recycling centre, Totara North	This land is on Totara North Road, 500m from State Highway 1. If operationalised, this area would be suitable for use as a designated dog exercise area.	Apply default district-wide rules (deliberation topic 2). If considered suitable as an off-leash area, allocate funds to operationalise this area into a designated dog exercise area.
Land surrounding Kerikeri Airport	This land surrounding Kerikeri Airport is owned by different entities. It would not be suitable to have an off-leash or designated exercise area so close to an airport. This land is likely unavailable for the public to access.	Apply default district-wide rules (deliberation topic 2).
Part of forest between Kerikeri and Kaeo.	Department of Conservation land, DOC dog access rules apply.	FNDC has no jurisdiction to designate any specific activity on this land.
Haruru Sports fields, Haruru	This area is also known as Bledisloe Domain and Pavilion. This land is owned by the Waitangi National Trust and leased to FNDC for recreational purposes only. This area is unsuitable as an off-leash or designated exercise area as it is a shared space and primarily used for sporting activities. This land is in a kiwi present zone and adjacent to the Waitangi Forest.	Prohibit dogs at all times. This is for consistency with the existing Waitangi National Trust access rules.
Cycle trail between Opuā and Kawakawa	Not suitable as an off-leash or exercise area the entire cycle trail is a popular shared space that can cross private and significant land. Pou Herenga Tai – Twin Coast Cycle Trail Bylaw 2016 advises dogs are allowed on-leash at all times. This is noted in the district-wide Rules section of the Policy.	Dog access on the Pou Herenga Tai – Twin Coast Cycle Trail to remain on-leash at all times.
Pipiroa Bay, Okiato	This area may be suitable as an off-leash area for dogs, but not as a designated exercise area. This area is a shared public space.	Apply default district-wide rules for beaches (deliberation topic 2).
Te Haumi toilets to Sullivans Beach	This area is not suitable as an off-leash or designated exercise area for dogs, as requested by tangata whenua (Ngāti Manu). Part of Sullivan's Beach is privately owned therefore private property rights apply.	Prohibit dogs from Te Haumi Beach (public toilets to the bridge). Default district-wide rules should apply outside this.
United Rugby Club, Kawakawa	This land is not owned or controlled by FNDC.	FNDC has no jurisdiction to designate any specific activity on this land.
Lake Manuwai, Waipapa	This area is jointly managed by FNDC and Kerikeri Irrigation Company. As the	Apply default district-wide rules.



	recreation space off Sandys Road and the walkway off Onekura Road are shared spaces adjacent to a reservoir, an off-leash or exercise area may not be suitable.	
Peacock Gardens reserve, Kerikeri	This area is at the end of Peacock Gardens Drive and is adjacent to Kerikeri River. This area would not be suitable for a off-leash or designated exercise area because it is a popular shared space with limited clearing and visibility.	Apply default district-wide rules (deliberation topic 2).
Reserves at Watea in Haruru Falls	There are three sections in the Watea subdivision that could be suitable for a designated dog exercise area. They are not suitable as off-leash areas as they are in very close proximity to residential properties. All properties are in a kiwi present zone.	Apply default district-wide rules (deliberation topic 2). If one section is considered suitable as an off-leash area, operationalise this area into a designated dog exercise area.
Grassy area, west side of road at Te Haumi	This land is off Te Haumi Drive, between Taumata Close and Hihitahi Drive. This area would not be suitable as off-leash or designated dog exercise area as it is in close proximity to residential properties. The land has limited clearing and visibility. This land is in a kiwi present zone.	Apply default district-wide rules (deliberation topic 2).

#### Officer recommendations

##### Retain as off-leash areas:

- ❖ Kaikohe – Old Rugby League Field, Lindvart Park, Recreation Road
- ❖ Kerikeri – Roland's Wood, 240 Kerikeri Inlet Road

##### Remove from off-leash areas:

- ❖ Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12
- ❖ Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)
- ❖ Kerikeri – 391 Wiroa Road (behind crematorium)

##### Include as off-leash areas:

- ❖ Waitotara Reserve, Kerikeri
- ❖ Sammaree Place, Kerikeri

##### Investigate potential for future off-leash or designated dog exercise areas

Officers recommend that Council invest in fencing the following areas to provide access to varied off-leash areas around the district. Providing fenced areas for dogs to be exercised around the district is of significance in order to make sure community safety is protected and that dog owners have a range of areas to take their dog to be exercised if they live in an area where restrictions on beaches are higher to protect wildlife.

- ❖ Section of playground off Matthews Ave, Kaitaia
- ❖ Undeveloped land behind netball courts, Kerikeri
- ❖ Fenced area on Council land near sportsgrounds, Russell
- ❖ Taupo Bay – reserve area near the cul-de-sac at the end of Marlin Drive
- ❖ Land near Opononi Refuse Centre / Opononi Bowling Club
- ❖ Reserves at Watea in Haruru Falls



## Deliberation Topic 2: District-wide access to public places (excludes beaches)

### Proposal

The proposed district-wide access rules are the dog access rules for most public places in the Far North District. If increased or decreased restrictions on dog access at specific public places is suitable, these rules will be identified elsewhere in the Policy. The district-wide rules are often referred to as default rules. The purpose of the proposed district-wide access rules is to ensure the safety of the public and to reduce the risk of any dog-related harm, while also providing for the wellbeing and recreational needs of dogs and their owners.

### Community views

Submitters were almost evenly split in their views with 51% agreeing with the proposed district-wide access rules and 49% disagreeing.

A number of submitters commented that the restrictions should be reduced, with the main comments that dog owners should be trusted, and that dogs should be allowed off-leash in parks and reserves if they are under control. A smaller number of submitters commented that the restrictions should be increased, with a requirement that all dogs be on the leash when out in public. Their concerns related to the impact on threatened bird species and the nuisance caused by dogs to other people.

Community feedback can be seen in Attachment 1 (section 2.6 on pages 7-8 and Appendix 1: Detailed Analysis on pages 43-47).

### Officer comment and recommendations

Table 2.1 below provides officer comment and recommendations for the proposed district-wide rules, except beaches. Options for beach access will be considered in Deliberation Topics 3 and 4.

**Table 2.1: Proposed District-wide rules (except beaches)**

Area and Description	Proposal	Officer comment	Recommendation
All children's playgrounds	Prohibited	Officers recognise that a frequent comment of submitters was that restrictions should be reduced. However in consideration of Council's obligations under the Dog Control Act 1996, Council must avoid inherent danger associated with uncontrolled dog access to public places that are frequented by children. Officers have identified that many children's playgrounds are within public parks or reserves and are not fully fenced.	Retain the proposal
All public swimming pool areas	Prohibited	Council must give regard to minimise danger, distress and nuisance to the community generally. Public swimming pool areas should be used without fear of attack or intimidation by dogs. While a range of views were expressed, officers recommend that it is not appropriate for dogs to have access to public swimming	Retain the proposal

		pools to protect public health and safety.	
All parks, sportsgrounds and reserves, unless specified elsewhere in this schedule	On-leash	<p>Council must have regard to enabling use of public amenities without fear of attack or intimidation by dogs. While a number of submitters commented that dogs should be allowed off-leash in parks and reserves, submitter views were polarised and officers recommend the default on-leash rule for parks, sportsgrounds and reserves to protect community safety in shared spaces to minimise dog related harm.</p> <p>Where specific parks, sportsgrounds and reserves are suitable for dogs off-leash, officers recommend that these areas be identified in 'Off-leash Areas'.</p>	Retain the proposal
All public footpaths, roads and other public spaces	On-leash	Officers recognise that a frequent comment of submitters was that restrictions should be reduced. However in consideration of Council's obligations under the Dog Control Act 1996, Council must have regard to enabling public use of streets and public amenities without fear of attack or intimidation by dogs.	Retain the proposal
Pou Herenga Tai – Twin Coast Cycle Trail	On-leash	Officers note that some submitters commented that the Cycle Trail should of off-leash, but the Pou Herenga Tai – Twin Coast Cycle Trail Bylaw 2016 currently provides for on-leash access at all times. The cycle trail is a popular shared space that can cross private and significant land, officers recognise that a special consultative procedure would need to be undertaken to amend the Bylaw.	Retain the proposal
NEW: Reserves	As specified in reserve management plans	Officers have taken into account a common desire in submissions to have more off-leash and under control opportunities. A new district-wide rule relating to reserves with reserve management plans would provide for the merits and risks of off-leash dog access to specific reserves to be considered through the reserve management plan process, and support community outcomes. It would enable new off-leash opportunities without having to amend the policy schedule as new reserve management plans are developed.	New
All other public places not specified	On-leash	Council must have regard to enabling public use of streets and public amenities without fear of attack or intimidation by	Retain the proposal

		dogs.	
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<p><b>Officer recommendations:</b></p> <p><b>Retain as prohibited:</b></p> <ul style="list-style-type: none"> <li>• All children’s playgrounds</li> <li>• All public swimming pool areas</li> </ul> <p><b>Retain as on-leash:</b></p> <ul style="list-style-type: none"> <li>• All parks, sportsgrounds and reserves, unless specified elsewhere in this schedule</li> <li>• All public footpaths, roads and other public spaces</li> <li>• Pou Herenga Tai – Twin Coast Cycle Trail</li> <li>• All other public places not specified.</li> </ul> <p><b>Include a new district-wide access rule that gives effect to dog access specified in future reserve management plans</b></p>
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### Deliberation Topic 3: Dog access on beaches

#### Proposal

The proposed default district-wide rule for beaches was off-leash on most beaches at all times, except from 1 December to 31 March, including public holidays, from 9am to 6pm when dogs would need to be on-leash. The seasonal restrictions to protect people in the summer will be considered as part of ‘Deliberation Topic 4 Summer Date and Time Rule for Dog Access on Beaches’. Some areas in our District were also identified as needing restricted dog access because of high conservation and/or cultural value. Many beaches in our District are also popular with visitors and holiday-makers, and restricted dog access was proposed for specific beaches to protect people from dog-related harm.

#### Community views

Submissions were very mixed in their views, with some commenting:

- Dogs should be on-leash at all times (or prohibited) as the default position, to protect people and wildlife
- Dogs should be allowed off-leash as the default position, as the beach is integral to the exercising of dogs.

A significant number of submitters commented that the restrictions should be decreased, to generally permit dogs on beaches on-leash (or under control), (rather than completely prohibited). A smaller number of submitters commented that the restrictions should be increased due to concerns about wildlife, while others maintained that the restrictions should be decreased to allow dogs on-leash at all times and off-leash outside of the peak times.

Community feedback can be seen in Attachment 1 (sections 2.1, 2.2 and 2.3 on pages 2-5, section 2.6 on pages 7-8 and Appendix 1: Detailed Analysis on pages 9-30 and 43-47).

#### Officer comment and recommendations

On-balance, officers acknowledge that community views regarding dogs on beaches were very polarised with strong views expressed for different approaches. Given the extent of polarisation, officers have prepared the following framework to assist Council deliberations regarding dog access on beaches. Following decisions made on the rules that should apply to beaches, officers will assess each beach raised in the consultation and provide Councillors with a proposed policy schedule for deliberations on the 27<sup>th</sup> of November. Framework rules and officer recommendations are set out in Table 3.1 below. Framework rules and recommendations have been based on community submissions alongside the following criteria:

- Protect community safety
- Have regard to the exercise and recreational needs of dogs and their owners
- Minimise the risk of injury or distress to stock, poultry, domestic animals and protected wildlife
- A clear and consistent approach for enforcement
- Easy to understand rules.

**Table 3.1: Decision-making framework for dog access on beaches**

Rule	Options	Officer comment and recommendation
<p><b>1- District-wide default rule for beaches</b></p> <p>Will apply to all beaches that do not have specific rules in the policy</p>	<p>Prohibited On-leash and under control Off-leash and under control</p>	<p>Recommend Off-leash and under control all year, unless otherwise specified in the policy.</p> <p>The rationale is because officers consider that it is reasonable allow off-leash access to beaches for the exercise and recreational needs of dogs and their owners, unless there is protected wildlife present or the beach is popular with visitors, and there is a need to minimise risk of dog-related harm.</p>
<p><b>2a- Special Character - Cultural Value</b></p>	<p>Prohibited On-leash and under control Off-leash and under control</p>	<p>Recommend Prohibited all year.</p> <p>The rationale is because these are beaches that have been identified as having cultural value to iwi and or hapu.</p>
<p><b>2b- Special Character – High Conservation Value</b></p>	<p>Prohibited On-leash and under control Off-leash and under control</p>	<p>Recommend Prohibited all year.</p> <p>These are beaches that have been identified by DOC as having high conservation value.</p>
<p><b>3- New: Shorebird nesting season 1 October to 31 March</b></p>	<p>Prohibited On-leash and under control Off-leash and under control</p>	<p>Recommended On-leash during the shorebird nesting season.</p> <p>The rationale is because officers recognise that there are areas identified as nesting or breeding sites for protected or vulnerable shorebirds. DOC's preference is for dogs to be prohibited from these areas for the nesting season. On-balance, officer's acknowledge that it would be unreasonable to prohibit dogs altogether from these areas for a significant part of the year, which would not provide for the exercise and recreational needs of dogs and their owners. A significant number of submitters commented that dogs should be permitted on beaches on-leash (or under control), (rather than completely prohibited). For these reasons, officers recommend on-leash.</p>
<p><b>4- Popular beaches summer day-time including all public holidays</b></p>	<p>Prohibited On-leash Off-leash</p>	<p>Recommended Prohibited during the summer date and time period including all public holidays.</p> <p>The rationale is because that while officers acknowledge a significant number of submitters commented that restrictions should be decreased so that dogs are allowed on-leash at beaches at all times, or that there should be no restrictions, overall, officers recommend dogs should be prohibited during the</p>

		summer day-time hours on beaches identified as being popular in the summer day-time to provide the public with the highest level of protection from dog-related harm, particularly children during the summer school holidays.
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**Officer recommendations:**

**District-wide default rule for beaches**

Recommend off-leash all year, unless otherwise specified in the policy.

**Special Character – Cultural Value**

Recommend prohibited all year.

**Special Character – High Conservation Value**

Recommend prohibited all year.

**New: Shorebird nesting season 1 October to 31 March**

Recommended On-leash during the shorebird nesting season.

**Beaches identified as popular destinations**

Recommended prohibited during the summer date and time range including all public holidays

Officers recommend that these rules be supported by non-regulatory initiatives such as education and awareness campaigns on responsible dog ownership, sensitive wildlife areas.

## Deliberation Topic 4: Summer date and time rule for dog access on beaches

### Proposal

Some periods of the year can be busier for our District, especially on some of our beaches. During the peak holiday season and public holidays, increased restrictions on dogs are proposed to protect community safety. The proposed dates are from 1 December – 31 March and include all public holidays. The proposed times are between 9am and 6pm. Summer date and time rules set the parameters for the busiest period of the year for our beaches.

### Community views

Community feedback can be seen in Attachment 1 (sections 2.1, 2.2 and 2.3 on pages 2-5 and pages 9-30 in Appendix 1: Detailed Analysis).

Submission results show that a significant number of submitters commented that the seasonal period of heavy use is shorter than proposed and preferred restrictions to be reduced. The date restrictions were preferred to be linked either to the school or Christmas holidays and the time restrictions should better match the time of day when the beach is busiest.

Detailed submissions from groups and organisations were mixed in their views, with some commenting that dogs should be on leash (or prohibited) at all times as the default position to protect people and wildlife. Some commented that dogs should be allowed off-leash as the default as the beach is integral to the exercising of dogs.

### Officer comment and recommendations

Table 4.2 below provides four options for the summer date range, officer comment and recommendations for Council's consideration. Officers have taken all community submissions into account and options have been based on the wide range of community views expressed.

**Table 4.2: Summer date rule for dog access on beaches**

	Date range	Officer comment	Recommendation
Option 1	1 December to 31 March, including all public holidays (proposal)	Officers have considered community feedback that this date range is widely seen as longer than the peak holiday season in the Far North.	Not recommended
Option 2	15 December to 28 February, including all public holidays	This option would include the peak summer school holiday period and also the month of February. Officers identify that our coastal areas can still be busier than normal, due to warmer weather, in the month of February. This includes the Waitangi Day period.	Recommended
Option 3	15 December to 31 January, including all public holidays	This option aligns with the summer school holiday period. A significant number of submitters commented that the seasonal period of heavy use is shorter than proposed, and that the date restrictions should be linked to either the school or Christmas holidays. Officers have identified that many of our public areas, especially our beaches, can be busier than normal after the end of January.	Not recommended
Option 4	No date restriction	This option would involve all rules for all areas to be the same year round. Officers consider this option would not fulfil Council obligations under the Dog Control Act 1996.	Not recommended

Table 4.3 below provides five options for the summer time range, officer comment and recommendations for Council's consideration. Options have been based on the range of community views expressed in submissions.

**Table 4.3: Summer time rule for dog access on beaches**

	Time range	Officer comment	Recommendation
Option 1	9am to 6pm (proposal)	Officers identified that this time period may be longer than what is required for public safety in terms of the busyness of a public place.	Not recommended
Option 2	10am to 5pm	This option aligns with a significant number of submitters who commented that the restricted times should be shorter than proposed to better match the times of day when the beach is busiest.	Recommended
Option 3	9am to 9pm	This option reflects the average summer daylight hours in our District. This time period assumes people may use public places more frequently in warmer months and during daylight hours. This option is potentially too restrictive for the needs of dogs and their owners.	Not recommended
Option 4	No time restriction	This option would involve all rules for all areas to be the same all year round. Officers consider this option would not fulfil Council obligations under the Dog Control Act 1996.	Not recommended

**Officer recommendations:**

Date range

Option 2: 15 December to 28 February (including all public holidays), from 10am to 5pm.

Officers recommend that popular beaches have restricted dog access between 15 December to 28 February, including all public holidays, to protect community safety.

The recommended date range includes the summer school holiday period and the month of February, recognising that the weather is still warm and beach use is high.

## Deliberation Topic 5: Limitations on number of dogs

### Proposal

Many areas in our District already have a limit on the number of dogs that can be kept at a property. The proposal was to retain the requirement to dog owners to obtain Council permission to keep more than two dogs in these areas. The proposal increased the areas that this rule would apply to properties that are identified as coastal residential, residential, commercial and industrial in our District Plan, as well as properties with similar characteristics. These areas are listed below.

Ahipara	Awanui	Cable Bay	Coopers Beach
Haruru Falls	Hihi	Horeke	Houhora
Kaeo	Kaikohe	Kaimaumau	Kaitaia
Kawakawa	Kerikeri	Kohukohu	Manawaora
Mangonui	Matauri Bay	Mitimiti	Moerewa
Ngawha	Ninety Mile Beach (Waipapakauri Ramp)	Ohaeawai	Okaihau
Okiato	Omapere	Opito Bay	Opononi
Opuia	Orongo	Paihia	Parekura Bay
Point Veronica	Pukenui	Rangiputa	Rangitane
Rawene	Russell	Taipa	Tapeka Point
Taronui	Taupo Bay	Tauranga Bay	Te Hapua
Te Haumi	Te Ngaere	Tokerau Beach	Totara North
Waimamaku	Waipapa	Whangaroa	Whatuwhiwhi

### Community views

Community feedback can be seen in Attachment 1 (sections 2.4 on pages 5-6 and pages 31-35 in Appendix 1: Detailed Analysis).

Submission analysis results show that there were mixed and polarised community views on the two dog limit in the identified areas. 56% of submitters agreed with a two dog limit in the proposed areas. The top 10 areas submitters believed the two dog limit should apply were: Kaitaia, Kerikeri, Coopers Beach, Cable Bay, Kaikohe, Ahipara, Mangonui, Russell, Kawakawa and Taupo Bay.

A significant number of submitters commented that the number limit should either increase or that there should be no limit. Other key comments included that there should be an exemption for working dogs and that the limit should not apply to visiting dogs.

Frequent comments included that the limit is not necessary / too restrictive, need to allow exceptions (eg for farmers, hunters, breeders, service dogs, rescue dogs), that Council do not punish responsible dog owners and that visitors should be able to bring their dogs to number limited areas.

A much smaller number submitted that the limit should be extended to other areas or that the limit should be decreased.

### Officer comment and recommendations

Officers recognise that a set limit on dog numbers has the potential to minimise risk of harm to the community and protected wildlife, and minimise nuisance. However, officers note that any dog can cause nuisance, injure a person or protected wildlife, despite any set number limit.

It is uncommon for complaints to be received with regard to multiple dog ownership with the common complaint being about barking dogs. When Council receives a request for permission, an Animal Management Officer inspects the property. There is currently no fee system for cost recovery of administering this rule. If the Council was to retain a limitation on the number of dogs, the Council should consider a fee system for cost recovery of administering this rule.

Council currently has an ability to apply restrictions and solutions through the Dog Control Act to manage barking dogs. This includes the ability to issue infringement notices if required.

With all community comments considered, Table 5.1 below provides three options, officer comment and recommendations for Council's consideration.

**Table 5.1: Limitations on the number of dogs**

Option	Officer Comment	Recommendation
Option 1 Retain a Limitation on the Number of Dogs per Property in the bylaw	This option would involve retaining the two dog limit unless written permission is obtained from the Council, or increasing the number limit. The 52 mapped areas would be retained. Exemptions could also be applied such as exempting working dogs and visiting dogs. Where new owners with more than the allowed number of dogs would be captured, they could apply for a permit based on "existing user rights" for the dogs they currently have.	Do not recommend. The rationale is because any dog can cause nuisance, injure a person or protected wildlife, despite any set number limit.
Option 2 Reduce the number of areas where the limit applies to towns where the population is estimated to be over 500 in the next ten years (this has been provided as an option to exclude rural areas, as the intention of the number limit is for public safety and nuisance)	This option would involve retaining the two dog limit unless written permission is obtained, but reducing the areas that the two dog limit applies to the following areas: <ul style="list-style-type: none"> <li>• Ahipara</li> <li>• East Coast Areas – Coopers Beach, Cable Bay, Mangonui, Taipa</li> <li>• Haruru Falls</li> <li>• Kaikohe</li> <li>• Kaitaia</li> <li>• Kawakawa</li> <li>• Kerikeri &amp; Waipapa</li> <li>• Moerewa</li> <li>• Opuā &amp; Point Veronica</li> <li>• Paihia &amp; Te Haumi</li> <li>• Rawene</li> <li>• Russell Area &amp; Surrounds – Russell Township, Okiato, Tapeka Point, Manawaora, Parekura Bay, Orongo Bay</li> <li>• Whatuwhiwhi</li> </ul> Exemptions could also be applied such as exempting working dogs and visiting dogs. Where	Do not recommend. The rationale is because any dog can cause nuisance, injure a person or protected wildlife, despite any set number limit.



	new owners with more than the allowed number of dogs would be captured, they could apply for a permit based on “existing user rights” for the dogs they currently have.	
Option 3 - Remove the set number limit and rely on the Dog Control Act and the other Bylaw provisions	<p>This option would involve removing the two dog number limit and relying on the provisions of the Dog Control Act 1996 and Clause 14 of the proposed bylaw, which gives the council powers to request the number of dogs on a premises be reduced if the dogs are causing a nuisance, disturbance or injury to health.</p> <p>This option would mean that Council would not need to consider:</p> <ul style="list-style-type: none"> <li>• setting a fee for the administration of a limitation</li> <li>• the areas to which a number limit should apply (identifying areas a number limit should apply to has been challenging)</li> <li>• Exemptions as requested by submitters, including holiday-makers</li> </ul>	<p>Recommendation</p> <p>Clause 14 of the proposed bylaw already provides the Council with powers to reduce the number of dogs on a property if they are causing a nuisance, disturbance or injury to health. The Dog Control Act already regulates the confinement of dogs on private property, barking and rushing at wildlife.</p>

#### Officer recommendations

**Option 3-** Remove the set number limit and rely on the Dog Control Act and the other Bylaw provisions to achieve the objectives of the Dog Management Policy and Bylaw as outlined.

Enforcing the Dog Control Act 1996 and nuisance provisions of the bylaw should be supported by non-regulatory initiatives such as education and awareness campaigns on responsible dog ownership, sensitive wildlife areas and a clear process for making noise complaints.

## Deliberation Topic 6: Responsible dog ownership

### Proposal

Policies on responsible dog ownership had been omitted from the Proposed Dog Management Policy because the proposal focussed on Council’s obligations under the Dog Control Act 1996.

### Community views

Responsible dog ownership has been a common topic in both written and oral submissions. A range of non-regulatory initiatives have been suggested that would be beneficial for promoting responsible dog ownership. These include dog owner education programmes and community conservation initiatives such as wildlife aversion training. Community views can be seen in Attachment 1, section 2.7 Other issues and general comments on page 8, and Appendix 1 Detailed Analysis on pages 48-52.

### Officer comment and recommendations

Officers have considered the initiatives suggested by the community and recommend that the policy be amended to include a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw. Such initiatives would include education and awareness campaign and incentivising responsible dog ownership through granting a Responsible Dog Owner Status. For example, where owners can show they are good at dog handling and have a fenced property, they would receive a discounted registration fee. This would involve consequential changes to the fees and charges regime.

#### **Officer recommendations**

Amend the policy to include a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw.

## **Deliberation Topic 7: Resourcing implementation**

### **Community views**

Submission feedback revealed a desire for a more comprehensive approach to dog management that went beyond the imposition of regulations. These aspirations included:

- more community-based programming such as Snip and Chip;
- support for self-regulation by dog owners;
- a forum for ongoing engagement between dog owners, the Council, and the community;
- more consistent and comprehensive enforcement;
- meaningful recognition of responsible dog ownership;
- the provision of additional off-leash areas and dog exercise areas; and
- more clear, vibrant, and consistent signage.

Pursuing these initiatives will require additional operational and capital funding.

### **Officer comment and recommendations**

Officers recognise that consideration needs to be given to the funding of some elements of the policy and bylaw. For instance, for the fencing of off-leash areas, signage and the implementation of responsible dog ownership programmes. Elected Members will have the opportunity to understand and prioritise the implementation of the Policy and Bylaw at the meeting on 15 November. Officers will provide the indicative costs for a suite of non-regulatory initiatives and outline the opportunities to incentivise responsible dog ownership.

#### **Officer recommendations**

That Council consider the allocation of budget and the setting of fees to support the implementation of the Policy and Bylaw as part of the annual planning process for 2019/20 and following years.