



NOTICE OF MEETING

**Notice is hereby given of the Meeting of the
Bluff Community Board
to be held in the Bluff Municipal Chambers,
Gore Street, Bluff on
Monday 14 May 2018 at 7.00 pm**

Mr R Fife (Chairperson)
Mrs W Glassey (Deputy Chairperson)
Mrs G Henderson
Mr G A Laidlaw
Mrs P Young
Cr I L Esler

EIRWEN HARRIS MITCHELL
MANAGER, SECRETARIAL SERVICES

Council's Values:

- Responsibility Take ownership of decisions and outcomes, both collectively and individually.
- We willingly share our knowledge.
 - We acknowledge our mistakes, work to resolve them and learn from them.
 - We give and receive feedback in a constructive manner to resolve issues.
 - We do our job with total commitment.
- Respect Everyone is important, as are their views.
- We support and care for each other.
 - We stop to listen, learn and understand.
 - We communicate in an honest, up-front and considerate manner.
 - We maintain confidences and avoid hurtful gossip.
- Positivity Always look on the bright side of life.
- We are approachable, interested and friendly.
 - We are open and receptive to change.
 - We acknowledge and praise the efforts of others.
 - We work together as a team to get the job done.
- Above and Beyond Take opportunities to go the extra mile.
- We take the initiative to improve our work practices to get the best results.
 - We challenge ourselves and each other to make it better.
 - We take pride in providing the best possible outcomes.
 - We are ambassadors for our Council at all times.

Council's Vision for the City:

Enhance our City and preserve its character, while embracing innovation and change.

Council's Vision:

We are an energised, fun and innovative team that makes it better for each other and our community.

Council's Mission:

Making it better by making it happen.

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MINUTES OF A MEETING OF THE BLUFF COMMUNITY BOARD HELD IN THE BLUFF MUNICIPAL CHAMBERS, GORE STREET, BLUFF ON MONDAY 26 MARCH 2018 AT 7.00 PM

PRESENT: Mr R Fife (Chair)
Mr W Glassey
Mrs G Henderson
Mr G A Laidlaw
Mrs P Young
Cr I L Esler

IN ATTENDANCE: Cr L F Soper
Cr A J Arnold
Mrs C Hadley – Chief Executive
Mr R Pearson – Roading Manager
Mr R Pagan – Parks Manager
Mr J Youngson - Manager - Environmental Health and Compliance
Ms E Dickson – Team Leader Compliance
Mrs N Allan – Service Centre Manager
Mr L Beer – Bluff Publicity/Promotions Officer
Ms L Kuresa – Governance Officer

1. **APOLOGY**

Nil.

2. **NOTICE OF URGENT ITEM**

The Chairman informed the Board of a matter with regard to overgrown sections and consideration of an off the lead area for walking dogs, that needed to be taken under Urgent Business.

Moved W Glassey, seconded G Henderson and **RESOLVED** that the supplementary report be taken under Urgent Business.

3. **PUBLIC FORUM**

3.1 **Port Softball Club**

Mata Cherrington and Janeane McCulloch were in attendance to speak to this Item.

Ms Cherrington said that over the last five years they had been reintroducing Softball into the Bluff community with great success. Over the last year they had four adult teams entered into the local softball competitions and last Saturday two of their teams won, which was a great deal for the Club. It was an intention as a Club to pursue the upkeep of the diamond. They had four club days in Bluff, the first was played on the diamond after over 25 years of having no softball in Bluff. They hosted the Wallcetown team and it was a wonderful success. It was great to see the community supporting the Bluff Team.

They had been practising for two years at the Bluff Rugby Club and the club itself had fundraised and managed to get the diamond, which was the property of the Port Softball Team. However, the surrounding grounds were Council owned and required some upkeep. They had asked Mr Pagan to look into a number of matters that included filling in the rabbit holes and maintaining the grounds. Mrs McCulloch's husband had been mowing the grounds before the games to make it easy to play on but they would like to see it maintained so they could continue to play on those grounds. They had asked for consideration around providing toilet facilities on the grounds and fencing of the area in McGorlick Street. This was to deter motorbikes going onto the grounds and causing damage to the diamond and grounds, which had happened over a year ago. There were a lot of things that the Club would like to see being done and they were actively fundraising to achieve that. They saw this as a real community initiative and a lot of money had been raised to support the diamond but, she did not think that the Club could sustain it alone. A letter had been sent to Mr Pagan about what they had outlined and the Club had not received a response from Mr Pagan.

Mr Pagan said that he had responded to the various points in the letter. He was currently waiting for information on what it would cost to get it levelled out. The clubs were responsible for the artificial diamonds and the outfield and the rest of the area had not been used since 1980s or 1990s, so there had been no great amount of work done to it. Around 1995 there was an upsurge in Rugby League and the Community Board at the time had the Ocean Beach fields levelled off and toilets put in for Rugby League. They played one season and then it disappeared. The debate at that time was should the toilets go there or at Omaui. If you fenced it off to prevent motorbikes, then prams, wheelchairs and the public would be excluded from the reserve. It was more of an education thing to try and keep vehicles off the grounds. One of the other points was whether the Club could have exclusive use of the grounds but it was not normally the way that reserves were used. The maximum amount of people needed to be able to use the reserve, some in the winter and some in the summer.

Ms Cherrington asked about the grass surrounding the diamond, which was overgrown along the back and Mr Pagan said that it was a quarry at some stage. The rock had been quarried off it and the whole area had been benched and levelled so that when you went down to the houses on the back of the road that was about three to five metres above the back of those boundaries. The whole area had been artificially levelled. That was one of the problems at present with the sinking and subsidence of the ground.

Cr Soper said that the Club may want to explore the Active Communities Fund for equipment and training.

The Chairman congratulated the Softball Club for what they had done by growing the membership and getting the young children involved. He said that the Board fully endorsed what the Club was doing and the Board and Council staff would be visiting that area next week when undertaking the Tour of Inspection.

Ms Cherrington said that the Club was getting quotes for the main cages and that was around \$50,000. In the 1980s when they fundraised to develop the diamond, it was around \$10,000, so she would hate to think how much it was now.

Mrs McCulloch said that being the President of the Club, there was a lot of things that she had to deal with but it was all about taking one step at a time. Having toilet facilities would be great but to have link chains up McGorlick Street would be better. Club members could manage the upkeep of the grounds but it was about protecting the asset.

The Chairman thanked Ms Cherrington and Ms McCulloch for taking the time to present to the Board.

4. **MINUTES OF THE MEETING HELD ON 19 FEBRUARY 2018**

Moved G Henderson, seconded Cr Esler and **RESOLVED** that the minutes be accepted as a true and correct record.

5. **MATTERS ARISING**

5.1 **Agenda and Apology**

W Glassey explained that the junk mail delivery did not seem to put mail in her mailbox but pushed her agenda for the previous meeting out and she did not get it, which was the reason for her not being present at the previous meeting.

6. **REPORT OF THE BLUFF PUBLICITY/PROMOTIONS OFFICER**

Moved P Young, seconded G Laidlaw that the report be received.

The report had been circulated and Mr Beer took the meeting through it.

6.1 **Classic Motorcycle Mecca Burt Munro Challenge Bluff Hillclimb – Thursday 8 February 2018**

6.2 **Bluff Oyster and Food Festival – Saturday 26 May 2018**

6.3 **Pukekohe Travel Train Visit**

The Chairman said that the Burt Munro Hill Climb in Bluff was a success and it was great to see so many cars parked up for that particular day. It was a good time of the year to hold this event, weather wise. Some people stayed in Bluff over the whole weekend and after the weekend, and the businesses in Bluff had a great trade over that time. It was great to see the Bluff community making good use of it going forward.

Mr Beer said it was definitely a boost for Bluff and it was already a successful event with greater number at all events.

The Chairman thanked Mr Beer and his team for his assistance with the Burt Munro.

In response to a question by Cr Esler as to where the volunteers came from for this event, Mr Beer said it was a wide range. They usually tapped into some groups and through advertising. The date change worked well for competitors and spectators and because it was also a public holiday during that week, a lot of people were away, so the volunteer aspect was lighter this year.

They were talking to some groups at the moment to do it as a fundraiser, so they were looking at formalising it going forward.

The motion, now being put, was **RESOLVED** in the **affirmative**.

7. REPORT OF THE DIRECTOR OF WORKS AND SERVICES

The reports had been circulated.

7.1 Bluff Boat Ramp Upgrade

Moved Cr Esler, seconded W Glassey that the report be received.

Mr Pagan took the meeting through the report.

In response to questions, the following answers were given:

1. There is no timeframe on when the legal aspect of ownership will be sorted at this stage. It could be a major hold-up unless we agree to take a lease in the meantime.
2. There are things incorporated in to this such as the toilet facilities, so they are components that may need to be put aside in the short term. There are things that may require consents and until we apply for the consent, we are trying to build those things into it.
3. We apply to Environment Southland for consents.
4. South Port is in discussions with Invercargill City Council about ownership and the land. While that's going on they are not prepared to make any comment on a contribution.

Cr Esler said it was good to see that the process was moving along because this was discussed some years ago, so this looked positive.

The Chairman agreed with Cr Esler and said that it was great to see something happening and it would be good if work on the ramp started at the end of this year or was completed by then. There were some issues there that could hold things up but to get what the Board wanted it would come down to funding. He hoped that other parties would come on board to contribute towards this because the ramp was used by people throughout Southland and not just Invercargill and Bluff people. There was an opportunity for everyone in Southland to have a safe boat ramp to launch their boats from to go to Foveaux Strait, or further afield. It was a matter of keeping the pressure on some of those other people.

The motion, now being put, was **RESOLVED** in the **affirmative**.

7.2 Action Sheet

Moved G Henderson, seconded Cr Esler that the report be received.

Mr Pearson and Mr Pagan took the meeting through the report.

In response to a question by Cr Esler as to whether the erosion of Omaui was being regularly monitored, Mr Pagan said it was not being monitored by Council. It was a no-man's area where there was a need to work closely with some of the other authorities on who should be monitoring it and taking care of it.

The erosion came up to the road and disappeared in the sand and it had come back again. It was continual and very hard to deal with nature, so it was about how to safeguard people around it. It was a fair way off the road at this stage and soon it would become a major issue if the access road started to be a problem.

Mr Pearson said it was about finding acceptable solutions but also identifying what the priorities were. Was it about maintaining access or was it about taking carparking because part of the area had gone from being at risk to being 500 metres from risk and now that it was back again.

Cr Esler stressed the urgency with the Invercargill to Bluff Cycleway/Walkway and he would be happy if something was in place by the next season. He had given out around 1,000 medals and half of those had gone to cyclists and probably 500 people doing Te Araroa. It had been very successful and every one of those cyclists and people walking were walking along the edge of the road. The i-Site at the Museum had commented that they were receiving comments that they were dicing with death on their very last day because of safety issue in that area. It was worth flagging as a significant safety issue.

The Chairman agreed and said it was a very serious issue with there being more walkers and cyclists. He thanked the owners of the restaurant around Stirling Point who were handing out the medals. People had walked or cycled the length of New Zealand and it was good to reach Stirling Point and get something to show that they had completed it but the Board could only stress that the walking/cycle trail needed to be completed with urgency.

Mr Pearson said that it should be recognised that the Invercargill to Bluff Cycleway/Walkway was an Environment Southland project. It did not appear in Council's Long Term Plan or Council's Long Term Funding Plan and at the moment there was a need to have some serious consideration to ensure that it was funded and funded long term. It was also important to encourage NZTA to continue to find funding to support it.

The Chairman said that as a Community Board it was timely to visit Environment Southland and voice the Board's concerns with them.

The motion, now being put, was **RESOLVED** in the **affirmative**.

8. **REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND PLANING SERVICES**

8.1 **Bluff Overview of the Overgrown Section Project and Consideration on an off the Lead Area for Walking Dogs**

Moved W Glassey, seconded G Laidlaw that the report be received.

The report was tabled and Ms Dickson took the meeting through it.

The Chairman said it was good to investigate where in Bluff dogs could be off leash and enjoy the freedom of walking and running around. They could look at areas of Council owned land around Bluff, so he felt that investigation should be undertaken.

Move R Fife seconded G Henderson and **RESOLVED** that it be **RECOMMENDED** to Council that in consultation with Invercargill City Council, investigations be carried out in areas in Bluff where dogs can be taken off the leash.

In response to questions, the following answers were given:

1. There are Council owned areas in Bluff, which were included in the report.
2. There was an amendment to the Local Government Act that says that the Fire Service will be enforcing anything with a potential fire hazard.
3. If Council owns the land it will be coming from the Fire Service. Out of all the councils in New Zealand, Southland is the most active in the area of overgrown sections. It is something that we need to consider but there will be another Government agency enforcing that now.
4. It's not all empty sections. There may be some empty sections in Bluff that Council doesn't monitor, so we need a complaint from a member of the public about the section. We then go and inspect it and if it's a reoccurring issue for that section, it gets put on the register that's revisited every year.

Cr Esler commended Council staff for their diligence over the last few years. He had noticed that there had been a huge culture change in the way that overgrown sections were dealt with, as well as dog issues. It had been very noticeable.

The Chairman agreed with Cr Esler and said that he had noticed as well just by driving around Bluff and seeing that it was a lot tidier.

The motion, now being put, was **RESOLVED** in the **affirmative**.

9. **CHAIRMAN'S REPORT**

The report was tabled and the Chairman took the meeting through it.

9.1 **Bluff Strategic Plan**

The Chairman informed the Board that prior to this meeting, he attended a meeting of the Bluff Strategic Plan, trying to developing a vision going forward. It was a productive meeting with a number of community groups involved. The next stage was to put the Mission Statement together and involving the community as well as the Omaui community. Once that was done it would be given to Council for adoption. It was work in progress and he looked forward to future meetings.

9.2 **Predator Free Bluff**

The Chairman said that he attended this meeting and it was about making Bluff predator free. It was about education and people looking after their animals, so they wanted to introduce more wildlife into Bluff Hill and make it an attraction for tourists. The Bluff Environment Trust was doing a good job to date but the Board was part of that process.

9.3 **Annual Tour of Inspection**

The Annual Tour of Inspection was tentatively booked for Wednesday 5 April at around 4.00 pm, and finishing at 6.00 pm.

9.4 **2017/2018 Long Term Plan Consultation Document**

The Chairman showed a copy of the 2017/18 Long Term Plan Consultation Document. The Board would go through it together and submissions closed on Friday 20 April. He stressed the fact that anyone in the community had the right to make submissions to the Long Term Plan.

Moved R Fife, seconded W Glassey and **RESOLVED** that the report be received.

10. **FINANCIAL STATEMENTS**

The report had been circulated.

Moved R Fife, seconded P Young and **RESOLVED** that the report be received.

11. **URGENT BUSINESS**

11.1 **Removal of Dross**

W Glassey said that the elephant in the room for Southland was the removal of dross. Apparently costs for removal of the dross from the Tiwai Aluminium Smelter and Taha were estimated to be around \$4 million. The Government and Tiwai would be taking up 75% of that cost with the other 25% being given to ratepayers under the Invercargill City Council, Environment Southland and Southland District Council. She did not know why the ratepayers had to come up with that money when that was something that had been an issue for nearly 20 years and she had been living in Bluff for 26 years. She wanted it addressed at some point. It was disgraceful and Tiwai and Taha needed to be taken to task on it.

Cr Esler said that was a compromise that was reached and everybody was contributing and that the best deal that could be reached without protracted legal argument. That settlement meant that it could go ahead without court being involved, otherwise it was going to take years to resolve it. There were no winners out of that compromise but there were a few lessons to be learnt. He agreed that it was not a good answer.

W Glassey said it was a slap in the face for those people who had fought and been told there was no problem with dross. People were paying with their health and environment and it would have been nice for the ratepayers to be involved in the proceedings and it would be interesting to see what came out of it. It was a lot of money and it should have never happened at all.

G Laidlaw said that there was a list of MPs asking for an inquiry into how it happened but not one elected Councillor had stood up and asked for an inquiry and that was in the whole of Southland. He proposed that the Board supported having an MP ask for an inquiry into it how it happened. The involvement of Environment Southland was because there were landfills at Tiwai, so why were they not monitored? This new company that was set up to deal with it got guarantees that were better than Taha.

This affected the whole of New Zealand because every ratepayer in New Zealand needed to pay to clean the toxic waste, so was the Board going to support every dairy farmer in New Zealand to clean up their effluent? There was a contract between Taha and Rio Tinto and the ratepayers should ask to see that contract.

The Chairman agreed that it was an emotive issue and it was an issue that would be in the headlines for a lot longer. He did not have the answers and probably a lot of the answers lay with Taha which was now in receivership. He was not sure where to go from here but he understood that the compromise that had been reached to get it cleaned up as soon as possible. He was not involved in that process and as a Community Board it was out of that scope of being involved in it, without being involved in it. He did not want to make too much comment because he could make the wrong comment, so he did not know where to take it from here. It an issue that communities around Southland would be very concerned about.

Cr Esler said that the issue was solved in terms of funding and where it was going but Mr Laidlaw was right that it left the future uncertain as to what happened going forward. Seeing a contract was helpful to know that there was coverage in case something like this happened again.

In response to a question by G Laidlaw as to whether the Council would support an enquiry, the Chairman said that would be a question that would need to be put to the Council to make a decision on.

Moved G Laidlaw, seconded W Glassey and **RESOLVED** that the Board asks Council to support Member of Parliament, Mark Patterson's call for an enquiry surrounding the future proofing of that storage of dross going forward, so it does not happen again.

Note: Cr Esler abstained from voting.

11.2 **Omaui Track**

Cr Esler reported that the Omaui Track had been getting a lot of visitors. It had been very successful and the graveling was almost complete. The signage was about to be commissioned and it was great to meet school groups over the last week.

12 **PUBLIC EXCLUDED SESSION**

Moved W Glassey, seconded G Henderson and **RESOLVED** that public be excluded from the following parts of the proceedings of this meeting, namely:

(a) *Report of the Environmental and Planning Services*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1)(d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Notification of Asbestos	Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

TO: BLUFF COMMUNITY BOARD
FROM: BLUFF PUBLICITY/PROMOTIONS OFFICER
MEETING DATE: MONDAY 14 MAY 2018

REPORT OF THE BLUFF PUBLICITY/PROMOTIONS OFFICER

Report Prepared by: Lindsay Beer – Bluff Publicity/Promotions Officer

RECOMMENDATIONS

It is recommended that this report be received.

BURT MUNRO CHALLENGE BLUFF HILLCLIMB – THURSDAY 7 FEBRUARY 2019

I am currently starting out on the early preparation for next year's Burt Munro Challenge Bluff Hillclimb. There are some changes to some of the arrangements we have had in place previously to be made and we are attempting to boost our volunteer numbers on the day to cater for the increased numbers that attend now that the event is in February.

BLUFF OYSTER AND FOOD FESTIVAL – SATURDAY 26 MAY 2018

I am currently working on material for a Southland Express feature on this year's Festival while I will also release information to other outlets as the event approaches.

As reported last month I have also offered to liaise with the stallholders who come to Bluff each year for the event after the previous organiser stepped side due to ill health. Currently numbers are looking very good for the market.

PUKEKOHE TRAVEL TRAIN VISIT

Two visits to Bluff by Pukekohe Travel were made during the month. We made offers to assist with information and anything else the company required but the visits allowed little more than a lunch stop. However we have established contact and will maintain the offer to help with any other visits. The tour by the company was a train excursion but during our talks regarding the visits we discovered that the line between Invercargill and Bluff is no longer able to be used for passenger trains so the Bluff segment of the journey was carried out by bus.

ALEX GLENNIE BOOK

I have had recent communication with Alex Glennie who has written a book about the old Bluff train. Alex is keen to launch the book in Bluff later in the year and we will continue to assist him where required.

TO: BLUFF COMMUNITY BOARD
FROM: THE DIRECTOR OF WORKS AND SERVICES
MEETING DATE: MONDAY 14 MAY 2018

DOGS OFF LEAD AREAS AT BLUFF

Report Prepared by: Robin Pagan, Parks Manager

SUMMARY

At the previous Bluff Community Board Meeting, Council's Environmental Health staff suggested that there may be a need to have a dog off lead area in Bluff.
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RECOMMENDATIONS

That the Ocean Beach Reserve be allocated as a dog off lead area, subject to the Reserve not being used for sports field purposes.

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> No.
2.	<i>Is a budget amendment required?</i> No.
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> We will need to note this in the Reserve Management Plan.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> No.
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> No.

FINANCIAL IMPLICATIONS

Nil.

USE OF OCEAN BEACH RESERVE AS A DOG OFF LEAD AREA

Further to the discussions at the last Bluff Community Board meeting and subsequent advertising of renewal of Council's Animal Control Bylaw, it has been suggested that the Ocean Beach Reserve be allocated as a dog off lead area.

Annexed hereto as Appendix 1 are copies of the draft Dog Control Bylaw and Dog Control Policy which is out for public consultation, with submissions due to Council by 26 May 2018.

The area at Ocean Beach Reserve was developed as a sports field for the purposes of rugby league but has not been used for this for many years.

CONCLUSION

The area has not yet been fully scoped to ensure that fencing is adequate to prevent dogs straying onto adjoining farmland, although dogs should be under control even when off lead as this is not a secure dog park.



INVERCARGILL CITY COUNCIL

Bylaw 2018/2 – Dog Control

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INVERCARGILL CITY COUNCIL BYLAW 2018/2 – DOG CONTROL

A Bylaw of the Invercargill City Council made in pursuance of the powers contained in the Dog Control Act 1996 and the Local Government Act 2002.

1. SHORT TITLE AND COMMENCEMENT

1.1 This Bylaw shall be known as “The Invercargill City Bylaw 2018/2 – Dog Control” and is made for the effective control and regulation of dogs in the Invercargill City Council boundaries.

1.2 This Bylaw shall come into force on .

2. PURPOSE OF BYLAW

2.1 The Bylaw is made primarily under the authority of Section 20 of the Dog Control Act 1996 and the provisions of the Local Government Act 2002.

2.2 The primary purpose of the Bylaw is to strike an appropriate balance between the protection and safety of the public and the advantages to individuals and communities of dog ownership and the ability to satisfy their recreational needs. It also seeks to minimise distress and nuisance caused by dogs to the community as far as is practicable through legislative means.

3. REPEAL

The Invercargill City Council Bylaw 2015/1 - Dog Control is hereby repealed from the day this Bylaw comes into force.

4. EXCLUSIONS

This Bylaw only applies to dogs.

This Bylaw does not include Animal Welfare matters.

5. INTERPRETATION

In this Bylaw, unless inconsistent with the context:

COUNCIL means the Invercargill City Council.

DISABILITY ASSIST DOG means a dog defined as a disability assist dog under Section 2 of the Dog Control Act 1996 and specifically includes a dog certified by one of the following organisations as being a dog trained to assist (or as being a dog in training to assist) a person with a disability:

- a. Hearing Dogs for Deaf People New Zealand
- b. Mobility Assistance Dogs Trust

- c. New Zealand Epilepsy Assist Dogs Trust
- d. Royal New Zealand Foundation of the Blind
- e. Top Dog Companion Trust

DISTRICT PLAN means the operative Invercargill District Plan pursuant to the Resource Management Act 1991.

OFFICER means an Animal Control Officer or Dog Ranger appointed under the Dog Control Act 1996 and includes an Honorary Dog Ranger.

OWNER means someone who owns a dog or has it for more than 72 hours or is a parent or guardian of an owner of a dog where the owner is under the age of 16 and is living with the parent or guardian.

PROPERTY means a piece of land or real estate.

PUBLIC PLACE means public place as defined in Section 2 of the Dog Control Act 1996.

RESERVE means any park, garden, plantation, forest, open space or ground set aside for public recreation or enjoyment and which is controlled or administered by Council.

WORKING DOG means working dog as defined under Section 2 of the Dog Control Act 1996.

DOG OWNER OBLIGATIONS

6. SHELTER FOR DOGS

6.1 The owner of any dog shall provide for it:

6.1.1 a weatherproof kennel or place of confinement of adequate size constructed on well-drained ground;

6.1.2 access to clean water; and

6.1.3 in the case of a kennel without other means of confinement, provided with a fixed chain or running wire which allows the dog free movement about the kennel.

All kennels or places of confinement shall be kept in a reasonable, clean and sanitary condition. A place of confinement may include a dwelling.

6.2 No owner of any dog shall keep it on any property in any kennel other than a dwelling, any part of which is nearer than one metre to any boundary of that property. Exceptions will apply to properties that are too small to accommodate this, or a kennel is adjoining a solid fence or wall and does not cause a nuisance to neighbouring properties.

7. FENCING OF DOGS

- 7.1 The owner of any dog shall keep and prevent that dog from wandering or being at large in any public place, excluding specified off lead areas. A dog shall be considered wandering or at large if the dog is not kept under continuous and effective control by means of a leash securely attached to a collar on the dog, with the exception of active working dogs.
- 7.2 All dogs should be appropriately confined when not under the control of their owner or a responsible person. Adequate confinement is interpreted as the following:
- 7.2.1 not allowing dogs to intimidate the general public through charging or intimidation of any passers-by or neighbouring properties.
 - 7.2.2 confining dogs to a fully fenced space that provides adequate area for exercise and movement.
 - 7.2.2 menacing or dangerous dogs are required to be kept in a securely fenced portion of the property which it is not necessary to enter to obtain access to at least one door of any dwelling on the property.
- 7.3 Officers have the right to inspect any property to ensure compliance with this Bylaw and may issue an infringement notice if the owner does not comply.
- 7.4 No person shall encourage a dog to fight or attack any person, animal or dog, and shall take all reasonable steps to prevent a dog or dogs from fighting or attacking any person, animal or dog.
- 7.5 Menacing or dangerous dogs or dogs known to rush at or attack any person, animal or dog, must not be at large unless it is kept under continuous and effective by means of a leash securely attached to a collar on the dog control.
8. LIMITATION ON NUMBER OF DOGS
- 8.1 No occupier of premises, other than those within areas zoned "Rural" by the District Plan, shall keep more than two dogs over the age of three months at any one time, unless that person obtains approval from the Council to do so.
- 8.2 Upon written application, the Council may grant such approval subject to such terms, conditions and restrictions as the Council considers necessary or desirable in any particular case.
- 8.3 Every application for approval shall be made to the Council in writing in such form as the Council may from time to time require.
- 8.4 Every application for approval shall be accompanied by such fee detailed in Council's Schedule of Fees and Charges. Every such licence shall remain unless revoked as a result of a breach of the owner's obligations under the *Dog Control Act 1996* or Invercargill City Council's bylaws and policies.
- 8.5 The fee for such approval shall be payable in addition to the dog registration fees. This does not apply to ownership of three dogs as at 1 July 2015.

9. DOGS ON OR IN VEHICLES

9.1 No person shall allow a dog to ride on or within any vehicle, or be on any road or public place, unless the dog is at all times kept under effective control so as to prevent the dog from leaving the vehicle or from attacking any passers-by.

9.2 An exemption to Clause 9.1 is made for active working dogs to ride on or within any vehicle, or be on any road or public place.

10. DOGS IN PUBLIC PLACES

The Council may prohibit dogs from certain areas where it considers it necessary for the protection of the health and safety of the public or where it is considered desirable due to intense public use or the need to protect an area from dogs or for such other purpose as the Council may from time to time consider appropriate. Refer to Schedule 1 for a list of dog prohibited areas.

11. LEASH CONTROL AREA

11.1 Where a dog is in a public area, it must be on a lead and under control at all times.

11.2 Dog owners must ensure that their dog is kept under control at all times, and when in public places, excluding specified off lead areas, dogs must be on a lead held by a person who is capable of controlling the dog. This is to protect public safety and also to help to ensure the safety of dogs and other animals. Public areas are listed under Leash Control Area in Schedule 1.

12. NON DESIGNATED DOG AREAS

12.1 All dogs must be kept under proper and effective control at all times. A dog may be allowed to be unrestrained in any area that is not defined by a Council Bylaw as a leash control area or prohibited area provided that the dog is properly controlled.

13. FOULING BY DOGS

13.1 Every person who, being the owner of a dog which defecates in any public place, or on any land or premises other than land or premises occupied by that person, shall immediately remove the faeces. Where a public litter bin or similar receptacle is used to dispose of the faeces, the faeces must be suitably wrapped or contained to prevent fouling of the receptacle.

CUSTODY OF DOGS

14. IMPOUNDING OF DOGS

14.1 In cases where an Officer sees a dog wandering in a public place, that Officer will seize the dog. The dog will be treated in accordance with Council's process for the treatment of wandering dogs.

- 14.2 Where a wandering dog is impounded the Animal Care Facility will provide adequate and properly maintained facilities and resources for the care and safety of the dogs. Such dogs shall be humanely handled. Appropriate action will be taken to prevent the suffering of any diseased or injured dogs.
- 14.3 Animal Services will contact the owner, if the dog is registered. If after 7 days no owner has come forward to collect the dog and/or the Council has been unsuccessful in contacting the owner impounded dogs will be managed in accordance with the Council's process for rehoming or euthanasia as appropriate.

INFRINGEMENT OFFENCES

15. NUISANCE

- 15.1 Nuisance covers a wide range of issues and includes (but is not limited to) barking, dog faeces, roaming, and general dog activities. The owner of any dog, and the owner or occupier of any premises on which any dog or dogs are kept shall ensure it does not create a nuisance or annoyance by:
 - 15.1.1 Ensuring the dog does not obstruct the lawful passage of persons in public places.
 - 15.1.2 Ensuring the dog does not rush and/or frighten persons in a public place or lawfully on private property.
 - 15.1.3 Taking adequate precautions to prevent the dog or dogs, or the keeping thereof, from becoming a nuisance or annoyance.
- 15.2 If, in the opinion of the Council, any dog or dogs or the keeping thereof on any premises has become, or is likely to become, a nuisance, the Council may, by notice in writing, require the owner or occupier of the premises, within a time specified in such notice, to do all or any of the following:
 - 15.2.1 Reduce the number of dogs kept on the premises.
 - 15.2.2 Order the permanent removal of a dog/dogs on a property.
 - 15.2.5 Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance.

DOG CLASSIFICATIONS

16. DANGEROUS DOGS

Dangerous Dog has the same definition as in section 31(1) of the Dog Control Act 1996.

- 16.1 The owner of any dog classified as dangerous must follow these additional obligations:
 - 16.1.1 The owner must ensure the provision of a secure area for the dog where it is possible to gain unrestricted access to at least one door of the dwelling.
 - 16.1.2 The dog must be muzzled in any public place when not confined in a vehicle or cage.

16.1.3 The owner may not rehome the dog to any other person without the written consent of the Council.

16.1.4 The dog must be neutered within one month of the dog being classified as dangerous.

17. MENACING DOGS

Menacing Dog has the same definition as in section 33A of the Dog Control Act 1996.

17.1 The owner of any dog classified as menacing must follow these additional obligations:

17.1.1 Any dog, classified as menacing by any other territorial authority, that now resides in Council's area must be neutered as per section 33EB of the Dog Control Act 1996.

17.1.2 Any owner of a dog classified as menacing must follow these additional obligations:

- a. Ensure the provision of a secure area where it is possible to gain unrestricted access to at least one door of the dwelling.
- b. Ensure that the dog is muzzled in any public place when not confined in a vehicle or cage.
- c. Not rehome the dog to any other person without the written consent of the Council.

SCHEDULE 1

DOG AREAS

DOG PROHIBITED AREA

The Council may prohibit dogs from certain areas where it considers it necessary for the protection of the health and safety of the public or where it is considered desirable due to:

- intense public use, or
- the need to protect an area from dogs, or
- for such other purpose as the Council may from time to time consider appropriate.

The following areas within the District are designated as prohibited areas for dogs:

Events that are organised by Council unless otherwise publicised.

Children's Playgrounds – Within ten metres of children's play equipment, skateboard ramps and paddling pools.

Sports Fields – The designated playing areas of all marked sports fields.

Ponds and Lagoons on Reserves – Including the areas around Sandy Point and Donovan Park ponds and lagoons.

Tiwai Peninsula. This area is within the Invercargill City Council Boundaries but controlled by the Department of Conservation and is subject to their rules in relation to dogs.

LEASH CONTROL AREA

Where a dog is in a public area, it must be on a lead and under control at all times.

Dog owners must ensure that their dog is kept under control at all times, and when in public places, dogs must be on a lead held by a person who is capable of controlling the dog.

This is to protect public safety and also to help ensure the safety of dogs and other animals.

A public area includes:

- All streets and roads.
- Footpaths and walkways.
- Parks and reserves. (Excluding the Elles Road Dog Park)
- Cemeteries and crematorium.
- Formed walking tracks on reserves.

APPENDIX 1

DOG OFF LEAD MAP

Parks where dogs can be exercised off lead. The green areas of the map indicate the general areas where dogs can be exercised off lead. Further details of the specific areas are included in the following maps.

Owners are responsible for keeping their dogs under control at all times and must use their own discretion to determine whether their dog is sufficiently well trained to remain off leash when walking near stock, even when the stock is fenced.



Parks where dogs can be exercised off lead

Turnbull Thompson Park

The areas marked in grey are dog off lead areas.

The areas marked in green hatch include sports fields. The sports fields, so marked, from season to season are dog prohibited areas.

The areas marked in red hatch are special purpose sites and are dog on lead areas.



Donovan Park

The areas marked in blue include sports fields. The sports fields, so marked, from season to season are dog prohibited areas.

The area marked in red is a dog prohibited area.

The lagoon area is a dog prohibited area.



Elizabeth Park

The areas marked in green are dog of lead areas.

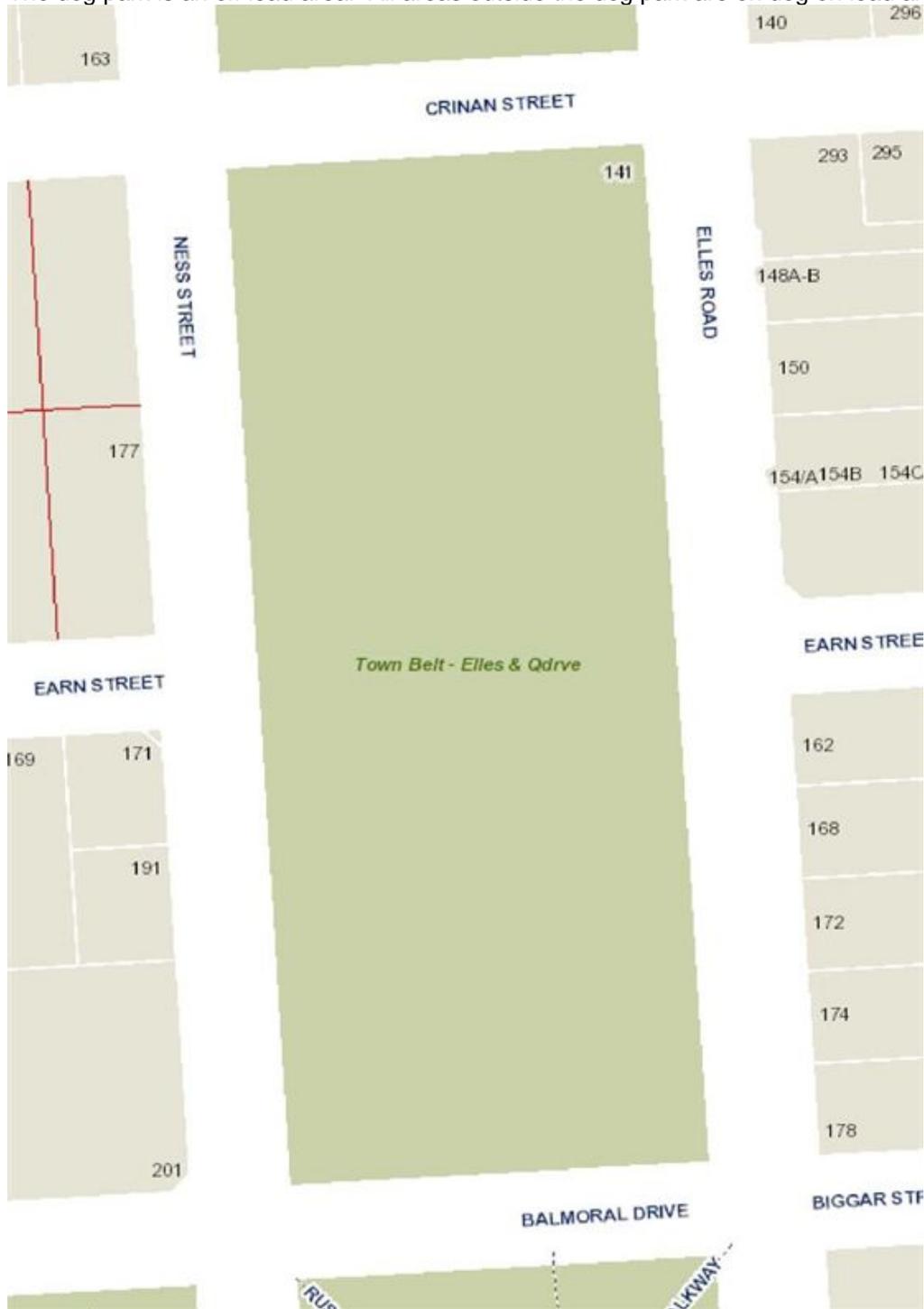
The red cross indicates playground equipment and/or a skate park and dogs are prohibited from being within 10 metres of this equipment.

The marked walkways are dog off lead areas noting the inconsistency with the current Parks Management Plans and Parks Dog Control Policy.



Elles Road

The dog park is an off lead area. All areas outside the dog park are on dog on lead areas.



Waihopai Walkway

The ICC Parks and Reserves are marked on the map below.

The walkway itself is controlled by Environment Southland.

The red crosses indicate playgrounds and are dog prohibited areas (within 10 metres).



Sandy Point

Sandy Point is a dog off lead area subject to the following restrictions.

Silver Lagoon – at the end of Round Tree Track is a dog prohibited area.

The leased areas identified below are excluded from the Council Dog Policy.



The Walkway and Walkway/Cycleway are dog off lead areas noting the inconsistency with the current Parks Management Plans and Parks Dog Control Policy.



Area of Dog Exercise/Off Lead in Bluff

The green hatch areas in Ocean Beach Reserve are a dog off leash area.





DOG CONTROL POLICY

Effective from 1 July 2018

This Policy outlines how Invercargill City Council's Animal Services Department will fulfil its responsibility under the Dog Control Act 1996. This Policy is a tool to create a mutual understanding of the roles and responsibilities of Dog Owners and Animal Control Officers. The Invercargill City Council acknowledges that dog ownership contributes to people's health and well-being through companionship and the need to regularly exercise dogs. This Policy promotes good dog care and control through the use of education and registration as well as enforcement measures.

Purpose

To help promote responsible dog ownership, dog care and dog welfare by striking an appropriate balance between the protection and safety of the public and the advantages to individuals and communities of dog ownership.

To clarify the roles and responsibilities of Dog Owners when dogs are in public spaces by the identification of places in which dogs are:

- prohibited including areas where children play;
- may be taken on lead; and
- may be exercised off lead.

with the aim of minimising danger, distress and nuisance caused by dogs.

Scope

This policy applies to all dog owners in the Invercargill City Council area and to all employees of Invercargill City Council.

Fees

The Act provides that Council can set reasonable fees for the registration and control of dogs. In setting fees the Council has regard to the relative costs of the registration and control of dogs in the categories described in this policy and such other matters as the Council considers relevant. Council has given considerable thought to what level of fee is fair and reasonable and the guiding considerations are:

- The overall philosophy is that the principle of user pays will apply, with a greater emphasis on recovery of fees from those owners who fail to meet their legal obligations.
- In setting fees and charges for dog control in any year, Council is required to decide the most appropriate means of collecting revenue, having regard to fairness and efficiency for dog owners and the public alike.
- The cost of registration should be in proportion to the level of service required for that class of owner/dog.
- As nearly every function provided by the Animal Services Department has some element of public good, it is appropriate that ratepayers make some contribution.

The Dog Control Act provides that different fees may apply for different classes of dogs or owners. This recognises and rewards a high level of responsible ownership and acts as an incentive for all dog owners to attain a high standard of care and control of their dog.

Definitions

Act	means the Dog Control Act 1996.
Council	means the Invercargill City Council.
Disability Assist Dog	means a dog defined as a disability assist dog under Section 2 of the Dog Control Act 1996 and specifically includes a dog certified by one of the following organisations as being a dog trained to assist (or as being a dog in training to assist) a person with a disability: Hearing Dogs for Deaf People New Zealand Mobility Assistance Dogs Trust New Zealand Epilepsy Assist Dogs Trust Royal New Zealand Foundation of the Blind Top Dog Companion Trust
Infringement Offence	means an offence specified in Schedule 1 of the Dog Control Act 1996.
Leash	means a lead which is capable of restraining a dog.
Officer	means an Animal Control Officer or Dog Ranger appointed under the Dog Control Act 1996 and includes an Honorary Dog Ranger.
Owner	means someone who owns a dog or has it for more than 72 hours or is a parent or guardian of an owner of a dog where the owner is under the age of 16 and is living with the parent or guardian.
Responsible Dog Owner	means an owner who has been granted this status by the Council and has had a dog registered for a minimum of one

year with no complaints, has adequate fencing to contain the dog at all times and has unimpeded access to the dwelling that still keeps the dog contained.

The District means the area under the authority of the Invercargill City Council.

Working Dog means working dog as defined under Section 2 of the Dog Control Act 1996.

Background

Dog control remains an important regulatory function for all territorial local authorities. Council recognises the need to achieve positive and enduring relationships with the community. It is important that our Animal Control Officers do not just enforce the laws under the Act, but also educate and build strong relationships with the community. This means being supportive and helpful to both dog owners and non-dog owners.

The Act reinforces responsible dog ownership through provisions for education, welfare, and training of dogs. Owners, who fail to fulfil their obligations, may face a wide range of penalties including infringement notices, higher registration fees and the potential for prosecution. It is the Council's duty to ensure that they develop and adopt policies which support the intention of the Act. This document serves to clarify and give detail to dog control in the District.

Where dogs are impounded and/or require euthanasia Council acknowledges the important roles that Animal Services can play in ensuring that they are treated humanely at all times.

DOG OWNER CLASSIFICATION

Council has two dog owner classifications, and these determine the classification.

The two categories are Standard Dog Owners and Responsible Dog Owners.

Standard Dog Owners

All owners not classified as category "Responsible Owner", along with those owners whose dogs have been classified as Dangerous shall be classified as "Standard".

Responsible Dog Owners

Responsible dog owners will receive a discount on registration to recognise their good dog ownership history. An owner may be granted this category upon fulfilling the following criteria;

- having the dog registered for a period of at least one year and Council having received no justified complaints or infringements;
- the owner must be able to show an Officer that their property is adequately fenced to contain the dog(s) at all times;
- the owner must be able to keep the dog contained in a manner that allows unimpeded access to the dwelling;
- the dog must be micro-chipped;
- registration must be paid on time;

- the owner must show sufficient understanding of responsible dog ownership.

The owner will need to fill in a responsible dog owner application and accept the terms required for inclusion in this category.

An Officer may revoke the privileges associated with this category and remove the owner's classification if they have good reason to believe that the terms of the classification have not been or are not being complied with. The owner concerned will then be ineligible for reassessment for inclusion in the "Responsible Owner" status for a two year period.

Probationary Owners

Owners will be included in this class if they have received three or more infringement notices in a 24 month period or if they have been prosecuted under the Act. The Director of Environmental and Planning Services has the delegation to declare any owner probationary, in accordance with the provisions of section 21 of the Act. An owner will remain a probationary owner for a period of 24 months.

The probationary classification has the following effect:

- The owner is not allowed to own any additional dogs other than the ones registered and in their possession at the time probationary status is given.
- The owner must dispose of any unregistered dogs.

The Council will provide any probationary owner with notice of the effects of the classification and information on how to object to the classification.

Owners have the right to object to this classification at any time, but no objection may be lodged within 12 months of the hearing of any previous objection to the classification. In the event of an objection the matter will be referred to Council's Hearings Panel for determination. Council may choose to appoint an independent commissioner to hear and determine any objection. In considering an objection Council will take the following factors into account:

- The circumstances and nature of the offence(s).
- The competence of the person in terms of being a responsible dog owner.
- The matters advanced in support of the objection and any other relevant matters.

Council encourages owners to undertake approved education and obedience courses as a means of reducing the probationary period.

Disqualification of Owners

Individuals will be disqualified from owning dogs for a period of up to five years in accordance with section 25 of the Act. These include:

- A person commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.

- A person is convicted of an offence (not being an infringement offence) against the Act.

If an owner is classified as probationary and they commit further offence/s the owner will be disqualified from owning a dog. The disqualified owner must dispose of any dogs in their possession within 14 days and may not transfer ownership to another person residing in the same dwelling. Council will provide any disqualified owner with notice of the effects of disqualification and information on how to object to the disqualification.

Council has delegated authority for disqualifying owners to the Director of Environmental and Planning Services. Any owner disqualified may object to the disqualification. Council's Hearings Panel would then determine the matter.

DOG OWNER OBLIGATIONS

General Health and Welfare

The owner of any dog must ensure that the dog receives proper care and attention, is supplied with proper and sufficient food and water, and receives adequate exercise.

Every owner of a dog shall ensure that the dog is provided with proper and sufficient shelter. Any kennels provided are required to be weatherproof and of adequate size with access to clean water, constructed on well drained ground and, in the case of a kennel without other means of confinement, provided with a fixed chain or running wire which allows the dog free movement about the kennel, and such kennel or place of confinement shall be kept in a clean and sanitary condition.

A place of confinement may include a dwelling. If a kennel is not provided, dogs must have access to the interior of a building with an adequate sleeping area provided at night time.

Registration

Every person in possession of a dog greater than three months in age must register their dog annually with the Council. Owners registering their dog for the first time will be required to come into Council's office to complete a dog registration form and to sign it as the dog owner. Registration commences for any given year on 1 July.

When a dog is re-homed from one owner to another, both owners are required to notify Council of the change of ownership for registration purposes.

When a dog is relocated to the District from another council's district, the tag is to be surrendered to Council, upon which a new tag containing Invercargill City Council details will be issued to the owner at no extra charge provided the registration is current.

In the event of the death of a dog, the owner must notify Council in writing. On receipt of written notification, Council will issue a refund for the remainder of the registration year.

If owners do not meet the obligations to register their dogs or notify Council of a change of address or ownership, enforcement action may be initiated and fines may be imposed

Micro Chipping

- All dogs, except working dogs registered for the first time as of 1 July 2006, must be micro-chipped.
- A micro-chip certificate is to be provided for all newly registered dogs within 30 days of registering the dog. Failure to do so may result in the issue of an infringement notice.
- Any dog that is unregistered and is impounded will be required to be micro-chipped and registered prior to release.

DOGS IN PUBLIC SPACES

Dog Prohibited Areas

The Council may prohibit dogs from certain areas where it considers it necessary for the protection of the health and safety of the public or where it is considered desirable due to:

- Intense public use, or
- The need to protect an area from dogs, or
- For such other purpose as the Council may from time to time consider appropriate.

The following areas within the District are designated as prohibited areas for dogs:

Children's Playgrounds Within ten metres of children's play equipment, skateboard ramps and paddling pools.

Events that are organised by Council unless otherwise publicised.

Ponds and Lagoons on Reserves Including the areas around Sandy Point and Donovan Park ponds and lagoons.

Sports Fields The designated playing areas of all marked sports fields.

Tiwai Peninsula. This area is within the Invercargill City Council Boundaries but controlled by the Department of Conservation and is subject to their rules in relation to dogs.

Controlled Dog Area

The following Controlled Dog Areas apply in the District:

Awarua Wetlands – Department of Conservation Permit is required to bring a dog into this area.

Leash Control Areas

Dog owners must ensure that their dog is kept under control at all times, and when in public places, excluding dog exercise areas, dogs must be on a lead held by a person who is capable of controlling the dog. This is to protect public safety and also help to ensure the safety of dogs and other animals.

A public area includes:

- ALL streets and roads.
- Footpaths and walkways.
- Parks and reserves. (Excluding the Elles Road Dog Park)

- Cemeteries and crematorium.
- Formed walking tracks on reserves.

Non Designated Dog Areas

All dogs must be kept under proper and effective control at all times. A dog may be allowed to be unrestrained in any area that is not defined by a Council Bylaw as a leash control area or prohibited area provided that the dog is properly controlled.

Dog Exercise Area

Invercargill is a city characterised by large amounts of open space to which the public has access. Most of this open space is suitable for exercising dogs provided they are kept under control and owners are responsible in exercising control. Council does not intend to designate any area within a leash control area for use as a dog exercise area. Dogs may be exercised off the lead in the following areas (*Appendix 1*):

Donovan Park excluding marked sports fields and the pond area.

Elizabeth Park excluding playgrounds and walking tracks.

Elles Road Dog Park within the confines of the fenced Dog Park.

Oreti Beach a reasonable distance away from people so as not to cause a nuisance or distress.

Sandy Point Domain excluding playgrounds, marked sports fields and the ponds and lagoons. Dogs must be on a lead while on or within five metres of the walking track.

Turnbull Thomson Park excluding playgrounds and marked sports fields.

Waihopai Walkway the river margins along the entire walkway upstream of Stead Street, excluding areas where stock is being grazed. Dogs must be on a lead while on or within five metres of the walking track.

Owners are responsible for keeping their dogs under control at all times and must use their own discretion to determine whether their dog is sufficiently well trained to remain off leash when walking near stock, even when the stock is fenced.

CUSTODY OF DOGS

Impounding Dogs

The Animal Care Facility will provide adequate and properly maintained facilities and resources for the care and safety of impounded dogs. Such dogs shall be humanely handled. Appropriate action will be taken to prevent the suffering of any diseased or injured dogs. Impounded dogs must be kept for a minimum of seven days if no owner has been contacted or come forward to collect the animal.

Where a dog is repeatedly found wandering, the Officer must be satisfied that the correct measures have been taken to prevent wandering before the dog will be released back to the owner.

Releasing Dogs

Dogs shall only be released by prearranged appointment from the Animal Care Facility under the following circumstances:

- All fees must be paid prior to release.
- An Officer is satisfied that the dog is registered.
- An Officer is satisfied that the dog is micro-chipped.
- An Officer is satisfied that the person obtaining the dog is the rightful owner of the dog or has been duly authorised by the rightful owner to act in that capacity.

Rehoming Unclaimed Dogs

A suitable unclaimed dog may facilitate the release to any person or organisation provided that:

- An Officer at the Animal Care Facility considers that person or organisation to be a suitable person.
- The dog is vaccinated, registered, micro-chipped and the costs of such are met by the person or organisation wishing to provide a home for the dog.

Council will not be held responsible for any dog that has fallen ill after re-homing or found to be ill once it has been released. Officers will always do their best to ensure the safety and health of dogs in the possession of Council.

Euthanasia of Dogs

Impounded dogs that are not claimed within 7 days, and that are deemed by an Officer as unsuitable for re-homing, will be euthanised by humane means. Dogs that are suitable for re-homing that have not found a suitable owner will be euthanised by humane means at the discretion of an Officer.

Where the owner wishes that an impounded dog be euthanised, it will be arranged at the owner's cost. All other relevant or accrued fees shall remain as a debt due to Council.

ENFORCEMENT AND INFRINGEMENT NOTICES

Council recognises that the majority of dog owners are responsible and that for most owners, an explanation of an issue will suffice in fixing the problem. This will be the first step in Council's enforcement protocol, unless the incident involves injury or distress to an animal or person and there are health issues associated.

In some instances a written warning will be issued. If Council records indicate that two or more written warnings have been issued in a 12 month period, the offence may be dealt with by issuing an infringement notice.

Officers have the authority to issue an infringement notice at any time if they feel the situation warrants. This can occur either in the field or after subsequent investigation.

Abatement of Nuisance

Where in the opinion of the Officer the keeping of any dog(s) on a premise is, or is likely to become, a nuisance the Officer may issue the owner with a written notice requiring the owner to take specific steps to solve the problem.

Barking Dogs

When Council receives a complaint about a barking dog, the Officer will initiate a process to investigate the issue. If the problem continues despite efforts being taken to educate the owner and steps being taken to rectify the issue a notice may be issued requiring the dog/s to be removed from the property. The owner can appeal this notice and any appeal will be determined by Council's Hearings Panel. If the notice is not complied with Council may undertake enforcement actions.

Wandering Dogs

Where an Officer sees a dog wandering in a public place, that Officer will seize the dog. The dog will be treated in accordance with the Council's process for the treatment of wandering dogs including, at the Officer's discretion and in accordance with Council's process it may be returned to its home address and released provided that the owner is at home to establish ownership and take possession of the dog. A warning or infringement notice may be issued and a return fee will be charged.

Dog Attacks or Biting

Where a dog attacks or bites a person, and where the victim was going about their lawful business, Council will consider instigating legal action under section 57 and / or 58 of the Act against the dog owner or person in charge of the dog at the time of the offence. Council will require a written statement of complaint from the complainant.

Upon conviction Council may ask the Court for a destruction order or declare the dog a dangerous dog.

Prosecution

Where an offence is considered to be serious enough, and sufficient evidence exists, Council will prosecute an offender in the District Court. These offences include, but are not limited to, the following situations where the dog has:

- Caused significant damage to property.
- Caused significant damage or injury to any person or animal, domestic or wild.
- Caused severe distress.
- Caused danger, distress or nuisance to any person or the community on a number of occasions.
- Not complied with the dangerous or menacing classification requirements.

Prosecution will be considered for offences against the Act or any Council Bylaw. In all circumstances, Council has delegated to the Director of Environmental and Planning Services the authority to determine whether to proceed with prosecution.

Offences and Penalties

Offences and Penalties are set by the Act. Council does not have the authority to set or alter fines. Penalties are reasonably high to discourage non-compliance and are set out in Schedule One of the Act.

Please note if you are prosecuted under the Bylaw or a breach of the Act prosecution has higher penalties including terms of imprisonment and/or Community work.

Offences other than Infringement Offences:

Dogs attacking persons or animals.

Dogs rushing at persons, animals or vehicles.

Dogs causing serious injury.

DOG CLASSIFICATIONS

Dangerous Dogs

Under the Act a dog will be classified as dangerous for the following reasons:

- If the owner has been convicted under section 57A(2) of the Act.
- Where there is sworn evidence that the dog has shown aggressive behaviour.
- Where the aggressive behaviour of any dog constitutes a threat to the safety of any person, stock, poultry, domestic animal or protected wildlife.
- Where the owner admits that the dog is dangerous.

Council has delegated to both the Director of Environmental and Planning Services and the Manager Environmental Health and Compliance, the authority to classify dogs as dangerous.

Any owner of a dog classified as dangerous must follow these additional obligations:

- Ensure the provision of a secure area where it is possible to gain unimpeded access to a door of the residential dwelling house.
- Ensure that the dog is muzzled in any public place when not confined in a vehicle or cage.
- Not dispose of the dog to any other person without the written consent of Council.
- Ensure that the dog is desexed.
- Pay 150% of the standard owner registration fee.

Menacing Dogs

Council considers a dog menacing if there has been reports or observations of menacing behaviour or Council considers that it poses a threat to people, wildlife, stock, domestic animals or poultry. Dog owners have up to 14 days after receiving notice of the classification to object in writing to Council in regard to the classification; and have the right to be heard in support of the objection.

The following breeds are automatically considered menacing under the Act:

- American Pit Bull Terrier

- Dogo Argentino
- Brazilian Fila
- Japanese Tosa
- Perro de Presa Canario

Any owner of a dog classified as menacing must follow these additional obligations:

- Ensure that the dog is muzzled in any public place when not confined in a vehicle or cage.
- Ensure that the dog is desexed within one month of notification.

GENERAL

De-Sexing

Council recognises desexing as an effective means of reducing the negative aspects of a dog's behaviour in many cases.

Council may elect to subsidise the desexing of a dog where criteria relating to hardship is proven, and where it is deemed to be essential.

A discount on registration fees is offered to owners who can show proof of desexing upon registration.

Dog Education

Council considers that owner education is an effective way of informing dog owners of their responsibilities and minimising problems arising from dog ownership.

Council intends to support education through training programmes, providing and promoting educational material and making Officers available for educational visits to schools and other groups when requested.

Council will also help educate people about on and off leash areas through the use of signage in public parks and other areas.

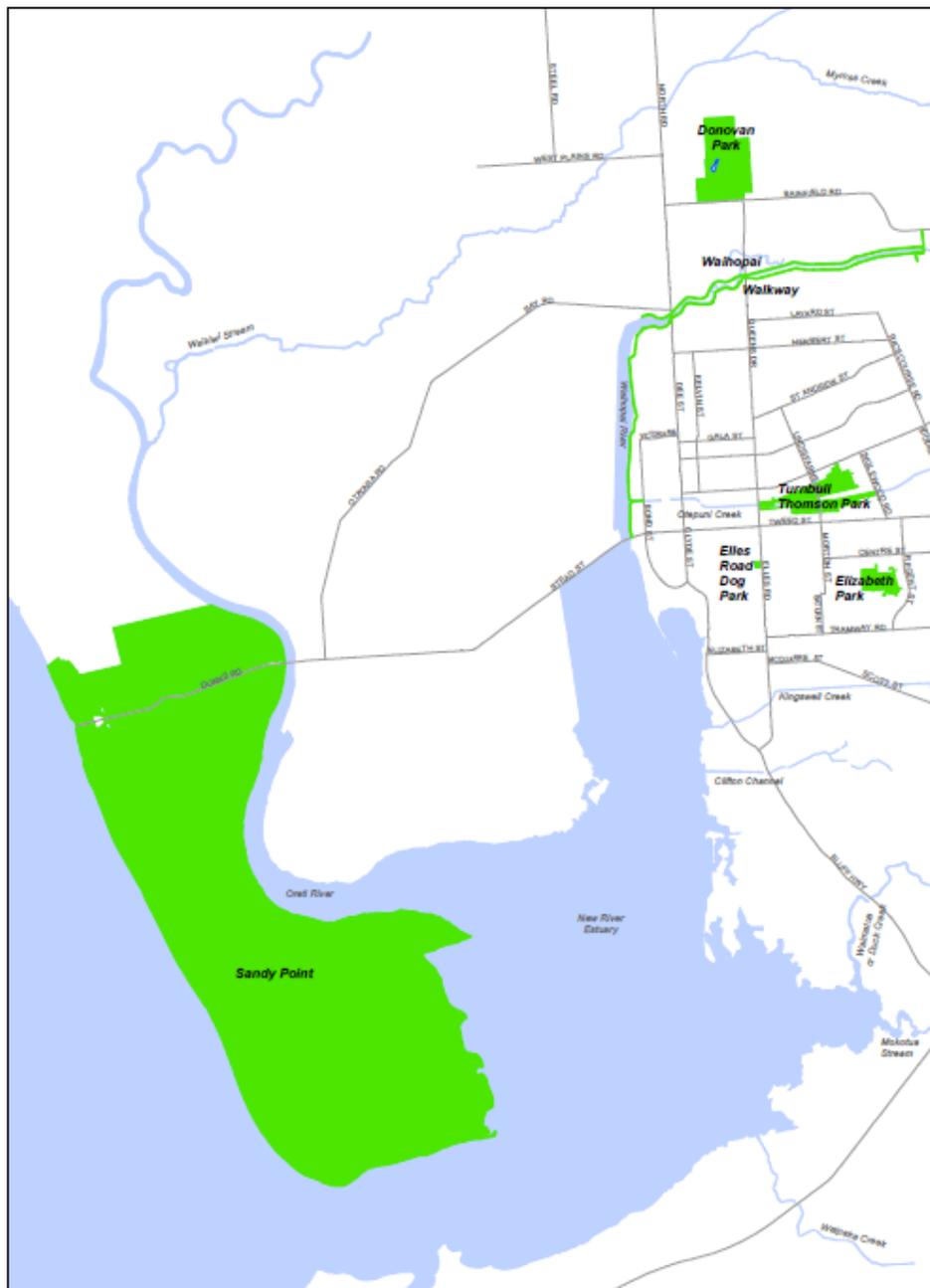
Revision History:	NIL
Effective Date:	
Review Period:	This policy will be reviewed every three years, unless earlier review is required due to legislative change, or is warranted by another reason.
New Review Date:	
Associated Documents / References:	Delegations Register; Dog Control Bylaw
Supersedes:	Dog Control Policy 2015
Reference Number:	A1291593
Policy Owner:	Invercargill City Council/Director of Environmental and Planning Services

DRAFT

Appendix 1

Dog Off Lead Map

Parks where dogs can be exercised off lead. The green areas of the map indicate the general areas where dogs can be exercised off lead. More detailed maps of the specific areas are provided on the following pages.



Parks where dogs can be exercised off lead

Turnbull Thompson Park

The areas marked in grey are dog off lead areas.

The areas marked in green hatch include sports fields. The sports fields, so marked, from season to season are dog prohibited areas.

The areas marked in red hatch are special purpose sites and are dog on lead areas.



Donovan Park

The areas marked in blue include sports fields. The sports fields, so marked, from season to season are dog prohibited areas.

The area marked in red is a dog prohibited area.

The lagoon area is a dog prohibited area.

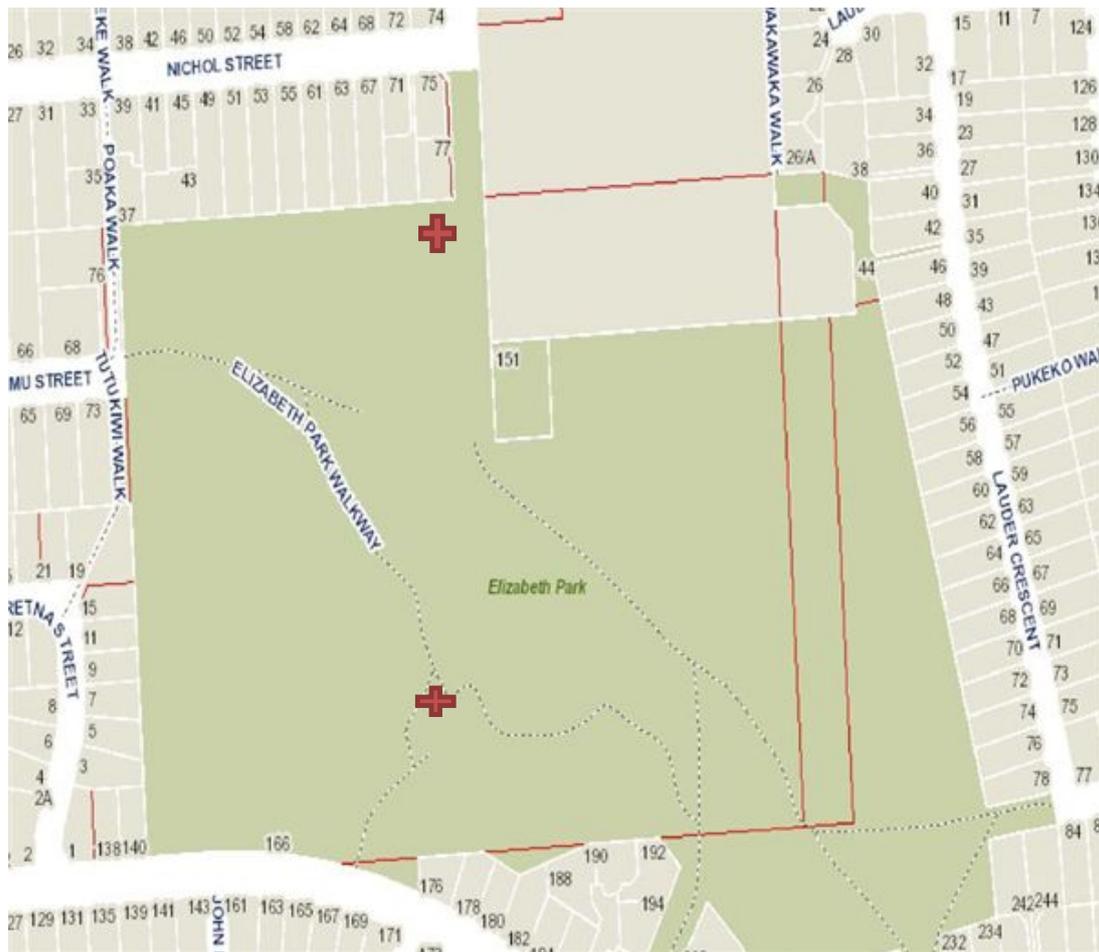


Elizabeth Park

The areas marked in green are dog of lead areas.

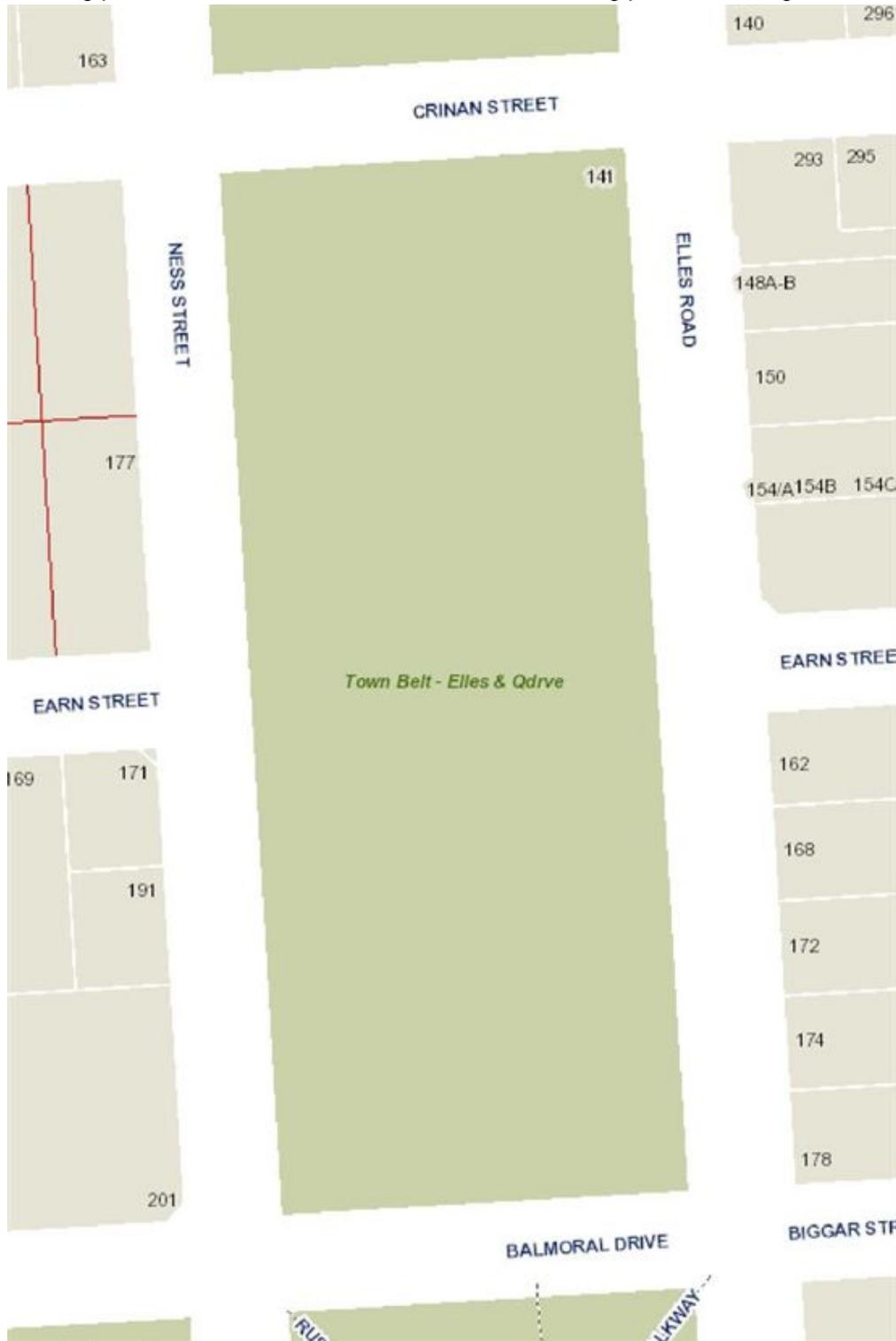
The red cross indicates playground equipment and/or a skate park and dogs are prohibited from being within 10 metres of this equipment.

The marked walkways are dog off lead areas noting the inconsistency with the current Parks Management Plans and Parks Dog Control Policy.



Elles Road

The dog park is an off lead area. All areas outside the dog park are on dog on lead areas.



Waihopai Walkway

The ICC Parks and Reserves are marked on the map below.

The walkway itself is controlled by Environment Southland.

The red crosses indicate playgrounds and are dog prohibited areas (within 10 metres).



Sandy Point

Sandy Point is a dog off lead area subject to the following restrictions.

Silver Lagoon – at the end of Round Tree Track is a dog prohibited area.

The leased areas identified below are excluded from the Council Dog Policy.



The Walkway and Walkway/Cycleway are dog off lead areas noting the inconsistency with the current Parks Management Plans and Parks Dog Control Policy.



Area of Dog Exercise/Off Lead in Bluff

The green hatch areas in Ocean Beach Reserve are a dog off leash area.



DRAFT

TO: BLUFF COMMUNITY BOARD
FROM: THE DIRECTOR OF WORKS AND SERVICES
MEETING DATE: MONDAY 14 MAY 2018

BLUFF ACTION SHEET

Report Prepared by: Russell Pearson – Roading Manager
 Robin Pagan – Parks Manager

SUMMARY

This report provides an updated list of issues identified during the inspection tour.

RECOMMENDATIONS

That the Board confirms the tasks identified from the inspection tour.

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes.
2.	<i>Is a budget amendment required?</i> None.
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> No.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> None.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> Not required.
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> N/A.

FINANCIAL IMPLICATIONS

No specific financial issues are raised by this report but some work requested does not have available budget allocations.

ACTION SHEET

The Action Sheet has been updated (*refer Appendix 1*).

The task list has been updated to represent those issues highlighted during the tour.

Work has started on the grounds at Robinson Park; levelling the outfield for next season's softball use.

The Pilot Station to Stirling Point walking track has been closed because of subsidence caused by storm tides, with work to start on repairs shortly.

Work is also about to start on gathering material from the beach erosion at the Rowing Club. This will help us determine the rate of erosion.

Dog off lead areas for Bluff is included in a separate report.

The Bluff Boat Ramp project will be updated at the meeting.

Discussion is continuing on the Bluff to Invercargill trail. The draft Government Policy Statement (GPS) for Transport has objectives which are supportive of this project. More detailed discussions will be needed to agree on how the section from Shannon Street to Stirling Point is detailed and what impacts this will have (e.g. cycle paths on Rail reserve and slower shared speed areas where cycle paths are not able to be built.)

Venture Southland is assisting in developing an application to the Tourism Investment Fund (TIF) for a Feasibility Grant. This grant will look to review the Stirling Point options. In the meantime undertaking the footpath extension is not advisable.

CONCLUSION

That this report be received.

Bluff Community Board Agenda - REPORT OF THE DIRECTOR OF WORKS AND SERVICES

Bluff Inspection Action Sheet

Item	Year	Responsibility Area	Issues	Actions	ICC Contact	Anticipated Timeframe	Completed
9	2014	Reserves/Roading	Stirling Point	Area and parking around the sign.	Robin Pagan - Russell Pearson		
13	2014	Roading	Elizabeth Street speed bump	No further action at this time.	Russell Pearson		
20	2014	Non Council	Boat ramp by museum	Consultant assisting Parks to progress the project. Have identified a number of issues. Designers (Jacobs) have been engaged and are working through the options and costings. Report planned for next meeting. 2016-2017 Annual Plan has allocated a budget for this project. Consultant to be selected. Report attached with costings.	Robin Pagan		
42	2016	Roading	Who will maintain the beautification alongside Ocean Beach Road by the tank area	Investigate options. Who is responsible for this area and the level of maintenance required has been tasked to contractor. No funding allocated in Annual Plan. Unresolved.	Russell Pearson		
47	2016	Roading	Morrison's Beach signage	Checking with NZTA about installing. Sign approved and installation in near future.	Russell Pearson	February 2018	
1	2018	Water	Leak in Bann Street embankment in vicinity of 98 Bann Street	Various means of identification of where leak originates from have been applied. Leakage identified at 96 Bann Street from inside the property has been proven. Now liaising with the property owner to repair the pipework.	Alistair Murray	March/April 2018	
2	2018	Parks	Robinson Park softball	Parks will level and soil some of the outfield this autumn. No fencing planned. Edges of hill will be treated by spraying or extra mowing. Toilet at Ocean Beach sports fields will be inspected to see if they are still serviceable and if so, key will be given to Softball to open and service them on days of play.	Robin Pagan	Oct-18	
3	2018	Parks	Ocean Beach sports fields	This area could be considered for dog off leads area. Parks to check this and consider what implications are, e.g. fences etc.	Robin Pagan		
4	2018	Parks	Rowing club beach erosion	Concern regarding erosion and glass on the beach. Parks to arrange for Corrections to pick and quantify the amount of glass and do the same again in exactly two month times. Concern re build-up of recyclable materials dumped around the Rowing Club building. Concerns regarding storage of fishing boats on the Reserve. This could be considered as a dog off lead area.	Robin Pagan		
5	2018	Parks	Boat Ramp swimming	Swimmer safety and conflict with boat use. Options need to be considered on how this can be resolved and progressed. A check will be made if ES does have a bylaw regarding swimming.	Robin Pagan		
6	2018	Parks	J G Ward Reserve	Car and vehicles are using this area as access to the back of the sections. One property has put new gate onto the reserve for access and Parks have received complaints. A joint Parks / Building consents letter will be sent to the resident. There are now 4 to 5 properties using this illegal access onto a Reserve. This needs the Board's support and residents asked to stop.	Robin Pagan		
7	2018	Parks	Foreshore Road erosion by bitumen pipeline	Roading to contact South Port and seek resolution over responsibility. Problem area by the Bitumen pipe line. South Port have been advised and acknowledge they are the current owner and have a project to consider this after July.	Russell Pearson	Jul-18	
8	2018	Parks	Bluff Hill wilding pine removal	Bluff Pest group have shown an interest in the removal of these trees. Parks have a programme in place to work on these trees. The groups Health and Safety plans and methods need to be reviewed and checked.	Robin Pagan		
9	2018	Parks	Lagan Street unformed - Noxious Plants	Some gorse on road reserve adjacent to intersection. Contractor tasked to spray.	Russell Pearson	May-18	Under action
10	2018	Roading	Sump issue	Corner Theodore and Slaney Street rubbish over grating.	Russell Pearson		Completed
11	2018	Parks	Marine Parade hedge - opposite 7 day shop	Can it be removed? Parks to check ownership and advise.	Robin Pagan		
12	2018	Parks	Stirling Point - opposite rock sign tall shrubs	If they are on reserve land they can be reduced in height to improve visibility. Will confirm and advise.	Robin Pagan		
13	2018	Roading	Henderson Street footpaths	An inspection is required.	Russell Pearson	May-18	

Last Updated

6/05/2018

Appendix 1

Business Unit **321000 - Community Boards - Bluff**

Nine months to 31 March 2018

	Mar YTD			2017 / 18	
	Actual	Budget	Variance	Remaining Budget	Budget
Staff Expenditure	17,982	18,086	(103)	6,754	24,736
Administration Expenditure	872	5,715	(4,843)	6,748	7,620
Grants & Subsidies Expenditure	29,961	29,961	0	7,539	37,500
Operational Expenditure	2,051	2,000	51	(51)	2,000
Total Expenditure	50,867	55,762	(4,894)	20,989	71,856
Operating Surplus / (Deficit)	(50,867)	(55,762)	4,894	(20,989)	(71,856)
Rates Required	50,867	55,762	(4,894)	20,989	71,856

Commentary:

Bluff Community Board is under budget year to date mainly due to lower than expected administration expenditure. All other areas are tracking to budget.