



AGENDA

Ordinary Council meeting Wednesday, 29 October 2025

I hereby give notice that an Ordinary meeting of Council will be held on:

Date: Wednesday, 29 October 2025

Time: 9.30am

**Location: Tauranga City Council Chambers, Mareanui
Level 1 - 90 Devonport Road
Tauranga**

Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: www.tauranga.govt.nz.

**Marty Grenfell
Chief Executive**

Terms of reference – Council

Membership

Chair	Mayor Mahé Drysdale
Deputy Chair	Deputy Mayor Jen Scoular
Members	Cr Hautapu Baker Cr Glen Crowther Cr Rick Curach Cr Steve Morris Cr Marten Rozeboom Cr Kevin Schuler Cr Rod Taylor Cr Hēmi Rolleston
Quorum	<u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Three weekly or as required

Role

- To ensure the effective and efficient governance of the City.
- To enable leadership of the City including advocacy and facilitation on behalf of the community.
- To review and monitor the performance of the Chief Executive.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.

- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the council-controlled organisation Boards of Directors/Trustees and representatives of Council to external organisations.
- Undertake statutory duties in regard to Council-controlled organisations, including reviewing statements of intent, with the exception of the Local Government Funding Agency where such roles are delegated to the City Delivery Committee. (Note that monitoring of all Council-controlled organisations' performance is undertaken by the City Delivery Committee. This also includes Priority One reporting.)
- Consider all matters related to Local Water Done Well.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.
- Review and monitor the Chief Executive's performance.
- Develop Long Term Plans and Annual Plans including hearings, deliberations and adoption.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

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1 OPENING KARAKIA

2 APOLOGIES

3 PUBLIC FORUM

3.1 John Heaphy - Department of Conservation

ATTACHMENTS

Nil

3.2 Anna Wentsch - Western Bay Wildlife Trust

ATTACHMENTS

Nil

4 ACCEPTANCE OF LATE ITEMS

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

6 CHANGE TO THE ORDER OF BUSINESS

7 CONFIRMATION OF MINUTES

Nil

8 DECLARATION OF CONFLICTS OF INTEREST

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Confirmation of updated minutes of the Council meeting held on 26 May 2025

File Number: A18888643

Author: Anne Payne, Principal Strategic Advisor
Jeremy Boase, Head of Strategy, Governance & Climate Resilience

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

PURPOSE OF THE REPORT

1. This report notes a correction required to one resolution in the confirmed Council meeting minutes of 26 May 2025 (Annual Plan 2025/26 Deliberations), and seeks Council confirmation of the updated minutes.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Confirmation of updated minutes of the Council meeting held on 26 May 2025".
- (b) Confirms the updated minutes (provided as Attachment 1 to this report) as the true and correct record of the Council meeting held on 26 May 2025.

DISCUSSION

2. The Annual Plan 2025/26 Deliberations meeting of Council ran from 26 to 29 May 2025, and was recorded in the Council meeting minutes of 26 May 2025. These minutes were confirmed by Council at the meeting of 26 June 2025, and are currently available on the Council Meetings page of the Tauranga City Council website.¹
3. On further quality assurance review, council staff identified an error in one part of one resolution of the confirmed minutes, as detailed below:
4. Agenda item 11.7 Annual Plan 2025/26 Deliberations - Connecting Mount Maunganui - Issues and Options Report, Resolution CO/25/14/24 part (e) (confirmed minutes page 26), currently contains the report recommendation, being:
 - e) *Notes decisions for the Detailed Business Case development to proceed will be subject to decisions of the City Futures Committee following further reporting on external funding commitments and further confirmation of IFF financing eligibility, and; new e as on proforma*
5. During the meeting, Council replaced the recommended resolution part (e) (above) with a new statement. This new part (e) was recorded by staff in a separate document, the 'pro forma' minutes referenced above, but was not transferred into the draft meeting minutes presented to Council for confirmation on 26 June.
6. The full corrected resolution is provided below, with the corrected part (e) highlighted:

¹ Council / Meetings, agendas and minutes: <https://www.tauranga.govt.nz/council/meetings-agendas-and-minutes>

11.7 Annual Plan 2025/26 Deliberations - Connecting Mount Maunganui - Issues and Options Report

Staff Chris Barton, Programme Director: Major Transport Projects
Paul Davidson, Chief Financial Officer

RESOLUTION CO/25/14/25

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Annual Plan 2025/26 Deliberations – Connecting Mount Maunganui – Issues and Options Report".
- (b) Approves a bring-forward of \$2,000,000 of expenditure (\$1,000,000 capital expenditure and \$1,000,000 operational expenditure) into the 2025/26 Annual Plan from the 2027/28 FY to fund and progress the Connecting Mount Maunganui Detailed Business Case.
- (c) Notes that a further bring-forward of \$1,000,000 of expenditure (\$500,000 capital expenditure and \$500,000 operational expenditure) into the 2026/27 Annual Plan will be required to complete the Detailed Business Case. Note \$500k currently budgeted in 2026/27, so bring forward of \$1m will result in \$1.5m total budget in the 2026/27 FY.
- (d) Notes financing for the full expenditure will be budgeted via the Infrastructure Funding and Financing Levy (IFF), resulting in no rates impact and no additional IFF Levy impact.
- (e) Continues to seek further funding partners including both commercial and government for the detailed business case and report back on progress to the City Future Committee;
- (f) Notes Council is required to notify the Local Government Funding Agency of any roading projects that are not funded by NZTA for their consideration.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Abstained: Cr Hautapu Baker

CARRIED

7. This corrected resolution is included on page 21 of the full set of updated minutes, which are provided as **Attachment 1** to this report. Staff sincerely apologise for this oversight.
8. To improve readability, some minor formatting changes have also been made within the updated minutes document. None of these minor formatting changes affect the substantive content of the minutes.
9. Please note that the updated minutes do not contain an 'unconfirmed' watermark because they are intended to replace the already-confirmed minutes.
10. Council is now asked to confirm the updated minutes (**Attachment 1** to this report) as the true and correct record of the Council meeting of 26 May 2025.

NEXT STEPS

11. Once confirmed, the updated minutes (**Attachment 1** to this report) will replace the currently available confirmed minutes on the council website.

ATTACHMENTS

1. Minutes of Council meeting Monday, 26 May 2025 (updated) - A18995882 [↓](#) 



MINUTES

**Ordinary Council meeting
Monday, 26 May 2025**

Ordinary Council meeting minutes

26 May 2025

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	Nil	
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	Nil	
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	Nil	
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	Nil	
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	Nil	
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26 May 2025

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, LEVEL 1 - 90 DEVONPORT ROAD,
TAURANGA
ON MONDAY, 26 MAY 2025 AT 1PM (ANNUAL PLAN DELIBERATIONS) 26 - 29 MAY
COUNCIL**

MEMBERS PRESENT: Mayor Mahé Drysdale (Chair), Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Hēmi Rolleston, Cr Marten Rozeboom, Cr Kevin Schuler (via teams), Cr Rod Taylor,

IN ATTENDANCE: Marty Grenfell (Chief Executive), Paul Davidson (Chief Financial Officer), Barbara Dempsey (General Manager: Community Services), Nic Johansson (General Manager: Infrastructure), Alastair McNeill (General Manager: Corporate Services), Sarah Omundsen (General Manager: Regulatory & Compliance), Gareth Wallis (General Manager: City Development & Partnerships), Jeremy Boase (Acting General Manager: Strategy & Growth), Kathryn Sharplin (Manager: Finance), Tracey Hughes (Financial Insights & Reporting Manager), Susan Braid (Finance Lead Projects Assurance), Jim Taylor (Manager: Rating Policy & Revenue), Alison Law (Manager: Spaces & Places), Ross Hudson (Strategic Planning & Partnerships), Mike Seabourne (Head of Transport), Karen Hay, (Manager: Network Safety & Sustainability), Chris Barton (Programme Director: Major Transport Projects), Will Hyde (Senior Transportation Engineer, Wally Potts (Director of City Waters) Stephen Burton (Transformation Lead – Water Services), Stacey Mareroa-Roberts (Manager: Strategic Māori Engagement), Janine Speedy (Team Leader: City Planning), Andrew Mead (Manager: City Planning & Growth), Ben Corbett (Team Leader Growth Funding), Carl Lucca (Team Leader: Structure Planning), Cashy Ball (Programme Manager & Advisor), Shawn Geard, (Centre City Infrastructure Lead), Reece Wilkinson (Parking Strategy Manager), Emily McLean (Programme Leader: city Development), Clare Sullivan (Team Leader: Governance Services), Caroline Irvin (Governance Advisor)

EXTERNAL: Paul Dunphy, Bay Venues

Timestamps are included beside each of the items and relate to the recording of the meeting held 26 – 29 May 2025 which can be found on [Council Website](#).

1 OPENING KARAKIA

Cr Rolleston opened the meeting with a karakia

2 APOLOGIES

Nil

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3 PUBLIC FORUM

3.1 Neil Pollett – Demographically Sound Survey

Mr Pollett commented on the demographically-sound survey and the use of such surveys alongside submissions received from the public.

3.2 Tim Maltby

Tim Maltby commented on issues regarding the establishment of a Council-Controlled Organisation (CCO) for Local Water Done Well. Positions on the board of a CCO should be based entirely on merit.

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

The Chair advised the following changes to the order of business:

- Item 11.4 'Aquatic Projects Update and Next Steps' was taken at 1pm on Tuesday 27 May.
- Item 11.3 'Annual Plan 2025/26 Deliberations - Spaces and Places – Issues and Options Papers' was accepted as a late item on Wednesday and addressed on Thursday at 9.16am after the meeting resumed in open.
- Item 11.5 'Local Water Done Well Deliberations' was taken at 11.30 am on Wednesday 28 May 2025.
- There were other changes to the order of business to allow the meeting to flow without interruption.

7 CONFIRMATION OF MINUTES

Nil

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

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10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

Timestamp: 18

11.1 Annual Plan 2025/26 - Consultation and submission summary

Staff Jeremy Boase, Manager: Strategy & Corporate Planning
Ceilidh Dunphy, Community Relations Manager

RESOLUTION CO/25/14/1

Moved: Mayor Mahé Drysdale

Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "Annual Plan 2025/26 - Consultation and submission summary".

CARRIED

Timestamp: 57

11.2 Executive Report to the 2025-26 Annual Plan

Staff Paul Davidson, Chief Financial Officer
Kathryn Sharplin, Manager: Finance
Tracey Hughes, Financial Insights & Reporting Manager

Please refer to Thursday 29 May pg. 35 of the minutes for the remaining resolutions.

RESOLUTION CO/25/14/2

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Executive Report to the 2025-26 Annual Plan".

CARRIED

Ordinary Council meeting minutes

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Timestamp: 1:27

11.3 Annual Plan 2025/26 Deliberations - Spaces and Places - Issues and Options papers

Staff Barbara Dempsey, General Manager; Community Services
Alison Law, Manager: Spaces & Places
Ross Hudson, Manager: Strategic Planning & Partnerships

RESOLUTION CO/25/14/3

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Annual Plan 2025/26 Deliberations - Spaces and Places - Issues and Options papers".

CARRIED

11.3 (b), (c), and (k)

The resolutions for these items can be found on the following pages:

- Page 33
(b) Provision of temporary toilets at Blake Park for Winter Netball season (Attachment 1)
- Page 33
(c) Mt Maunganui Cricket Club proposed pavilion and changing rooms (Attachment 2)
- Page 37
(k) Development of Pāpāmoa shared path (Attachment 9)

Timestamp: 1:45

11.3 (d)- Multi-use Community Sports Hub at Gordon Spratt Reserve - Pāpāmoa Tennis Club (Attachment 3)

RESOLUTION CO/25/14/4

Moved: Cr Steve Morris

Seconded: Cr Marten Rozeboom

That the Council:

- (d) Endorses the vision of a multi-use community sports hub through the completion of a feasibility study and business case and requests staff work with the Pāpāmoa Tennis Club on this project.

CARRIED

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Timestamp: 1:45

11.3 (e) - Pāpāmoa Rugby – facility and potential relocation (Attachment 4)

RESOLUTION CO/25/14/5

Moved: Mayor Mahé Drysdale

Seconded: Cr Steve Morris

That the Council:

- (e) Supports Pāpāmoa Rugby Club's aspirations for a new, relocatable clubroom facility, acknowledges their interest in relocating to a future active reserve, and requests staff partner with the submitter and other stakeholders at Gordon Spratt Reserve to deliver the proposed new facilities using existing budgets.

CARRIED

At 3.14pm the meeting adjourned.

At 3.32pm the meeting reconvened.

Timestamp: 2.32

11.3 (f) - Development of a sports facility hub at Arataki Park (Attachment 5)

RESOLUTION CO/25/14/6

Moved: Cr Rick Curach

Seconded: Cr Hautapu Baker

That the Council:

- (f) Supports the development of a dedicated **multi-use** sports facility at Arataki Park and request staff work with Arataki Sports Club and other park users to progress. The result may be a budget included in the next draft long-term plan.

CARRIED

Timestamp: 2.42

11.3 (g) - Investment into development Judea Community Sport Club (Attachment 6)

RESOLUTION CO/25/14/7

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Glen Crowther

That the Council:

- (g) Notes that a portion of existing budget for sports field capacity improvement (if determined to be appropriate) will be prioritised towards the installation of lighting with additional funding to be considered following the completion of a feasibility study.

CARRIED

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Timestamp: 3:00

11.3 (h and i) - Funding for ARGOS Gym Sports for new kitchen and café facility (Attachment 7)

RESOLUTION CO/25/14/8

Moved: Cr Rick Curach
Seconded: Mayor Mahé Drysdale

That the Council:

- (h) Declines the funding request of \$67,000.

For: Mayor Mahé Drysdale, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Hēmi Rolleston, Cr Marten Rozeboom, Cr Kevin Shuler

Against: Deputy Mayor Jen Scoular, Cr Rod Taylor

In accordance with resolution CO/25/19/2 of the Council meeting minutes from 26 June 2025, resolution i has been deleted.

CARRIED

Timestamp: 3:09

11.3 (j) -Funding for upgrade of third green at Bowls Matua (Attachment 8)

RESOLUTION CO/25/14/9

Moved: Mayor Mahé Drysdale
Seconded: Deputy Mayor Jen Scoular

That the Council:

- (j) Declines funding of \$180,000 for Bowls Matua and recommends that staff work with bowling clubs across Tauranga to understand how to optimise their facilities and funding.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Rick Curach, Cr Steve Morris, Cr Hēmi Rolleston, Cr Marten Rozeboom, Cr Kevin Shuler, Cr Rod Taylor

Abstain: Cr Glen Crowther

CARRIED

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Timestamp: 3.46

Item 11.3 (l) - Additional funding to support paid lifeguard services at Tay Street beach (Attachment 10)

RESOLUTION CO/25/14/10

Moved: Mayor Mahé Drysdale

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (l) Approves an increase of \$16,080 in the 2025/26 annual grant to Surf Life Saving New Zealand to provide additional paid lifeguard service at Tay Street beach.

CARRIED

Timestamp: 3.50

11.3 (m) - Funding for a SEATRAC sea access device (Attachment 11)

RESOLUTION CO/25/14/11

Moved: Cr Hautapu Baker

Seconded: Cr Rod Taylor

That the Council:

- (m) Acknowledges the potential value of the SEATRAC system and requests staff work with the submitter to prepare a feasibility study to inform any future investment in the system.

CARRIED

Timestamp: 3.53

11.3 (n) - Funding for Nature and Biodiversity Initiatives (Attachment 12)

RESOLUTION CO/25/14/12

Moved: Cr Rod Taylor

Seconded: Cr Hautapu Baker

That the Council:

- (n) Retains the Nature and Biodiversity AIP budget at \$800,000 per annum.

CARRIED

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RESOLUTION TO ADJOURN MEETING

RESOLUTION CO/25/14/13

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

- (a) Adjourns the meeting until 9.00am on Tuesday 27 May 2025.

CARRIED

Cr Hēmi Rolleston closed the meeting with a karakia.

Ordinary Council meeting minutes

26 May 2025

**CONTINUATION OF THE ANNUAL PLAN DELIBERATIONS MEETING
ON TUESDAY, 27 MAY 2025 AT 9.02AM IN THE TAURANGA CITY COUNCIL CHAMBER,
LEVEL 1, 90 DEVONPORT ROAD, TAURANGA**

KARAKIA

Cr Hautapu Baker opened the meeting with a karakia.

11.6 Annual Plan 2025/26 Deliberations - Other issues and options papers

Staff Mike Seabourne, Head of Transport
Karen Hay, Manager: Network Safety & Sustainability
Andrew Mead, Manager: City Planning & Growth

Timestamp: 3

11.6 (b) - Pāpāmoa Primary School request for Parton Rd footpath widening (Attachment 1)

RESOLUTION CO/25/14/14

Moved: Cr Steve Morris
Seconded: Cr Rick Curach

That the Council:

- (a) Receives the report "Annual Plan 2025/26 Deliberations - Other issues and options papers".
- (b) Widens the 105m section of Parton Road path along the eastern boundary of Pāpāmoa Primary School, between the zebra crossing and Dickson Road, to achieve an effective width of at least 1.8 metres, funded within the approved Transport budget.

CARRIED

Timestamp: 20

11.6 (c)-(h) - Vale Street – Request for pathway between Landscape Road and Bureta Road and additional pedestrian crossing facilities (Attachment 2)

RESOLUTION CO/25/14/15

Moved: Cr Glen Crowther
Seconded: Mayor Mahé Drysdale

That the Council:

- (c) Requests staff to collaborate with the submitter, who has offered to develop an early

Page 12

- design for a path on the northern side of Vale Street (along the golf course) at no cost.
- (d) Requests that the outcome of this investigation be reported to the September City Future Committee meeting.
 - (e) Work with schools and community to understand pedestrian demand at various locations to support accessibility and safety to and from school.
 - (f) Ensures that the outcomes of these investigations are shared with the submitters, and that, where feasible, the projects are to be prioritised within the transport capital programme against other projects to determine their priority.
 - (g) Allocates \$10,000 operational expenditure to support further investigation into accessible crossing facilities between Vale Street and Pillans Point School, noting that the majority of work will be undertaken using in-house capability.
 - (h) Adds these projects to the Community Response Programme, where they may be progressed if there is available budget within the transport programme.

CARRIED

Timestamp: 37

11.6 (i)-(j) - Public Place Recycling Bins and Charity Waivers (Attachment 3)

RESOLUTION CO/25/14/16

Moved: Cr Hautapu Baker

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (i) Reduce the number of co-mingled and glass recycling bins by converting to general waste bins and implement enhanced education.
- (j) Retains the Charity Waiver Programme and completes the ongoing review.

CARRIED

11.6 (k) - Proposal from Creative Bay of Plenty (Attachment 4)

Please refer to page 34 for the resolution for this item.

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Timestamp: 1:26

11.6 (l) - Transport Connections for Welcome Bay and Ohauiti Suburbs (Attachment 5)

RESOLUTION CO/25/14/17

Moved: Cr Hautapu Baker
Seconded: Cr Marten Rozeboom

That the Council:

- (l) Approves staff undertaking a high-level study (in-house) and initiate discussions with key partners identified in the report.

CARRIED

Timestamp: 1:41

11.6 (m)-(n) - Funding for Papakāinga Developments (Attachment 6)

Action:

That staff schedule a workshop on support for Papakāinga Developments.

RESOLUTION CO/25/14/18

Moved: Mayor Mahé Drysdale
Seconded: Cr Rod Taylor

That the Council:

- (m) Allocates \$400,000 to establish a Council managed fund focused on assisting Tangata Whenua to progress papakāinga development being \$200,000 in 2025/26 funded from the unapplied allocation of elder housing proceeds included in the 2024/25 budget with a review before allocating a further \$200,000 in 2026/2027 also funded from the elder housing sale proceeds.
- (n) Approves staff also undertaking further work to identify the criteria on when and how the fund will be allocated to provide assistance for tangata whenua to overcome current barriers to develop papakāinga.

CARRIED

At 11.07am the meeting adjourned.

At 11.20am the meeting reconvened.

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Timestamp: 2:21

11.7 Annual Plan 2025/26 Deliberations - Connecting Mount Maunganui - Issues and Options Paper

Please refer to page 21 for the resolutions for this item.

Timestamp: 2:42

11.11 Transport Resolutions Report No.55

Staff Karen Hay, Acting Manager: Safety and Sustainability
Will Hyde, Senior Transportation Engineer

RESOLUTION CO/25/14/19

Moved: Cr Rod Taylor
Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Transport Resolutions Report No.55".
- (b) Resolves to amend the Traffic and Parking Bylaw 2023 by adopting the proposed traffic and parking controls relating to new subdivisions and minor changes for general safety, operational or amenity purposes, as per Attachment A of this report.
- (c) The changes are to become effective on or after the 26th of May 2025 subject to installation of appropriate signs and road markings, where appropriate.

CARRIED

MOTION TO TRANSFER PUBLIC EXCLUDED ATTACHMENT INTO THE OPEN SECTION OF THE MEETING

RESOLUTION CO/25/14/20

Moved: Mayor Mahé Drysdale
Seconded: Cr Glen Crowther

That publicly excluded attachment 7 – 'Accessible Properties' be transferred into the open section of the meeting.

CARRIED

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11.6 (0) and 13.1 - Attachment 7 - Accessible Properties

Staff: Andy Mead, Manager: City Planning & Growth
Carl Lucca, Team Leader: Structure Planning

RESOLUTION CO/25/14/21

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

1. Provides for supporting infrastructure investigations and planning (3-waters, movement, open space) by Council in the immediate term, to be undertaken alongside their own development planning, in line with the following:
 - (a) Commitment of staff time including planning, 3-waters, movement and open space, as appropriate.
 - (b) Scope of investigations and planning by Council shall include integrated consideration of the following matters to support delivery of medium density housing by Accessible Properties Limited and private sector within the Gate Pā area:
 - (i) Stormwater, wastewater and water supply
 - (ii) Movement, utilising existing studies and programmes developed to date
 - (iii) Open space considerations, particularly in relation to rationalising existing open space to support growth and community wellbeing
 - (iv) Engagement with Accessible Properties Limited and other key landowners in the area, as required.
 - (c) Provision of funding for the above technical investigations and planning continuing to be allocated from the \$5m previously allocated to Accessible Properties Limited, which remain in the 2027/28 year budget per the Long Term Plan (this may be brought forward in subsequent Annual Plans once timeframes are clearer). This includes a \$200,000 allocation for spend in 2025/26 which will be funded from the unutilised Housing Funds from 2024/25. This approach effectively widens the matters to which that funding can be applied.
 - (d) Establish Engagement Protocols with Accessible Properties Limited through a non-binding memorandum of understanding, in line with Accessible Properties Limited's submission and above scope. In particular, this shall align Council investigations and planning with key milestones of Accessible Properties Limited development plans.

CARRIED

At 12.19pm the meeting adjourned.

At 1.07pm the meeting reconvened.

Ordinary Council meeting minutes

26 May 2025

Timestamp: 4:08

11.4 Aquatic Projects Update and Next Steps

Staff: Alison Law, Manager: Spaces & Places
Ross Hudson, Manager: Strategic Planning & Partnerships
Cashy Ball, Program Manager: Tsunami Awareness & Advisor to the Commission

PUBLIC FORUM**1. Mount Maunganui Aquatic Trust**

Scott Bartlett, Manager
Donal Boyle, Trustee
Bevan Wood, Builder
Ian Glover, Trustee

The submitters noted the ability to build a 50 metre pool, which would be a facility for wider community. It would free up space in the Mount and wider Tauranga area. They would work with external community user groups and establish a ten year arrangement with the college. The pool would be available to user groups and other groups outside school hours.

2. Otūmoetai Working Group

Mr Matt King, Chair Otūmoetai College
Amanda Lowry

The working group noted that water safety, water knowledge and rescue was vitally important however, most pools ran at a deficit but some things must be funded and this was needed in the area. The Memorial Pool was not sufficient for the needs of the community. While there was a hoist at the Otūmoetai pool other facilities were needed for those with a disability or health problems including being able to get dressed after swimming. The building code required provision of a ramp into the pool and wet wheelchair access.

3. Suzie Edmonds

The due diligence done by the working group for the Otūmoetai Pool was acknowledged. Council and Bay Venues needed to acknowledge the effort from the community. The submitter requested a formal investigation around the previous information provided on the pool.

At 1.54pm, Cr Hautapu Baker withdrew from the meeting.

At 2.11 pm, Cr Hautapu Baker re-entered the meeting.

The motion was taken in two parts

RESOLUTION CO/25/14/22

PART 1

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Glen Crowther

That the Council:

- (a) Receives the report "Aquatic Projects Update and Next Steps"; and
- (b) Notes the updates provided through this report on:
 - (i) Memorial Park Aquatic Centre
 - (ii) Ōtūmoetai Pool
 - (iii) Mount College Pool.

Memorial Park Aquatic Centre

- (c) Notes that the site investigations currently underway for the existing Memorial Pool site (including geotechnical) will be available in early August 2025. If the results are favourable, this could present an opportunity to locate the new Memorial Aquatics Centre on that site and to retain the Queen Elizabeth Youth Centre for circa 15 years.

Ōtūmoetai Pool

- (d) Supports the Ōtūmoetai Pool Working Group's recommendations to retain and upgrade the Ōtūmoetai Pool and signals its intent to allocate indicative capital funding of \$3.28m (uninflated) in 2027/28 and \$2.43m (uninflated) in 2032/33 through the next Long Term Plan in line with those recommendations.
- (e) Notes that if the Ōtūmoetai Pool is retained in the network the Development Contributions Policy will need to be amended to reflect the implications of that decision.

Mount Maunganui College 50m pool

- (f) Confirms in-principle support for the Mount Maunganui College 50m Pool expansion proposal, including ongoing Council support to subsidise the community use of the pool, with:
 - (i) a \$4.945m initial 10-year loan-funded operational grant for the pool construction, paid to the Mount Maunganui Aquatic Centre Trust over 2025/26 (2.59m) and 2026/27 (\$2.355m), and
 - (ii) up to \$340,000 annual operational grant, based on actual net operational costs, on an ongoing basis to meet the extra cost of providing a 50m community pool, as outlined in the Mount Maunganui Aquatic Centre Trust proposal (attachment 4). Subject to: Annual Plan decisions and their impacts on the balanced budget financial benchmark, formal support for the proposal from Ministry of Education and Mount Maunganui College Board of Trustees, and the outcomes of resolution (f).
- (g) Instructs staff to continue further due diligence and financial modelling, and to work with the Mount Maunganui Aquatic Centre Trust to finalise a funding agreement that provides:
 - (i) the legal and financial framework for the upgrade and ongoing operation of a new 50m pool,
 - (ii) long-term confidence to the Mount Maunganui Aquatic Centre Trust and the Council regarding the financial sustainability of the proposal, and
 - (iii) fair, equitable and safe community use of the pool, including non-structurecommunity open use.

- (h) If resolution (e) and (f) are not successfully implemented, signal in-principle support for option 2, 33m pool expansion to a wider 33m x 25m pool in 2025/26 and 2026/27 approving:
- (i) an initial 10-year loan-funded operational grant of \$2.6 mil for construction, and
 - (ii) an ongoing operational grant of up to \$20,000 to cover the additional cost of meeting PoolSafe requirements,
- as the alternative preferred option. Subject to Annual Plan decisions and their impacts on the balanced budget financial benchmark and formal support for the proposal from Ministry of Education and Mount Maunganui College Board of Trustees.

Aquatic Network Plan

- (i) Approves the development of an Aquatics Network Plan, as outlined in this report, including targeted stakeholder engagement and broader community consultation.
 - (j) Notes that, subject to the above resolutions, staff will prepare an Aquatic Network Plan that outlines a roadmap for the future of aquatics in Tauranga, including:
 - (i) An aquatic centre at Memorial Park,
 - (ii) Retention of Ōtūmoetai Pool for at least 15 years, and
 - (iii) Support for the development of a 50m training pool at Mount Maunganui College.
- The draft Network Plan will be brought back to Council to endorse for consultation.

CARRIED

RESOLUTION CO/25/14/23

Part 2

Moved: Deputy Mayor Jen Scoular
 Seconded: Cr Glen Crowther

- (j) Notes that, subject to the above resolutions, staff will prepare an Aquatic Network Plan that outlines a roadmap for the future of aquatics in Tauranga, including:
 - (iv) Options to bring forward investment into aquatic facilities in Papamoa East and/or Tauriko .

For: Deputy Mayor Jen Scoular, Cr Glen Crowther, Cr rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Shuler

Against: Mayor Mahé Drysdale, Cr Hautapu Baker, Cr Hēmi Rolleston, Cr Rod Taylor

CARRIED

Ordinary Council meeting minutes

26 May 2025

At 3.13pm the meeting adjourned.

At 3.32pm the meeting reconvened.

Timestamp: 5:32

11.8 2025/26 Development Contributions Policy deliberations

Staff Ben Corbett, Team Leader: Growth Funding
Andy Mead, Manager: City Planning & Growth

RESOLUTION CO/25/14/24

Moved: Cr Marten Rozeboom

Seconded: Cr Glen Crowther

That the Council:

- (a) Receives the report "2025/26 Development Contributions Policy deliberations".
- (b) Approves the responses to external submissions received on the draft Development Contributions Policy 2025/26 (Attachment B).
- (c) Notes that some minor refinements have been made to the Development Contributions Policy since it was notified for consultation and that these will be included in the final Policy for Council adoption.
- (d) Notes that the proposed final Development Contributions Policy 2025/26 will be reported to Council in June 2025 for consideration and approval. This will incorporate the impact of decisions made by Council through the Annual Plan 2025/26 deliberations process.
- (e) Notes the following two matters are currently under consideration by Council and may have an impact on Development Contributions charges:
 - (i) The timing and capital expenditure budget for Cameron Road Stage 2 which will impact the Te Papa Infill catchment; and
 - (ii) The future of the Queen Elizabeth Youth Centre and Otumoetai Pool facilities which will impact the community infrastructure component of the citywide Development Contribution.

CARRIED

Ordinary Council meeting minutes

26 May 2025

11.7 Annual Plan 2025/26 Deliberations - Connecting Mount Maunganui - Issues and Options Report

Staff Chris Barton, Programme Director: Major Transport Projects
Paul Davidson, Chief Financial Officer

RESOLUTION CO/25/14/25

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report “Annual Plan 2025/26 Deliberations – Connecting Mount Maunganui – Issues and Options Report”.
- (b) Approves a bring-forward of \$2,000,000 of expenditure (\$1,000,000 capital expenditure and \$1,000,000 operational expenditure) into the 2025/26 Annual Plan from the 2027/28 FY to fund and progress the Connecting Mount Maunganui Detailed Business Case.
- (c) Notes that a further bring-forward of \$1,000,000 of expenditure (\$500,000 capital expenditure and \$500,000 operational expenditure) into the 2026/27 Annual Plan will be required to complete the Detailed Business Case. Note \$500k currently budgeted in 2026/27, so bring forward of \$1m will result in \$1.5m total budget in the 2026/27 FY.
- (d) Notes financing for the full expenditure will be budgeted via the Infrastructure Funding and Financing Levy (IFF), resulting in no rates impact and no additional IFF Levy impact.
- (e) Continues to seek further funding partners including both commercial and government for the detailed business case and report back on progress to the City Future Committee;
- (f) Notes Council is required to notify the Local Government Funding Agency of any roading projects that are not funded by NZTA for their consideration.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Abstained: Cr Hautapu Baker

CARRIED

Ordinary Council meeting minutes

26 May 2025

Timestamp: 6:17

12 PUBLIC EXCLUDED SESSION**12 Resolution to Exclude the Public****RESOLUTION CO/25/14/26**

Moved: Cr Marten Rozeboom

Seconded: Cr Hautapu Baker

That the public be excluded from the following parts of the proceedings of this meeting at 4.19 pm.

The general subject matter 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 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 for the passing of this resolution
Confidential Attachment 8 - 11.6 - Annual Plan 2025/26 Deliberations - Other issues and options papers	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

At 4.48pm the meeting reconvened in open.

KARAKIA

Cr Hautapu Baker closed the meeting with a karakia.

MEETING ADJOURNED

At 4.49 the meeting adjourned to resume at 11.32am on Wednesday, 28 May 2025.

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Ordinary Council meeting minutes

26 May 2025

**CONTINUATION OF THE ANNUAL PLAN DELIBERATIONS MEETING
ON WEDNESDAY, 28 MAY 2025 AT 11.32 AM
IN THE COUNCIL CHAMBER, LEVEL 1, 90 DEVONPORT ROAD, TAURANGA**

KARAKIA

Cr Hautapu Baker reopened the meeting with a karakia.

APOLOGY

RESOLUTION CO/25/14/27

Moved: Mayor Mahé Drysdale

Seconded: Cr Rick Curach

That the apology for absence received from Cr Steve Morris be accepted.

CARRIED

ACCEPTANCE OF A LATE ITEM

RESOLUTION CO/25/14/28

Moved: Cr Rick Curach

Seconded: Deputy Mayor Jen Scoular

That he Council:

- (a) Accepts the following late item for consideration at the meeting:

11.13: Annual Plan 2025/26 Deliberations - Further Issues and Options Papers

The above item was not included in the original agenda because it was not available at the time the agenda was issued, and discussion could not be delayed until the next scheduled meeting of the Committee because decisions were required in regard to this item.

CARRIED

Ordinary Council meeting minutes

26 May 2025

Timestamp: 6

11.5 Local Water Done Well - Deliberations

Staff Paul Davidson, Chief Financial Officer
Stephen Burton, Transformation Lead - Water Services
Kathryn Sharplin, Manager: Finance
Wally Potts, Director of City Waters

RECOMMENDATIONS

Moved: Mayor Mahé Drysdale
Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Local Water Done Well - Deliberations".
- (b) Notes the community consultation findings, as presented by this report.
- (c) Approves an integrated, three-waters approach for the delivery of water services, with all three water services (water supply, wastewater and stormwater) delivered through the same organisation.
- (d) Approves that a multi-Council Controlled Organisation continues to be the preferred model, noting that a Council workshop on the in-house developed financial model will be held in June, with the final decision on the water delivery model being made by Council prior to the finalisation of the Waters Service Delivery Plan.
- (e) Notes that Council will receive the following future reports:
 - (i) Approval of a Water Services Delivery Plan for submission to the Department of Internal Affairs by the government prescribed deadline of 3 September 2025.
 - (ii) Approval of key establishment principles / guidelines which will guide the establishment process if a multi-council controlled organisation is the final approved approach for Tauranga.
 - (iii) Notes that Council will receive an in-house developed financial model.

AN AMENDMENT WAS PROPOSED:

Moved: Deputy Mayor Jen Scoular
Seconded: Cr Rick Curach

That resolution (d) be amended as follows:

- (d) Notes that a multi-Council Controlled Organisation continues to be the preferred model, noting that a Council workshop on the in-house developed financial model will be held in June, with the final decision on the water delivery model being made by Council prior to the finalisation of the Waters Service Delivery Plan.

For: Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Hēmi Rolleston

Against: Mayor Mahé Drysdale. Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor

CARRIED

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26 May 2025

A FURTHER AMENDMENT WAS PROPOSED:

Moved: Cr Glen Crowther

Seconded: Cr Rick Curach

That new clause (e) (iv) be added to the resolution:

(iv) Further financial analysis of impacts of CCO options for both the CCO and the remaining council, including NPV analysis and any sensitivity analysis.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Hēmi Rolleston, Cr Kevin Schuler, Cr Rod Taylor

Against: Cr Marten Rozeboom

In accordance with resolution CO/25/19/2 of the Council meeting minutes from 26 June 2025, the vote against clause (e) (iv) has been amended to reflect that only Cr Rozeboom voted against.

CARRIED

The substantive motion was put to the meeting:

RESOLUTION CO/25/14/29

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Local Water Done Well - Deliberations".
- (b) Notes the community consultation findings, as presented by this report.
- (c) Approves an integrated, three-waters approach for the delivery of water services, with all three water services (water supply, wastewater and stormwater) delivered through the same organisation.
- (d) Notes that a multi-Council Controlled Organisation continues to be the preferred model, noting that a Council workshop on the in-house developed financial model will be held in June, with the final decision on the water delivery model being made by Council prior to the finalisation of the Waters Service Delivery Plan.
- (e) Notes that Council will receive the following future reports:
 - (i) Approval of a Water Services Delivery Plan for submission to the Department of Internal Affairs by the government prescribed deadline of 3 September 2025.
 - (ii) Approval of key establishment principles / guidelines which will guide the establishment process if a multi-council controlled organisation is the final approved approach for Tauranga.
 - (iii) Notes that Council will receive an in-house developed financial model.
 - (iv) Further financial analysis of impacts of CCO options for both the CCO and the remaining council, including NPV analysis and any sensitivity analysis.

CARRIED

Ordinary Council meeting minutes

26 May 2025

At 1.48pm the meeting adjourned.

At 3pm the meeting reconvened.

ACCEPTANCE OF A LATE ITEM

RESOLUTION CO/25/14/30

Moved: Cr Rick Curach

Seconded: Deputy Mayor Jen Scoular

That the Council

- (a) Accepts the following late item for consideration at the meeting:

11.14: Annual Plan 2025/26 Deliberations - User Fees & Charges - Parking

The above item was not included in the original agenda because it was not available at the time the agenda was issued, and discussion could not be delayed until the next scheduled meeting of the Committee because decisions were required in regard to this item.

CARRIED

Timestamp: 3:36

11.9 2025/26 User Fees and Charges Deliberations

Staff Paul Davidson, Chief Financial Officer
Barbara Dempsey, General Manager: Community Services

RECOMMENDATIONS

That the Council:

- (a) Receives the report "2025/26 User Fees and Charges Deliberations".
- (b) Provides transparent reporting on the street dining revenue and engages with those paying the fees on what it is being spent on.
- (c) Adopts the Licence to Occupy fees as consulted on in the draft User Fees and Charges.
- (d) To address concerns raised around the economic viability of street dining charges:
 - (i) Splits the fee into two rates, one for urban centres (Inner City Centre and Mount Mainstreet, Zones A & C), and urban centre fringes (South City Centre and Mount Central, Zones B & D),
 - or
 - (ii) Provides a 20% discount to zones where significant investment has not been

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- experienced in the last 25 years,
or
- (iii) Amends the discount to 80% for the 2025/26 Annual Plan period based on feedback of hospitality businesses struggling in the current economic climate,
or
- (iv) Defers the charging of street dining fees altogether.
- (e) Adopts the Schedule of User Fees and Charges 2025/26 contained in **Attachment 1**, with amendments from resolutions (b) and (c).
- (f) Authorises the Chief Financial Officer to make any necessary minor drafting or presentation amendments to the Schedule of User Fees and Charges 2025/26 before going to print.

A MOTION WAS PROPOSED

Moved: Cr Taylor

Seconded: Mayor Mahé Drysdale

That the Council:

- Removes (c) and (d) above.

In Favour: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Cr Glen Crowther

CARRIED

A FURTHER MOTION WAS PROPOSED

Moved: Deputy Mayor Scoular

Seconded: Cr Taylor

That the Council:

- Adds a the following resolution as a new (c): Adopts the Licence to Occupy Fees as consulted on in the draft User Fees & Charges.

CARRIED

The substantive motion was taken in two parts:

RESOLUTION CO/25/14/31

Part 1

Moved: Cr Rod Taylor
Seconded: Mayor Mahé Drysdale

That the Council:

- (a) Receives the report "2025/26 User Fees and Charges Deliberations".
- (b) Provides transparent reporting on the street dining revenue and engages with those paying the fees on what it is being spent on.
- (e) Adopts the Schedule of User Fees and Charges 2025/26 contained in Attachment 1, with amendments from resolutions (b) and c.
- (f) Authorises the Chief Financial Officer to make any necessary minor drafting or presentation amendments to the Schedule of User Fees and Charges 2025/26 before going to print.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Rick Curach, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Cr Glen Crowther

CARRIED

RESOLUTION CO/25/14/32

Part 2

Moved: Cr Rod Taylor
Seconded: Mayor Mahé Drysdale

That the Council:

- (c) Adopts the Licence to Occupy Fees as consulted on in the draft User Fees & Charges.

For: Mayor Mahé Drysdale, Cr Hautapu Baker, Cr Rick Curach, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston.

Against: Deputy Mayor Jen Scoular, Cr Glen Crowther

CARRIED

Ordinary Council meeting minutes

26 May 2025

Timestamp: 4:15

11.10 Rating Policy 2025/2026 Annual Plan

Staff Jim Taylor, Manager: Rating Policy & Revenue
Paul Davidson, Chief Financial Officer

RESOLUTION CO/25/14/33

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Rating Policy 2025/2026 Annual Plan".
- (b) Confirms the changes to the definition of Industrial rating category to exclude any rating unit with a land area less than 250m2, (*or exclusive use area less than 250m2 for cross lease or unit titles*), which will be classified in the commercial rating category.
- (c) Continues with the Long-term Plan decision to move to a fixed proportion of the general rates for each rating category and change the proportions for the residential rating category to 65%, the Commercial rating category to 15% and the industrial rating category to 20% by the 2027/28 rating year.

CARRIED

KARAKIA

Cr Hēmi Rolleston closed the meeting with a karakia.

MEETING ADJOURNED

At 4.32pm the meeting adjourned until 9 am on Thursday 29 May 2025.

Ordinary Council meeting minutes

26 May 2025

**CONTINUATION OF THE ANNUAL PLAN DELIBERATIONS MEETING
ON THURSDAY, 29 MAY 2025 AT 9.02AM
IN THE COUNCIL CHAMBER, LEVEL 1, 90 DEVONPORT ROAD, TAURANGA**

KARAKIA

Cr Hautapu Baker opened the meeting with a karakia.

The Mayor noted that Cr Morris and Cr Schuler were attending via audiovisual link.

APOLOGY**RESOLUTION CO/25/14/34**

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Rod Taylor

That the apology for lateness received from Cr Rolleston be accepted.

CARRIED**12 PUBLIC EXCLUDED SESSION****Resolution to exclude the public****RESOLUTION CO/25/14/35**

Moved: Cr Rod Taylor

Seconded: Cr Hautapu Baker

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 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 for the passing of this resolution
Confidential Attachment 7 - 11.6 - Annual Plan 2025/26 Deliberations - Other issues and options papers	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

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26 May 2025

Confidential Attachment 8 - 11.6 - Annual Plan 2025/26 Deliberations - Other issues and options papers	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
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CARRIED

At 9.07am the public were excluded from the open section of the meeting.

At 9.16 am the meeting resumed in open.

Timestamp: 16

11.13 Annual Plan 2025/26 Deliberations - Further issues and options papers

Staff Barbara Dempsey, General Manager: Community Services
Mike Seabourne, Head of Transport
Jamie Lunam, Manager: Business Alignment
Martin Taylor, Manager, Transport Network Operations
Shawn Geard, City Centre Infrastructure Lead

11.13 (b)-(c) Domain Road (Attachment 1)

RESOLUTION CO/25/14/36

Moved: Cr Steve Morris

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Annual Plan 2025/26 Deliberations - Further issues and options papers".
- (b) Directs staff progress the investigation of *Option 3: Do Something (existing land use)*, which includes refreshing the business case for inclusion of the project into the 2027-30 National Land Transport Programme for implementation in 2027/28 to 2028/29 subject to Council approval.
- (c) Directs staff to work with the submitter to investigate the option of a shared pathway.

In accordance with resolution CO/25/19/2 of the Council meeting on 26 June 2025, the years of the National Land Transport Program have been amended to correctly reflect 2027-30.

CARRIED

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Ordinary Council meeting minutes

26 May 2025

Timestamp: 47

11.13 (d) - Pāpāmoa Beach Road (Attachment 3)

RESOLUTION CO/25/14/37

Moved: Mayor Mahé Drysdale

Seconded: Cr Hautapu Baker

That the Council:

- (d) Continues to support the current road surfacing policy, recognising that it provides the long-term least-cost benefit to the ratepayer, by ensuring fit for purpose sealing is provided to all roads across the city, in a manner that continues to secure NZTA's 51% funding contribution.

CARRIED

At 10.39am the meeting adjourned.

At 10.51am the meeting reconvened.

At 10.51am, Cr Rolleston entered the meeting.

Timestamp: 1:36

11.6 (e) - Pāpāmoa park and ride (Attachment 5)

RESOLUTION CO/25/14/38

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

- (e) Does nothing at this point in time, but notes that a park and ride in Pāpāmoa will be considered within future transport network planning (Transport System Plan and Regional Land Transport Plan).

CARRIED

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Ordinary Council meeting minutes

26 May 2025

Timestamp: 1:57

11.6 (f)-(h) - Shared tsunami pathway (Attachment 7)

RESOLUTION CO/25/14/39

Moved: Cr Glen Crowther

Seconded: Cr Rod Taylor

That the Council:

- (f) Adopt Option 3 (Implemented targeted interim improvements and provides recommendations on capital expenditure in time for inclusion in the 2027-2037 Long-term Plan) which includes continuing to work with the community working party to implement, review and educate the community, while reviewing capital options to a timeline that ensures the new modelling and recommendations are consistent, for including a budget into the 2026/27 Annual Plan and 2027-2037 Long-Term Plan.
- (g) Engage proactively with the developer to provide options for connections from Papamoa East Interchange into the Bell Road area
- (h) Investigate any synergies between any agreed legs of the proposed Eastern Arterial Cycleway and evacuation routes for consideration for the 2027 Bay of Plenty Regional Land Transport Plan and funding via the 2027 National Land Transport Fund.

CARRIED

Timestamp: 2:28

11.14 2025/26 User Fees and Charges Deliberations - Parking

Staff Nic Johansson, General Manager: Infrastructure
Shawn Geard, City Centre Infrastructure Lead
Reece Wilkinson, Parking Strategy Manager

RESOLUTION CO/25/14/40

Moved: Cr Rod Taylor

Seconded: Cr Kevin Schuler

That the Council:

- (b) Approves Adoption of rates as detailed within the table noted within Option 1 (Standardised with differing all day rates)
- (c) Authorises the Chief Financial Officer to make any necessary minor drafting or presentation amendments to the Schedule of User Fees and Charges 2025/26 before going to print.

For: Mayor Mahé Drysdale, Cr Hautapu Baker, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Deputy Mayor Jen Scoular and Cr Glen Crowther

CARRIED

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Ordinary Council meeting minutes

26 May 2025

At 12.10pm the meeting adjourned.

At 12.54pm the meeting reconvened.

11.3 Annual Plan 2025/26 Deliberations - Spaces and Places - Issues and Options Papers (continued)

Staff Barbara Dempsey, General Manager; Community Services
Alison Law, Manager: Spaces & Places
Ross Hudson, Manager: Strategic Planning & Partnerships

Timestamp: 3:37

11.3 (b) - Provision of temporary toilets at Blake Park for Winter Netball season (Attachment 1)

RESOLUTION CO/25/14/41

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Rod Taylor

That the Council:

- (b) Notes that Council can provide additional facilities at Blake Park within existing Council budgets and acknowledges offers of donations made by the public.

CARRIED

Timestamp: 3:42

11.3 (c) - Mt Maunganui Cricket Club proposed pavilion and changing rooms (Attachment 2)

RESOLUTION CO/25/14/42

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Glen Crowther

- (c) Notes that Council can provided the additional facilities for the Mount Maunganui Cricket Club at Blake park within existing Council budgets and acknowledges offers of donations made by the public

CARRIED

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11.3 (k) - Development of Pāpāmoa shared path (Attachment 9)

Please refer to page 37, resolution (k), of the minutes for this item.

11.6 Annual Plan 2025/26 Deliberations - Other Issues and Options Papers (continued)

Staff Barbara Dempsey, General Manager: Community Services

Timestamp: 4.20

11.6 (k) - Proposal from Creative Bay of Plenty (Attachment 4)

A MOTION WAS PROPOSED

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Rod Taylor

That the Council:

- (k) Approves an increase of \$77,500 in the annual grant to Creative Bay of Plenty for the 2025/2026 financial year with a review in late 2025 to coincide with the review of funding partnership agreements.

For: Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Hēmi Rolleston, Cr Rod Taylor

Against: Mayor Mahé Drysdale, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Shuler.

DECLARED LOST

At 2.13pm the meeting adjourned.

At 2.23pm the meeting reconvened.

Timestamp: 4:35

11.2 Executive Report to the 2025-26 Annual Plan (continued)

Staff Paul Davidson, Chief Financial Officer
Kathryn Sharplin, Manager: Finance
Tracey Hughes, Manager: Organisational Financial Performance and Corporate Planning

A MOTION WAS PROPOSED

Moved: Mayor Mahé Drysdale

Seconded: Cr Rod Taylor

That the Council:

- (b) Agrees to the following changes to annual plan operational budgets from the draft annual plan to reduce Council expenditure by a further \$10m to \$589m, which brings the overall rates increase for the annual plan to 9.9% after growth. These adjustments include the following:
 - i. reductions in operational expenditure of \$9.85m, which are a net result of the reset savings partially offset by corrections and other cost adjustment updates as summarised in Attachment 1.
 - ii. an additional \$156k to fund Bay Venues Limited to continue to operate the indoor sports centre at Memorial Park.
- (c) Agrees to amendment to the capital programme as outlined in Attachment 3, with the revised programme sitting at \$498m including loan funded projects reported as operational costs.
- (d) Notes the revised financials after all impacts from b and c above with total expenditure of \$589m, total revenue of \$636m, total capital of \$498m, an overall rate increase of 9.9% and net debt at 30 June 2026 of \$1.65b.
- (e) Notes that resolutions (b) to (d) are subject to any changes that occur through other reports during deliberations
- (f) Notes the revised balanced budget will continue to exceed 100% and meets the Local Government Funding Agency (LGFA) requirements for a bespoke covenant.
- (g) Notes that the key financials in this report do not include additional budget requested for the potential Ratepayer Assistance Scheme (RAS) investment. It also excludes the impact of decisions sought from the community as presented in issues and options reports and other matters to be considered through deliberations.
- (h) Approves \$500,000 funding to support ongoing development of the Ratepayer Assistance Scheme (RAS) subject to Council approval of the scheme on 10 June 2025.
- (i) Notes that this funding will be accounted for as capital on the basis the RAS will be established, and this contribution forms part of an equity share in the RAS.
- (j) Notes that further work is required to assess the risks and priorities in the digital services budget. This may lead to the need to amend budgets throughout the year. This will be delivered within the overall Annual Plan budgets and be brought to the City Delivery Committee for approval.

Ordinary Council meeting minutes

26 May 2025

AN AMENDMENT WAS PROPOSED

Moved: Cr Glen Crowther

Seconded: Cr Rick Curach

That resolution (c) be amended as follows:

- Reduces the Public Art Framework budget funding from \$1,657,696 (being 0.5% of the Capital Expenditure excluding Water capex) to no more than 0.25% of eligible capital spend.

In accordance with resolution CO/25/19/2 of the Council meeting on 26 June 2025, 0.50% has been corrected to 0.5%

For Cr Glen Crowther and Cr Rick Curach

Against: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

DECLARED LOST

A FURTHER AMENDMENT WAS PROPOSED

Moved: Cr Steve Morris

Seconded: Mayor Mahé Drysdale

That the Council:

- Delivers the Papamoa shared Pathway – Parton Road to Taylor Reserve within the \$498m capital programme envelope at a cost of no more than \$1m.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Steve Morris, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against Cr Rick Curach and Cr Marten Rozeboom

CARRIED

The substantive motion was put to the meeting:

RESOLUTION CO/25/14/43

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

- (b) Agrees to the following changes to annual plan operational budgets from the draft annual plan to reduce Council expenditure by a further \$10m to \$589m, which brings the overall rates increase for the annual plan to 9.9% after growth. These adjustments include the following:
 - (i) reductions in operational expenditure of \$9.85m, which are a net result of the reset savings partially offset by corrections and other cost adjustment updates as

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- summarised in Attachment 1.
- (ii) an additional \$156k to fund Bay Venues Limited to continue to operate the indoor sports centre at Memorial Park.
 - (c) Agrees to amendment to the capital programme as outlined in Attachment 3, with the revised programme sitting at \$498m including loan funded projects reported as operational costs.
 - (d) Notes the revised financials after all impacts from b and c above with total expenditure of \$589m, total revenue of \$636m, total capital of \$498m, an overall rate increase of 9.9% and net debt at 30 June 2026 of \$1.65b.
 - (e) Notes that resolutions (b) to (d) are subject to any changes that occur through other reports during deliberations
 - (f) Notes the revised balanced budget will continue to exceed 100% and meets the Local Government Funding Agency (LGFA) requirements for a bespoke covenant.
 - (g) Notes that the key financials in this report do not include additional budget requested for the potential Ratepayer Assistance Scheme (RAS) investment. It also excludes the impact of decisions sought from the community as presented in issues and options reports and other matters to be considered through deliberations.
 - (j) Approves \$500,000 funding to support ongoing development of the Ratepayer Assistance Scheme (RAS) subject to Council approval of the scheme on 10 June 2025.
 - (k) Notes that this funding will be accounted for as capital on the basis the RAS will be established, and this contribution forms part of an equity share in the RAS.
 - (l) Notes that further work is required to assess the risks and priorities in the digital services budget. This may lead to the need to amend budgets throughout the year. This will be delivered within the overall Annual Plan budgets and be brought to the City Delivery Committee for approval.
 - (m) Delivers the Papamoa shared Pathway – Parton Road to Taylor Reserve within the \$498m capital programme envelope at a cost of no more than \$1m.

CARRIED

13 CLOSING KARAKIA

Cr Hautapu Baker closed the meeting with a karakia.

The meeting closed at 2.45pm.

The minutes of this meeting were reconfirmed as a true and correct record at the Ordinary Council meeting held on 29 October 2025.

.....

Mayor Mahé Drysdale
CHAIR

11.2 Issues and Options for Dog Management Policy and Bylaw and Keeping of Animals Bylaw Review

File Number: A18204388

Author: Vicky Grant-Ussher, Policy Analyst
Brent Lincoln, Team Leader: Animal Services

Authoriser: Sarah Omundsen, General Manager: Regulatory and Community Services

PURPOSE OF THE REPORT

1. To consider the issues arising from the review of council policies and bylaws associated with dogs and animals and to provide direction on the issues and options presented in the report.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Issues and Options for Dog Management Policy and Bylaw and Keeping of Animals Bylaw Review".
- (b) Provides direction on the following issues for the purpose of developing draft policy and bylaws:
 - (i) retain existing approach to dog management in public places but review the resourcing of education and enforcement through the Long Term Plan (**Issue 1: Option C**)
 - (ii) make targeted changes to dog restrictions at public places containing or adjacent to special ecological areas identified as high priority (for example, coastal dunes, and Shark Alley) (**Issue 2: Option B**)
 - (iii) require dogs to be on leash in urban city centre spaces (including Red Square, Masonic Park, the waterfront) (**Issue 3: Option B**)
 - (iv) require dogs to be on leash on selected shared paths (for example Marine Parade Coastal Pathway, the Beach Road walkway and the Papamoa Shared Path) (**Issue 3: Option F**)
 - (v) clarify the definition of play spaces and exercise equipment to include active recreation equipment (for example, skate parks and basketball courts) (**Issue 3: Option H**)
 - (vi) prohibit dogs from parks that are fenced for accessibility and inclusion purposes (**Issue 3: Option I**)
 - (vii) prohibit dogs in all cemeteries and burial grounds (unless permitted by the cemetery manager) and require dogs to be on leash in heritage reserves where dogs are not otherwise prohibited (**Issue 3: Option L**)
 - (viii) include bylaw provisions to address issues with cats (**Issue 4: Option A**)
OR
 - (ix) do not include bylaw provisions to address issues with cats (**Issue 4: Option B**)
 - (x) add a maximum number of dogs per property (in addition to the current per person limit) (**Issue 4: Option C**)
 - (xi) add an ability for dog walkers with relevant training to request a licence from

Tauranga City Council to walk more than four dogs at a time **(Issue 4: Option D)**

OR

- (xii) retain the current limit allowing up to four dogs to be walked at a time **(Issue 4: Option E)**
 - (xiii) reduce the number of poultry that can be kept in the residential zone without a licence to 6. **(Issue 4: Option F)**
 - (xiv) require a licence to keep poultry other than chickens in the residential zone. **(Issue 4: Option G)**
 - (xv) add a general requirement for those keeping animals in Tauranga to abide by the direction of an authorised officer **(Issue 4: Option H)**
- (c) Notes that draft policy and bylaws will be prepared based on the direction provided and then provided to Council for consideration prior to adoption for consultation early next year.
-

EXECUTIVE SUMMARY

2. This report presents the findings of a comprehensive review of Tauranga City Council's Dog Management Policy and Bylaw, alongside the Keeping of Animals Bylaw. The review was initiated in response to Action 23 of the Nature and Biodiversity Action and Investment Plan, to update the Dog Management Bylaw for Tauranga City to review existing, and include additional, dog prohibited areas to protect threatened species. The review also aims to ensure alignment with statutory obligations under the Dog Control Act 1996 and the Local Government Act 2002, while responding to community feedback and operational challenges.
3. The review identifies several key issues requiring Council direction. These include the overall approach to dog management in public spaces, the protection of Special Ecological Areas (SEAs), the regulation of dogs in urban and shared spaces, the potential introduction of cat-related provisions, and various licensing and registration matters. Data collected from Tauranga City Council records and ACC statistics indicate that while dog-related incidents have increased in absolute terms, the rate of incidents relative to the dog population has remained stable. Information from external agencies such as the Department of Conservation (DOC), Forest and Bird and Western Bay Wildlife Trust (WBWT) suggests that wildlife incidents involving dogs and cats remain a concern.
4. Council staff recommend a number of targeted changes to address these issues. These include:
 - Retaining the existing approach to dog management in public places but review the approach to enforcement including the revenue and finance funding needs assessment for dog management through the LTP
 - Permanent dog restrictions be introduced in high-priority Special Ecological Areas such as Shark Alley and coastal dunes, where seasonal restrictions have proven ineffective.
 - In urban city centre spaces, including Red Square, the Waterfront and Masonic Park, dogs should be required to be on leash to reflect community preferences and mitigate risks associated with transport corridors.
 - On selected shared paths, such as the Marine Parade Coastal Pathway and Papamoa Shared Path, require dogs to be leashed to reduce conflicts between users.
 - Updates to the definition of play spaces and exercise equipment to prohibit dogs on active recreation features, and fenced parks designed for accessibility and inclusion purposes.

- Prohibiting dogs from all cemeteries and burial grounds unless permitted by the cemetery manager and requiring dogs to be leashed in heritage reserves where they are not otherwise prohibited.
- 5. The report also considers whether to introduce bylaw provisions for cats, such as requiring microchipping, desexing, and registration. While DOC, SPCA, and WBWT support such measures, enforcement under the Local Government Act is limited, and staff do not make a recommendation at this stage. Instead, continued support for desexing initiatives through community grants is proposed as an alternative.
- 6. Additional licensing recommendations include introducing a maximum number of dogs per property, requiring a licence to keep poultry other than chickens in residential zones, and reducing the number of poultry allowed without a licence to six. A general requirement for animal owners to comply with directions from authorised officers is also recommended to support responsive management of emerging issues.
- 7. Council is asked to provide direction on these options to enable staff to begin to prepare draft bylaws and policies, along with the required Statements of Proposal and section 155 analysis, for Council consideration in early 2026. This stage will include further advice on exact boundaries for areas subject to change based on the direction provided from this report. These drafts will be subject to public consultation via the Special Consultative Procedure, reflecting the high significance of the proposed changes.

BACKGROUND

- 8. The current Dog Management Policy and Bylaw and Keeping of Animals Bylaw were last reviewed in 2018². This review is an action from the Nature and Biodiversity Action and Investment Plan to update the Dog Management Bylaw for Tauranga City to review existing, and include additional, dog prohibited areas to protect threatened species. An early review also helps to better balance the bylaws work programme.
- 9. To best meet regulatory requirements the Dog Management Policy and Bylaw should be reviewed together. The Keeping of Animals Bylaw has been included in the review given the similar subject matter. To support the review a pre-engagement survey was conducted from 1 June - 30 June 2025, gathering community views on a range of topics. A summary of responses is provided in Attachment 1.
- 10. In 2025 there is around 1 dog for every 10 people in Tauranga. There are several sources of information on dog related incidents (for example Tauranga City Council tracking, ACC information, DOC reported incidents and, research reports). A summary of information on dog incidents is provided in Attachment 2. Key insights include:
 - Wildlife incidents noted by DOC, WBWT and Forest and Bird over the term of the bylaw include fatal dog attacks on a juvenile fur seal and a penguin, and evidence of cats killing diving petrel and rock pigeon.
 - Tauranga City Council records show the annual number of people attacked by dogs has slightly increased over the period of the bylaw (63 – 71) however when compared with the number of dogs the proportion has remained relatively static. The rate of people rushed at has declined (92 – 80). There was an outlier in rushing incidents in the 2024 year, with a significant increase in dog rushing complaints made to Tauranga City Council (108) which has now stabilised in 2025.
 - ACC dog related incidents and Tauranga City Council records of dog incidents have increased over the term of the bylaw, however when compared with the number of dogs the proportion has remained relatively static. It is important to note that this data includes aggression related incidents but also incidental dog injuries for example, tripping over a dog. Tauranga has a relatively high number of ACC incidents (3.22% in 2023) relative to

² The current Dog Management Policy and Bylaw and Keeping of Animals Bylaw are available to view at <https://www.tauranga.govt.nz/council/policies-and-bylaws>

registered dogs when compared to the national average of territorial authorities (2.37% in 2023) however as noted earlier this includes non-aggression related injuries.

- Dog related incidents occur in both public and private settings. One research study found around 64% of dog bite incidents happened in private settings and 36% of dog bites happened in public settings³. Public places highlighted as most likely to have a dog-related incident for adults were public streets or walkways. Another source noted streets, beaches and parks as also having a high level of dog related incidents for children⁴.
 - Research on dog bites in public places found the majority occurred when a dog was off leash prior to the incident, with a smaller portion still occurring while a dog was on leash.
11. Issues involving animals other than dogs are relatively rare (1-2 per year) and generally involve animals escaping, likely reflecting the primarily urban character of Tauranga. A summary of these incidents is provided in Attachment 2.

STATUTORY CONTEXT

12. The Dog Management Bylaw is made under the Dog Control Act 1996 and Local Government Act 2002. Offences under the Bylaw can result in infringement fines or prosecution. Section 20 of the Dog Control Act sets out the purposes for which a council may make a bylaw, which includes setting rules for dogs in public places, setting standards for animal welfare, limiting the number of dogs, confining dogs, impounding and desexing dogs in certain circumstances.
13. The Dog Management Policy is required under the Dog Control Act 1996 and compliments the Dog Management Bylaw. There are certain features required in a Dog Management Policy that are outlined in Section 10 of the Dog Control Act 1996. When adopting a Dog Management Policy, the Council must have regard to:
- the need to minimise danger, distress, and nuisance to the community generally; and
 - 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
 - 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
 - the exercise and recreational needs of dogs and their owners.
14. The Keeping of Animals Bylaw is made under the Local Government Act 2002 which does not permit infringement fines, prosecution is the only recourse to offences under this bylaw.
15. Note that any prohibition of dogs in public places do not apply to disability assist dogs as defined within section 2 and Schedule 5 of the Dog Control Act 1996.

STRATEGIC ALIGNMENT

16. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city	✓

³ Wake, A., Minot, E., Stafford, K., & Perry, P. (2009). A survey of adult victims of dog bites in New Zealand. *New Zealand Veterinary Journal*, 57(6), 364–369. <https://doi.org/10.1080/00480169.2009.60928>

⁴ Natasha Duncan-Sutherland, Mareta Hunt, Michael Shepherd, Bridget Kool, Caregiver perspectives on the value of dogs and their effects on children in private and public spaces, *Journal of Veterinary Behaviour*, Volume 78, 2025, Pages 36-44, ISSN 1558-7878, <https://doi.org/10.1016/j.jveb.2025.01.002>

- We can move around our city easily ☐
- We are a city that supports business and education ☐

17. Effective dog and animal management ensures that dogs and animals do not cause distress or nuisance to the community (particularly children), wildlife and the environment.
18. Action 23 in the Nature and Biodiversity Action and Investment Plan is to update the Dog Management Bylaw for Tauranga City to review existing, and include additional, dog prohibited areas in order to protect threatened species. The Tauranga Reserves Management Plan management statements for the Kōpūrererua Valley notes to “consider excluding dogs from significant habitat value areas in the valley”.

OPTIONS ANALYSIS

Issue 1: Overall approach to dog management in public places

19. The current Dog Management Policy sets out the general approach that dogs can be exercised unleashed in public places so long as, when circumstances require, the dog can be leashed. There are exclusions to this which include:
- streets and footpaths (leashed)
 - Pilot Bay, Mauao, Mount Maunganui (main) beach, Moturiki, and Ōtūmoetai Pa Reserve (prohibited)
 - on or 10m around play or exercise equipment (prohibited)
 - specific coastal dunes areas (leashed)
 - near surf life-saving clubs and flagged lifeguard areas (prohibited).
 - temporary restrictions for events or protecting wildlife (leashed or prohibited).
- 1.
20. This approach is intended to maximise opportunities for dogs and their owners to socialise and exercise, while minimising any potential danger, distress, or nuisance from, or caused by, dogs. This approach also allows flexible use of available open space, which is particularly useful in areas of the city with gaps in open space provision (for example, Te Papa South) and to take advantage of multiple uses of open space (for example, grass sports fields, stormwater reserves, coastal reserves).
21. The current approach to enforcing restrictions on dogs in public places relies on most residents adhering to the rules. Enforcement of breaches of the bylaw are targeted to reported incidents and through occasional proactive patrols. Infringement fines can be issued for those not adhering to rules, however resourcing constraints limit the level of active enforcement possible. Feedback through the pre-engagement survey noted that enforcement was a key concern, particularly for non-dog owners. This feedback was echoed by DOC, Forest and Bird, and the WBWT who noted that active education and enforcement would help support wildlife protection.
22. Currently, Animal Services resources aimed at dog management are primarily funded through user fees and charges (approximately 90%), with a small contribution from general rates (approximately 10%)⁵. At present animal services use a modern regulatory approach to compliance focussing on responding to highest risk areas and leveraging community partners, education and outreach to influence wider behaviour. Survey responses suggest that compliance measures are important to non-dog owners and dog owners alike. Greater education and enforcement is also important to support environmental outcomes outlined in paragraphs 25 to 30. At present the resourcing of dog related education and enforcement is restricted by the difficulties in raising additional fee revenue to cover the cost. Reviewing Tauranga City Council’s Funding Needs Assessment to consider the appropriate balance of

⁵ Animal Services work aimed at animal management other than dogs is 100% rate funded.

user fee revenue to rates revenue for the activities may allow for additional resourcing for education and enforcement to be further considered⁶.

23. The animal services team also provides education and awareness raising events throughout the year to help encourage responsible dog ownership and reduce dog related incidents. In the 2024/25 year Tauranga City Council delivered bite prevention education to 260 students across four schools. Through community grant funding Tauranga City Council funds the SPCA to provide desexing vouchers to those in hardship. Twelve dogs were desexed between October 2024 and March 2025. This included several situations where an applicant was living with a dog in a vehicle.
24. In the workshop on user fees and charges on 9 October 2025 the Council asked for further advice on a responsible dog ownership scheme. Depending on the design of such a scheme this may help address dog management issues. Although there is little evidence of the effectiveness of such schemes, desexing dogs has been linked to lower aggression and roaming behaviour. Both the SPCA and the NZ Veterinary Society support a responsible dog ownership scheme. The existing bylaw and policy drafting would enable Council to introduce a responsible dog ownership scheme.

Table One: General approach to dog management

Options	Advantages	Disadvantages
Option A: Retain existing approach to dog management in public places	• Avoids additional costs and resources required to change approach (e.g. signage, communication campaigns). • Community is aware of the existing rules. • Uses education programmes and targeted funding to help reduce dog related incidents. • Maximises opportunities for dogs and their owners to socialise and exercise off leash. • Continues to provide some dog free spaces to the community (Mount, Main Beach, Pilot Bay etc) and parts of spaces (e.g. play spaces).	• Research suggests public dog related incidents were with off leash and unsupervised dogs so default off-leash approach may be contributing to incidents.

⁶ Note these issues were recently discussed in greater detail in the Council workshop on user fees and charges on 9 October 2025.

Option B: Consider classifying dog access rules to every open space as permitted, leash control or prohibited	• May give more certainty to open space users as to whether dogs will be present in open space and/or leashed. • Research suggests public dog related incidents were with off leash and unsupervised dogs so reducing off-leash opportunities may reduce incidents. • May reduce conflicts between dogs and other users.	• Is a significant change in approach and requires planning to identify permitted, leash and prohibited areas and significant communications to the community. • Likely to limit opportunities for dogs and their owners to socialise and exercise off leash (which is important to manage dog behaviour and support activity goals). • May still have issues where people do not follow the rules.
Option C: Retain existing approach to dog management in public places but review the resourcing of education and enforcement through the LTP (recommended)	• Opportunity to reconsider the Funding Needs Assessment given the survey results suggesting dog management is important to non-dog owners and dog owners alike. • Greater funding for enforcement could result in better awareness and compliance with existing rules and support overall compliance through perceptions of enforcement. • Would support any changes to further educate or enforce restrictions put in place for wildlife. • Supported by DOC.	• Greater enforcement may not fully address conflicts with other users as enforcement is still unlikely to be present at all times.

Issue 2: Special Ecological Areas

25. A Special Ecological Area (SEA), is a protected geographic area identified in the City Plan for its significant ecological value, such as indigenous vegetation, fauna habitats, and biodiversity. SEAs may be on private or public land. Several SEAs within Tauranga intercept public land and open spaces where dogs can be exercised.
26. Currently a range of non-regulatory approaches are being used to enhance and protect wildlife values in Special Ecological Areas. These include:
 - providing information that raises awareness of the value of these areas
 - pest control, including smart traps that target feral cats
 - community funding grants to the SPCA to implement desexing vouchers to low-income households (from October 2024 to March 2025 12 dogs and 41 cats were neutered)
 - temporary restrictions under the bylaw during breeding seasons.
27. The current temporary restrictions are used to prohibit dogs in Shark Alley⁷ during the dotterel breeding season (1 August - 31 January). Both DOC and WBWT have indicated that the current seasonal restrictions are not effective in changing dog owner behaviour and given that wildlife such as seals and penguins are present year-round, would like to see permanent restrictions in this area and a buffer area around the location. They would like this to be

⁷ The beach area between Moturiki and Mussell Rock.

supported by signage and enforcement and an alternative additional accessibility pathway further along Marine Parade.

28. In the Nature and Biodiversity Action Plan, Action 23 is to update the Dog Management Bylaw for Tauranga City to review existing, and include additional, dog prohibited areas in order to protect threatened species. Legislation already exists that prohibits the killing, injury, pursuing or disturbing of wildlife by dogs, however the presence of dogs in an area can also impact wildlife. When dogs chase birds, this can impact birds' energy reserves and ability to feed and can detrimentally impact nesting success. Even the presence of dogs (without direct interference) has been shown to impact feeding rates of coastal/estuary birds due to the need to maintain surveillance which can have implications for weight gain and therefore successful migration⁸. The issue of cats and their impact on wildlife is discussed separately in paragraph 37-39.
29. Complicating the protection of SEAs from dogs, is that many are existing popular dog walking locations. These areas are often substantial walkways that offer a natural setting and therefore are sought out by residents for their wellbeing benefits. Some also provide water access areas for dogs to cool off. This includes areas such as the Waikareao Estuary, the Kōpūrererua Valley, Matua Salt Marsh, the Waimapu Estuary among others. Spaces were assessed against criteria as outlined in Attachment 3, with priority areas for change outlined in Option 2 in the table below.
30. WBWT, Forest and Bird, SPCA and commentary from the public survey advocated for creating alternative dog exercise areas to balance areas where dogs are prohibited. Given the permissive nature of our current bylaw council staff do not consider there is a need for alternative dog exercise areas. In Tauranga, almost all parks and reserves welcome dogs (for example Miles Lane, Greerton Park, and Bayfair Reserve are commonly known as areas popular for exercising dogs). Public requests for fenced dog parks are also common. At TECT Park (located in Western Bay of Plenty but part-funded by Tauranga City Council) there is a 1-hectare dog exercise area available for residents to exercise their dogs in a fenced location. Council staff have previously investigated the possibility of creating designated dog exercise areas within the city boundaries. However, this has been unsuccessful due to difficulties identifying a suitable location that was of a sufficient size and would not result in a neighbourhood losing the amenity of their local reserve⁹.

Table Two: Special Ecological Areas

Options	Advantages	Disadvantages
Option A: do not make changes to dog restrictions in public places containing or adjacent to SEAs but use an education approach in tandem with community partners to encourage behaviour change in these spaces.	• Able to share a wider ecological message on the importance of SEAs. • Less confrontational than enforcement messaging. • People may be more willing to change behaviour when those in their community champion this. • Covers all actions that may be impacting the birds e.g. cats	• People may still choose not to comply. • Not linked to enforcement.

⁸ Kedzlie, C., Ingham, M., Miratana, K., Moneda, A., & Strawbridge, K. (n.d.). *Reducing dog disturbance to wildlife: What strategies are effective to encourage responsible dog owner behaviour to protect bird life?*. University of Canterbury, Research for Resilient Environments and Communities.

⁹ Several sites across the city were considered for a smaller dog agility park, including Lake Taurikura Drainage Reserve, Gordon Carmichael Reserve, Waipuna Park and Graham Park. This would support consolidation of the two local dog agility clubs in one location. However, this did not proceed.

	and human behaviour. Retains options for dogs to cool off in warm weather.	
Option B: Make targeted changes to dog restrictions at those public places containing or adjacent to SEAs identified as high priority (coastal dunes, Shark Alley). (recommended)	- Protects wildlife and habitats from direct disturbance by dogs in key habitat areas. - Retains options to exercise and socialise dogs nearby - Supported by the SPCA. - Changes are linked to spaces that are already monitored. - Retains options for dogs to cool off in warm weather. - Recognises that council staff have put in a temporary seasonal restriction at Shark Alley for several years during dotterel breeding seasons.	- Does not address all SEAs where dogs may be impacting wildlife. - Shark Alley having year round restrictions may impact dog owners who need to use the accessibility beach mats. - May require additional resourcing as council staff will need to patrol additional areas and outside current core work hours. - Other avenues to reduce impact on wildlife (cats, pests) are not addressed.
Option C: Consider changes to dog restrictions at all public places containing or adjacent to Special Ecological Areas. This could include: - Leash restrictions - Restricting dogs to formed paths	- Protects wildlife and habitats from direct disturbance by dogs in all SEAs - Provides enforcement options for those not following the rules. - Supported by WBWT.	- Likely to significantly reduce off leash options to socialise and exercise dogs. - Would require additional resource to monitor additional areas and outside current core work hours. - Reduces options for dogs to cool off in warm weather. - Would need further work to consider Waikareao Estuary approach due to legal issues (para 42-43)

Issue 3: Community Spaces

Urban City Centre spaces

- With the development of urban spaces in the city such as Masonic Park, the waterfront and Red Square these spaces are now being used in a different way to previously. Dogs are not required to be on leash in these spaces as they are not footpaths or streets. Given the small scale of these spaces and the adjacent transport corridors off leash dogs may not be appropriate in these areas. The pre-engagement survey showed 88% of non-dog owners and 75% of dog owners agreed that dogs should be required to be on leash in city centre spaces. Current rules requiring dogs to be at least 10 metres from play equipment would apply to the waterfront playground area.

Table Three: City Centre Spaces

Options	Advantages	Disadvantages
Option A: City centre spaces remain off leash	- Dogs are able to remain off leash in city centre. - Access to the water remains for dogs to cool off. - The playground area and 10m buffer provide a dog free option.	- City Centre users may not feel comfortable around off leash dogs. - Does not reflect community preferences. - May not be appropriate for dogs to be off leash in urban spaces given surrounding environment (transport corridors).
Option B: Require dogs to be on leash in urban city centre spaces, including Red Square, Masonic Park, and the waterfront (recommended)	- Reflect community preferences. - May be more appropriate for dogs to be on leash in urban spaces given surrounding environment (transport corridors).	- Access to the water for dogs to cool off in the city would be limited. - Reduces off-leash options within the City Centre.
Option C: Require dogs to be on leash in urban city centre spaces, including Red Square, Masonic Park, but excluding the waterfront	- Reflect community preferences. - May be more appropriate for dogs to be on leash in urban spaces given surrounding environment (transport corridors). - Access to the water remains for dogs to cool off and retains an off-leash option. - Supported by SPCA.	City Centre users may not feel comfortable around off leash dogs on the waterfront. Noting that the playground area and 10m buffer provide a dog free option.

Shared paths

32. Based on transport definitions, a shared path means a path that may be used by some or all of the following persons at the same time: pedestrians, cyclists, riders of mobility devices and riders of wheeled recreational devices. The current definition of footpath in the Bylaw (requiring dogs to be on leash) does not apply to shared paths in parks and reserves. Examples include the Marine Parade Coastal Pathway, the Beach Road walkway (Kulim Park to Fergusson Park), and the Papamoa shared path. The popularity of shared paths has led to incidences where uncontrolled dogs and other users have come into conflict. The pre-engagement survey showed 83% of non-dog owners and 50% of dog owners agreed that dogs should be required to be on leash on shared paths in parks and reserves.

Table Four: Shared paths

Options	Advantages	Disadvantages
Option D: Retain current off-leash status	No restrictions for dogs and allows owners to make case by case assessment if on or off leash is appropriate for their dogs.	- Difficultly managing shared paths conflicts between cyclists, scooters, mobility device users, and dogs. - Not supported by non-dog owners, mixed support from dog owners.
Option E: Require leashing on all shared paths	- Strongly supported by non-dog owners, mixed support from dog owners. - Helps to manage shared paths conflicts between cyclists, scooters, mobility device users, and dogs. - Consistent approach to all shared paths.	- Concerns were raised around leashes causing a hazard in certain circumstances. - May restrict area for off-leash exercise for dogs due to a number of walkways in parks meeting the criteria as a shared path.
Option F: Require leashing on selected shared paths (recommended)	- Helps to manage shared paths conflicts between cyclists, scooters, mobility device users, and dogs on identified paths. - Can target restrictions to areas with greater evidence of issues. - Supported by SPCA and DOC. - More likely to retain off-leash exercise for dogs compared with option two.	Reduces consistency which may make it harder for people to know when to leash dogs.

Play spaces and exercise equipment

33. Since the previous review of these bylaws the Play and Active Recreation Action and Investment Plan has invested in a wider and more diverse range of play and active recreation features in our parks and reserves. As such the existing approach of requiring dogs to be 10m from a play space or exercise equipment does not explicitly cover some active recreation equipment.
34. Tauranga City Council is currently progressing options for fenced play spaces to support the safety of young children and those with diverse needs (approximately 2-3 across the city). As part of this planning, it has been identified that dogs may be a hazard for children in this environment. Therefore, it is proposed that these parks become dog prohibited spaces. The planning for these spaces will include consideration of alternative dog friendly spaces nearby for those that wish to use these with their dogs. Without restrictions it is possible that these spaces will be used as de-facto fenced dog parks undermining the purpose of providing a safe space for young children.

Table Five: Play spaces and exercise equipment

Options	Advantages	Disadvantages
Option G: Retain current rules (10m from play or exercise equipment)	No changes required.	- Ambiguity around what spaces are dog prohibited. - Does not support accessibility goals to provide fenced play areas for accessibility purposes.
Option H: Clarify the definition of play spaces and exercise equipment to include active recreation equipment (e.g. skate parks and basketball courts) (recommended)	- Provides greater clarity about which spaces should be dog prohibited. - Removes dogs from active recreation spaces that are likely to be highly frequented by children reducing the danger to children from dogs.	Restricts spaces, or parts of spaces that dog owners can take dogs.
Option I: Prohibiting dogs from parks that are fenced for accessibility and inclusion purposes (recommended)	- Removes dogs from spaces targeted to support the needs of young children and those with accessibility needs therefore reducing the danger to children from dogs. - Provides a choice of dog free park space for those that would like that option.	- Restricts spaces, or parts of spaces that dog owners can take dogs. - May require additional resources to implement.

Cemeteries, burial grounds and heritage reserves

35. Issues have been raised with cemetery spaces being used as spaces to exercise dogs regardless of the current cemetery rules requiring permission to have dogs in cemeteries. There has been evidence of dog fouling in these spaces. As the Pyes Pā cemetery is located within Western Bay of Plenty District, we cannot make a Bylaw that includes that area.
36. Heritage reserves contain historical features that should be protected. Dogs are prohibited from Ōtūmoetai Pa Reserve but are otherwise permitted in other heritage reserves. There are 13 heritage reserves that are not otherwise cemeteries¹⁰. The pre-engagement survey showed 44% of non-dog owners felt that dogs should not be allowed in cemeteries, heritage reserves and burial grounds, and 41% agreed they should be allowed but leashed. Among dog owners 18% felt dogs should not be allowed, with 58% agreeing that dogs should be allowed but on leash.

¹⁰ Heritage reserves other than cemeteries include: 50 Golden Sands Drive, Fantail Drive Reserve – Te Ouwe pā, Faulkner Park, Gate Pa Domain – Pukehinahina, Matiu Kauri Grove, Milford By the Sea Historic Reserve, Monmouth Redoubt, Pataka O Nga Tupuna Reserve, Pitau Road Reserve, Te Auhi Reserve, Te Pahou Reserve/Hammond Street Reserve, Teal Reserve and Omanawa Falls Reserve which is out of the district and therefore unable to be included in the bylaw.

Table Six: Cemeteries, burial grounds and heritage reserves

Options	Advantages	Disadvantages
Option J: Retain current cemetery rules, where dogs are not allowed without permission, and no standard requirement for heritage reserves	No change required.	- Does not address concerns of impact of dogs fouling in these spaces. - Not supported by non-dog owners or dog owners. - Relies on compliance with cemetery rules. - Does not address potential damage from dogs in heritage reserves.
Option K: Require leashing in all cemeteries, burial grounds and heritage reserves where dogs are not otherwise prohibited.	- Supported by non-dog owners and dog owners. - Would address impact of dogs fouling in these spaces and potential damage from dogs in heritage reserves.	- Undermines existing cemetery rules. - Reduces off leash exercise options (particularly in Te Papa South where there is a gap in open space provision).
Option L: - Prohibit dogs in all cemeteries and burial grounds (unless permitted by the cemetery manager) and; - require leashing in heritage reserves where dogs are not otherwise prohibited (recommended)	- Supports the current cemetery rules. - Supported by non-dog owners. - Would address impact of dogs fouling in these spaces and potential damage from dogs in heritage reserves.	- Not supported by dog owners. - Reduces off leash use of heritage reserves (particularly in Te Papa South where there is a gap in open space provision).
Option M: Prohibit dogs in all cemeteries and burial grounds (unless permitted by the cemetery manager) and prohibit dogs in heritage reserves	- Creates consistency across spaces. - Would address impact of dogs fouling in these spaces and potential damage from dogs in heritage reserves. - Supported by non-dog owners.	- Not supported by dog owners. - Reduces use of heritage reserves for the exercise and socialisation of dogs and owners.

Issue 4: Licensing and Registration**Regulating cats**

37. Cats are noted as an advisory pest in the Bay of Plenty Regional Council Pest Management Plan. Areas of particular concern are around Mauao and Moturiki with evidence of cats killing diving petrel and rock pigeon¹¹. Smart traps are also used in more rural areas to manage pests such as feral cats. The traps are located to avoid residential dwellings and contain technology which releases the trap when a microchip is detected.
38. At present there is no national legislation requiring cats to be desexed and registered and therefore cat provisions are enabled through Local Government Act 2002 bylaw making powers. These powers do not allow infringement fines but can be enforced through prosecution where this is in the public interest. Predator Free analysis in 2024 found 23 councils with cat related provisions in their bylaws. This included nine requiring microchipping, nine requiring desexing and 19 setting a maximum limit on the keeping of cats. As noted in paragraph 23 Tauranga City Council provided community grants to the SPCA to provide desexing vouchers for low-income households to encourage desexing.
39. DOC, SPCA and WBWT all support regulating cats, with DOC noting the impact cats have had on wildlife on Moturiki, wetland areas (particularly those with boardwalks) and the potential for feral colonies to develop.

Table Seven: Regulating cats

Options	Advantages	Disadvantages
Option A: Create bylaw provisions, for example, require cats to be registered, microchipped and neutered. no staff recommendation	- Sets a position on microchipping, desexing and registration which may encourage pet owners to comply. - Helpful to support wider use of traps without accidental injury to pet cats.	- No infringement fees are possible and the test for prosecution means that any enforcement is unlikely to be possible. - Additional administrative costs to try and encourage compliance. - Other initiatives such as desexing vouchers may be more effective.
Option B: Do not create bylaw provisions and continue to support funding to enable low-income households to neuter and microchip cats no staff recommendation	- Initiatives such as desexing vouchers may be more effective. - Does not create an expectation of enforcement that may not be able to be met. - No additional resource required.	- Does not set a position on microchipping, desexing and registration which may encourage pet owners to comply. - Does not support wider use of traps without accidental injury to pet cats.

¹¹ Western Bay Wildlife Trust; Kororā/Little Blue Penguin Research and Monitoring Report; Current trends and key threats (2023) <https://www.westernbaywildlife.nz/>

Other licensing issues

40. Several other issues have been raised related to licensing related concerns and an analysis of each issue is provided in Table Eight. A minor drafting change to clarify the ability to desex repeatedly roaming dogs is also suggested in response to SPCA feedback.

Table Eight: Other licensing issues

Options	Advantages	Disadvantages
Option C Add a maximum number of dogs per property (in addition to the current per person limit) (recommended)	Allows for a check for property suitability when multiple people have multiple dogs at a property.	Would require a joint application for a licence for dog owners in this situation.
Option D Add an ability for dog walkers with relevant training to request a licence from Tauranga City Council to walk more than four dogs at a time no staff recommendation	- Allows for dog walkers to provide for more dogs potentially reducing costs for the service. - Reflects feedback from dog walkers. - Provides an incentive for training to dog walkers. - Supported by dog owners.	- Mixed support from non-dog owners. - Requires administration to approve dog walkers and licence fee may be needed. - Current bylaw limit was introduced to control irresponsible commercial dog walkers so increasing the number may reintroduce issues.
Option E Retain the current limit allowing up to four dogs to be walked at a time no staff recommendation	- Current bylaw limit was introduced to control irresponsible commercial dog walkers and since there have been less issues raised. - Less administratively burdensome. - Mixed support from non-dog owners.	- Not supported by dog owners. - Does not reflect feedback from dog walkers. - Does not provides an incentive for training to dog walkers.
Option F Reduce the number of poultry that can be kept in the residential zone without a licence to 6. (recommended)	- Reduces the maximum number of poultry that can be kept without a licence to reflect the increasing density of urban form. - Allows more poultry with a licence where this is appropriate.	Increases administration for those with 7-12 heads of poultry and licence fee may be needed.
Option G Require a licence to keep poultry other than chickens in the residential zone.	Requires a licence for larger poultry and disruptive poultry allowing council staff to consider conditions to reduce the	- Currently no evidence of complaints in the residential zone so may not be an issue. - Increases administration for

(recommended)	possibility of nuisance.	those with poultry other than chickens in the residential zone and licence fee may be needed.
Option H Add a general requirement for those keeping animals in Tauranga to abide by the direction of an authorised officer (recommended)	- Provides an ability to respond to nuisance complaints that may not be anticipated. - Could support temporary issues (for example, requiring additional hygiene measures during avian flu outbreaks).	Public may still not comply with directive given the lack of enforcement options available under the Local Government Act 2002.

FINANCIAL CONSIDERATIONS

- Changes to dog restrictions may involve a reprioritising of enforcement resource in the short term due to the limited funding options under the current Revenue and Finance Policy other than increasing dog registration fees. In the Long-Term Plan a different balance of funding could be considered through the Funding Needs Assessment which could allow for a larger general rates contribution. At present the Funding Needs Assessment requires 70-100% of the animal services activity to be funded through user fees and charges and 0-30% through general rates and/or subsidies and grants. Changes to implement cat bylaw provisions would involve additional administrative costs and an assessment of the appropriate enforcement support required.

LEGAL IMPLICATIONS / RISKS

- The Waikareao Estuary is classified as a Wildlife Refuge under the Wildlife Act 1953 and as such the bringing of animals into the estuary is prohibited under the Wildlife Act. The exact area that is covered by the classification is provided in Attachment 4 and includes areas of the boardwalk and reserve trails. DOC have noted that at present they are not actively enforcing the requirement.
- Given that bylaws cannot conflict with other legislation, should the Council wish to consider dog regulation in this area further work will be needed to ascertain the appropriate legislative approach to any regulation.

TE AO MĀORI APPROACH

- The Environment Strategy and Nature and Biodiversity Action and Investment Plan was developed with input from Te Rangapū. The desire to enhance, protect and restore SEAs is a key part of this strategy.
- New Zealand research suggests that Māori communities are disproportionately impacted by dog related incidents as outlined in Attachment 2. The direct causal link for this is not clear, however actions to prevent and reduce dog related incidents are likely to particularly benefit Māori communities.
- Council staff meet with the Te Rangapū policy subcommittee on 16 October 2025 and summary of their feedback is attached in Attachment 5.

CLIMATE IMPACT

- Actions to reduce the impact of dogs on wildlife in SEAs will contribute to the goal of enhancing nature and biodiversity.

SIGNIFICANCE

48. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
49. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the issue.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
50. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue is of high significance.

ENGAGEMENT

51. Noting the above assessment, that the issue is of high significance, officers are of the opinion that a Special Consultative Procedure is required under the Dog Control Act 1996, together with notification to all registered dog owners within the district at the point the draft bylaw is adopted for community consultation.
52. A pre-engagement survey was undertaken in June to inform this report. Key stakeholders were also contacted to share their views on the proposed options within this report and their views have been noted within the report where relevant. Council staff meet with the Te Rangapū policy subcommittee on 16 October 2025 and summary of their feedback is attached in Attachment 5.

NEXT STEPS

53. Following the Council's direction on the Issues and Options provided in this report, council staff will prepare the draft bylaws and policy and draft Statements of Proposals (including the section 155 analysis required under the Local Government Act 2002) for consideration in early 2026. This stage will include providing further advice on exact boundaries for areas subject to change based on the direction provided from this report.

ATTACHMENTS

1. **Public pre-engagement survey - A19132584** [↓](#) 
2. **Research and statistics on dog related incidents - A19132631** [↓](#) 
3. **Assessment of high priority public places for dog regulations to protect wildlife - A19132759** [↓](#) 
4. **Waikareao Wildlife Refuge Area - A19050091** [↓](#) 
5. **Te Rangapu policy committee feedback - A19132775** [↓](#) 

Dog and animal pre-engagement survey results

From 1 June 2025 to 30 June 2025 council staff conducted a pre-engagement survey on a range of topics related to the review of the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw. The survey was timed to coincide with the dog registration period. The survey was open to the public via the Tauranga City Council Let's Talk Tauranga website and was advertised on the website pages associated with dog registration. A total of 1671 responses were received. A breakdown of responses to questions is provided below¹. Questions included a specific question and a free text field to provide further comments, comment themes are summarised under each question. Contextual information was also provided as part of the survey alongside the specific survey question.

Question One: Should we extend the area where dogs are required to be leashed to better protect coastal dunes

Respondents	All Responses	Non-Dog Owner	Dog Owner
Strongly agree	25% (420)	57% (219)	15% (190)
Agree	20% (333)	19% (74)	20% (254)
Don't know/not sure	6% (98)	3% (13)	7% (82)
Disagree	22% (362)	9% (33)	26% (325)
Strongly Disagree	27% (452)	12% (45)	32% (396)

Comments in support of restrictions:

- Concerns about unleashed dogs causing stress or harm to other dogs and people.
- Support for protecting native species like dotterels and kororā.
- Dogs seen as a threat to nesting birds and fragile dune ecosystems.
- Suggestions for leash-only zones during breeding seasons

Comments opposed to restrictions

- Concerns that restrictions will reduce quality of life for dogs and owners.
- Beach is seen as one of the few places dogs can run freely.
- Querying actual impact of dogs compared with other factors
- Querying whether stricter rules are necessary or effective.

Other comments

- Some suggest cats and humans are more damaging than dogs, children playing in dunes cited as a major issue. Quad bikes, campers, and general foot traffic seen as problematic.
- Calls for fines and monitoring of non-compliant dog owners.
- Requests for better signage and education about wildlife.
- Frustration over lack of enforcement of existing rules, beliefs that new rules won't work without proper enforcement, suggestions for roaming dog unit and calls for fines and monitoring of non-compliant dog owners.
- Emphasis on education and shared responsibility.

¹ As not all respondents answered all questions totals for individual questions may vary from the total submission numbers.

Question Two: Should dogs be required to be on leash in the other Tauranga estuaries – Waikareao, Waimapu, and Waipu Bay

All Respondents	All Responses	Non-Dog Owner	Dog Owner
Strongly agree	24% (407)	55% (214)	15% (184)
Agree	23% (381)	19% (72)	24% (301)
Don't know/not sure	8% (140)	6% (23)	9% (115)
Disagree	21% (347)	9% (36)	24% (305)
Strongly Disagree	23% (381)	10% (38)	27% (334)

Comments in support of restrictions:

- Seasonal leash rules during breeding periods are widely supported.
- Leashing is seen as a way to reduce conflicts with other users (walkers, cyclists).
- Strong support for protecting endangered species and nesting birds.
- Estuaries are sensitive habitats needing protection.

Comments opposed to restrictions

- Dogs need safe, accessible areas to run, swim, and play.
- Estuaries are valued for off-leash exercise due to limited alternatives.
- Querying whether dogs significantly impact these areas.
- Preservation should be balanced with community use.
- Some feel dogs are scapegoated unfairly.
- Concerns about losing access to valued walking areas, appreciation for current access and fear of overregulation.

Other comments

- Some argue cats and humans cause more harm than dogs.
- Education and signage are recommended to raise awareness.
- Calls for evidence-based policy and targeted restrictions.
- Fencing and boardwalks suggested to minimize disturbance.
- Signage and consistent rules across locations are needed.
- Calls for consultation and evidence before changes.
- People are seen as causing more damage than dogs. Children, cyclists, and littering cited as bigger issues.
- Education for all users, not just dog owners, is needed.

Question Three: Should dogs be required to be on leash around river mouths and inlets

All Respondents	All Responses	Non-Dog Owner	Dog Owner
Strongly agree	21% (349)	49% (188)	12% (151)
Agree	22% (363)	22% (85)	22% (274)
Don't know/not sure	8% (132)	8% (29)	8% (100)
Disagree	26% (425)	11% (43)	30% (373)
Strongly Disagree	23% (377)	9% (36)	27% (333)

Comments in support of restrictions:

- Support for protecting nesting birds and sensitive habitats.
- Seasonal leash rules during breeding periods are widely supported.
- Shared responsibility emphasized for protecting natural areas.

Comments opposed to restrictions:

- Leashing rules should be seasonal or location-specific, not blanket.
- Dogs need safe places to run, swim, and play.
- River mouths are valued for off-leash exercise due to low traffic.
- Appreciation for current access and fear of losing it.
- Some feel dogs are scapegoated unfairly.

Other comments:

- Suggestions include fenced dog parks and designated swim zones.
- Some argue cats and humans cause more harm than dogs.
- Education and signage are recommended to raise awareness.
- Calls for evidence-based policy and targeted restrictions.
- People, vehicles, and fishing cited as bigger threats than dogs, children and cyclists also contribute to disturbance.
- Education for all users, not just dog owners, is needed.

Question Four: Should dogs be required to be on leash within Kōpūrerua Valley

Response Category	All Respondents	Non-Dog Owners	Dog Owners
Strongly agree	21% (345)	50% (194)	12% (143)
Agree	24% (388)	22% (86)	24% (299)
Don't know/not sure	15% (249)	10% (38)	17% (205)
Disagree	18% (302)	9% (35)	21% (261)
Strongly Disagree	22% (365)	8% (32)	26% (323)

Comments in support of restrictions:

- Dogs should be leashed near sensitive wildlife areas or when not under control.
- Support for protecting native species and wetland restoration.
- Shared responsibility emphasized for protecting natural areas.

Comments opposed to restrictions:

- Many support leash rules only for dogs that chase wildlife or lack recall.
- Some suggest seasonal or location-specific leash requirements.
- Concerns about roaming dogs from nearby homes, not those walked responsibly.
- Enforcement should target irresponsible owners, not penalize all.
- K Valley is one of the few safe, open spaces for dogs to run off-leash.
- Many owners avoid wetlands and keep dogs on paths to prevent mess and disturbance.
- Suggestions for fencing sensitive areas and seasonal leash rules.
- Some feel dogs are scapegoated unfairly

Other comments:

- Some argue cats and humans cause more damage than dogs.
- Education and signage recommended to raise awareness.
- Mixed views on actual impact of dogs; calls for evidence-based policy.
- Suggestions to regulate other users and activities in the valley.
- Cyclists, motorbikes, and children cited as bigger threats than dogs.

Question Five: Should dogs be required to be on leash on shared paths in parks and reserves

Response Category	All Respondents	Non-Dog Owners	Dog Owners
Strongly agree	30% (501)	64% (245)	20% (244)
Agree	27% (452)	19% (72)	30% (376)
Don't know/not sure	4% (60)	2% (6)	4% (51)
Disagree	18% (291)	8% (29)	21% (257)
Strongly Disagree	21% (343)	7% (28)	25% (305)

Comments in support of restrictions:

- Dogs should be leashed in busy public areas, especially around roads and playgrounds.
- Many support leash rules for dogs without recall or when other people/dogs are nearby.
- Concerns about roaming or aggressive dogs and lack of owner control.
- Shared paths like Marine Parade are too busy for off-leash dogs.
- Concerns about children, elderly, and vulnerable users being intimidated or injured.
- Dogs running freely can cause accidents or fear, even if friendly.
- Shared paths should be safe for all users, not just dog owners.
- Some argue leash rules protect both dogs and people.
- Dogs can disturb or harm wildlife, especially in sensitive areas.
- Marine Parade and other coastal paths cited as needing protection.

Comments opposed to restrictions:

- Some argue well-trained dogs should be allowed off-leash in low-traffic areas.
- Suggestions for case-by-case or time-based leash requirements.
- Leashes can be hazardous if not managed properly around fast-moving traffic.

Other comments:

- Cyclists and scooters pose a greater risk than dogs in many cases.
- Calls for better signage, speed control, and separation of users.
- Mixed views on whether dogs or bikes are the bigger safety concern.

Question Six: Should dogs be required to be on leash in city centre spaces

Response Category	All Respondents	Non-Dog Owners	Dog Owners
Strongly agree	36% (593)	63% (238)	28% (343)
Agree	42% (687)	25% (95)	47% (582)
Don't know/not sure	2% (39)	1% (4)	3% (34)
Disagree	10% (170)	7% (26)	11% (140)
Strongly Disagree	10% (164)	4% (16)	11% (141)

Comments in support of restrictions:

- Dogs should be leashed in busy urban areas for safety and public comfort.
- Leashing is often viewed as common sense in high-traffic areas.
- Concerns about dogs near playgrounds, roads, and crowded city spaces.
- Children, elderly, and vulnerable individuals may feel unsafe around unleashed dogs.
- Urban environments are unpredictable and pose risks to dogs and people.

Comments opposed to restrictions:

- Some argue well-trained dogs should be allowed off-leash under close supervision.
- Blanket leash rules are seen as unfair by responsible dog owners.
- Comparisons to dog-friendly cities like Taupo and Rotorua.

Other comments:

- Calls for designated off-leash zones to balance freedom and control.
- Suggestions for fencing playgrounds and clearer signage.

Question Seven: Should dogs be required to be on leash in cemeteries, heritage reserves and burial grounds

Response Category	All Respondents	Non-Dog Owners	Dog Owners
Strongly agree	23% (376)	25% (97)	22% (272)
Agree	31% (518)	16% (61)	36% (449)
Do not allow dogs in cemeteries and urupā,	24% (397)	44% (168)	18% (221)
Don't know/not sure	7% (117)	5% (20)	7% (93)
Disagree	9% (154)	7% (26)	10% (126)
Strongly Disagree	6% (102)	3% (12)	7% (85)

Comments in support of restrictions:

- Dogs should be leashed in cemeteries and burial grounds out of respect.
- Leashing is seen as a safeguard against inappropriate behaviour like digging or toileting. Some mention barking or jumping as disruptive behaviours.
- Some support leash-only zones in sensitive or fragile areas.
- Aggressive or roaming dogs are seen as a threat to peace and safety.
- Cemeteries are sacred spaces and should be treated with reverence.
- Dogs urinating or defecating near graves is deeply offensive to mourners.
- Cultural and spiritual values, especially in urupā, must be respected.
- Leashing is seen as a respectful compromise.
- Visitors should feel safe and undisturbed while grieving.
- Dogs are part of the family and may grieve alongside humans.
- Many support allowing dogs to accompany owners to gravesites on leash. Dogs can provide emotional support during mourning. Some suggest exceptions for funerals or memorial visits.
- Some cemeteries are part of public walkways and should allow leashed dogs.
- Mixed views on whether dogs should be banned entirely.

Comments opposed to restrictions:

- Off-leash does not mean out of control; recall and supervision are essential.
- Responsible dog ownership is emphasized over blanket restrictions.
- Suggestions for designated dog zones or walk-through paths.
- Case-by-case assessment recommended for heritage reserves.

Other comments:

- Fencing or signage could help manage access respectfully.
- Some express confusion or lack of awareness about current rules.

Question Eight: Should dog walkers with relevant training be able to walk a higher number of dogs at any one time

Response Category	All Respondents	Non-Dog Owners	Dog Owners
Strongly agree	12% (192)	7% (27)	13% (160)
Agree	38% (630)	26% (99)	42% (516)
Don't know/not sure	12% (192)	12% (47)	11% (141)
Disagree	21% (339)	21% (80)	21% (257)
Strongly Disagree	18% (296)	33% (127)	13% (161)

Comments in support of higher limit:

- Many support requiring professional dog walkers to be licensed or certified. Suggested training includes canine psychology, breed-specific behavior, and emergency handling. Some propose council-run handler courses and inspections.
- Support for responsible dog walking and professional standards.
- Training should be mandatory for walking more than a set number of dogs.
- Off-leash privileges should be tied to location and control.
- belief experienced professionals can manage more, depending on dog size and temperament.
- Some suggest booking systems for professional walkers in shared spaces. Suggestions for visible identification (e.g., vests) for certified walkers.

Comments opposed to higher limit:

- Many respondents believe that walking more than four dogs compromises safety.
- Pack behaviour can escalate quickly, especially in public spaces.
- Even trained walkers may struggle to control multiple dogs in unpredictable situations.
- Concerns about dogs rushing others, especially reactive or leashed dogs.
- Four dogs is a reasonable maximum for one person.
- Some suggest two dogs off-leash at a time, even if more are present.
- Concerns about lack of a governing body for dog training standards.
- Concerns about intimidation and space usage on shared paths.

Other comments

- Calls for designated off-leash areas or fenced dog parks for group walks.
- Some propose fines or revoking privileges for non-compliance.

Question Nine: Should we restrict the poultry to be kept in a residential zone to allow chickens only?

Response Category	All Respondents
Strongly agree	18% (307)
Agree	27% (458)
Don't know/not sure	21% (357)
Disagree	21% (355)
Strongly Disagree	11% (185)

Comments in support of restrictions:

- Chickens, roosters, geese, and turkeys are frequently cited as noisy.
- Larger birds like emus and ostriches are considered unsuitable for small urban properties. Many support banning them due to size, space needs, and impracticality.
- Suggestions include tiered limits or permits based on land area.
- Many comments suggest limiting poultry based on section size.
- Some concerns about pigeons becoming pests or flying beyond property boundaries.
- Geese and turkeys seen as noisy.
- Suggest rural-only.

Comments opposed to restrictions:

- Pigeons are generally viewed positively, especially racing/homing pigeons.
- Ducks often seen as quiet and have egg laying potential
- Poultry seen as valuable for food security, sustainability, and lifestyle. Some view restrictions as limiting self-sufficiency.
- Concerns that stricter rules could lead to abandonment or surrender of animals.

Other comments:

- Concerns about proper care, housing, and sanitation.
- Emphasis on responsible ownership and humane treatment.
- Some suggest minimum numbers for social species like chickens.
- Some suggest regulating cats similarly to poultry.

Question Ten: Any other comments?**Dog Parks and Off-Leash Areas**

- Strong demand for more fenced, safe, and accessible off-leash dog parks.
- Concerns about lack of off-leash areas in urban zones.
- Suggestions for designated times or zones for off-leash access.
- Comparisons to other cities (e.g., Rotorua, Christchurch, Te Puke) with better facilities.

Dog Registration and Licensing

- Widespread frustration over high registration fees.
- Calls for discounts for desexed, microchipped, or well-behaved dogs and suggestions for a “responsible owner” license or reward system.
- Concerns about lack of visible benefits for paying registration.

Aggressive and Dangerous Dogs

- Reports of dog attacks or rushing on people and other animals.
- Calls for stricter enforcement, fines, and even breed-specific regulations.
- Suggestions for mandatory training or licensing for certain breeds.

Cat Control and Welfare

- Strong support for cat registration, desexing, and containment.
- Concerns about cats killing native wildlife and fouling gardens.
- Comparisons to dog regulations and calls for parity.

Enforcement and Bylaw Compliance

- Perception that current rules are not enforced.
- Requests for more visible animal control officers and patrols.
- Frustration with lack of follow-up on complaints.

Animal Welfare Concerns

- Support for better housing, care, and treatment of all animals.
- Concerns about chained or neglected dogs.

Sanitation and Cleanliness

- Frequent complaints about dog poo in public spaces.
- Requests for more bins and poo bag dispensers.
- Greater efforts needed to identify offenders.

Owner Education and Responsibility

- Calls for mandatory training or education for dog owners.
- Suggestions for public awareness campaigns and community programs.
- Emphasis on owner accountability over blanket restrictions.

Dog incident information

Figure One shows information from council records of dog aggression incidents since the bylaw was last reviewed in 2018.

Figure One: Council dog aggression statistics

Year ending 30 June	2019	2020	2021	2022	2023	2024	2025
Person attacked	63	60	50	49	63	74	71
Person Rushed at	92	104	74	76	83	108	80
Total	155	164	124	125	146	182	151
Known dogs	13,493	14,246	14,736	15,219	15,716	15,910	15,912
Aggression as a percentage of known dogs	1.1%	1.1%	0.8%	0.8%	0.9%	1.1%	0.9%

Figure Two shows information from the Department of Internal Affairs consolidated dataset of dog control statistics and compares Tauranga to a selection of other councils based on ACC incident reports. The data set includes both dog aggression incidents but also injuries by dogs generally for example, tripping over a dog. It is important to recognise that establishing a causal link between reported dog incidents and dog management strategies can be challenging, as regional differences often influence how easily dogs can be managed within a district. For example, both Western Bay of Plenty District Council and Tauranga City Council have similar approaches within their Dog Management Policy and Bylaws but different ACC incident results.

Figure Two: ACC Dog control statistics comparisons

Dog incidents recorded / % of incident per registered dogs							
Year	Tauranga City		Western Bay		Hamilton		Rotorua
2016	449	(3.82%)	104	(1.32%)	480	(4.98%)	336 (2.99%)
2017	488	(3.99%)	114	(1.35%)	466	(4.41%)	325 (2.86%)
2018	493	(3.88%)	109	(1.24%)	555	(6.12%)	355 (3.10%)
2019	432	(3.33%)	94	(1.35%)	455	(4.67%)	313 (2.84%)
2020	412	(3.07%)	78	(0.86%)	409	(3.58%)	303 (2.84%)
2021	490	(3.54%)	99	(1.04%)	460	(3.66%)	263 (2.32%)
2022	471	(3.21%)	78	(0.98%)	412	(3.28%)	286 (2.42%)
2023	484	(3.22%)	103	(1.50%)	514	(4.61%)	303 (2.72%)

A 2022 New Zealand research study looking at the period from 2014-2019 found an increasing trend in dog related injuries and hospitalisations. They found that children aged 0-9 years had similar rates to adults of ACC claims for dog bite injuries but were more likely to

be hospitalised. Māori had a higher incidence of ACC claims and hospitalisations for dog bite injuries than non-Māori. ACC claims and hospitalisations for dog bite injuries were more likely to occur in areas of greater deprivation, with substantial regional variation across the country¹.

A 2009 survey of 527 adult dog bite victims in 2009 found 26% of bites occurred in public streets or walkways, 4% in parks and 6% in other public areas. When asked how the dog was restrained prior to the bite, 6% said the dog was on a lead in a public place, 10% said it was free in a public place but supervised by the owner, and 12% said it was running free and unsupervised in a public place². A 2025 study of caregiver perspectives on dogs had 70 respondents that experienced an incident in a public place of these 30% were on streets, 27% on beaches, 17% in parks, 11% in dog parks, 9% in shops and 6% on playgrounds³.

Figure Three: Other animals

Year	Stock impounded
2018	2 Goat, 1 Ram
2019	1 Goat 1 Pig
2020	1 Pig
2021	none
2022	1 Goat, 2 Chooks
2023	4 Sheep

¹ Duncan-Sutherland N, Moaveni Z, Exeter DJ, Colbert J, Kool B. Epidemiology of dog-related injuries within New Zealand. *N Z Med J*. 2022 May 6;135(1554):111-128. PMID: 35728223.

² Wake, A., Minot, E., Stafford, K., & Perry, P. (2009). A survey of adult victims of dog bites in New Zealand. *New Zealand Veterinary Journal*, 57(6), 364–369.
<https://doi.org/10.1080/00480169.2009.60928>

³ Natasha Duncan-Sutherland, Mareta Hunt, Michael Shepherd, Bridget Kool, Caregiver perspectives on the value of dogs and their effects on children in private and public spaces, *Journal of Veterinary Behavior*, Volume 78, 2025, Pages 36-44, ISSN 1558-7878, <https://doi.org/10.1016/j.jveb.2025.01.002>

Criteria for determining high priority public places for restrictions to protect wildlife

Staff assessed public places that incept or are adjacent to an SEA, alongside areas raised by stakeholders as priorities for dog regulations.

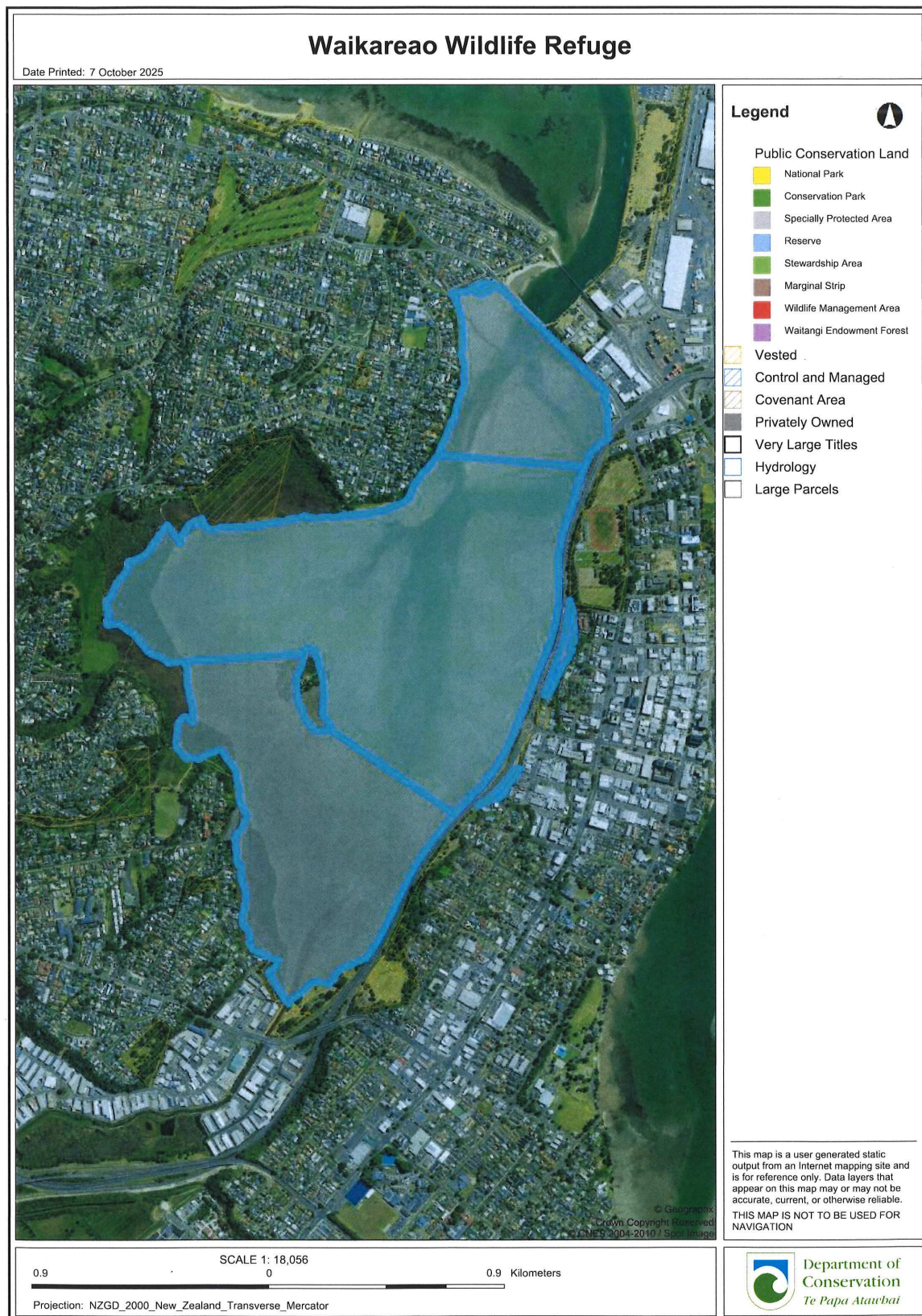
Criteria for bylaw restrictions (listed below) were rated by staff on a simple scale of 1-5, with 5 representing the highest level of justification for change. Results are outlined in Figure Two.

- Community support (CS)
- wildlife values (WV)
- alternative open spaces nearby (AOS)
- not a well-used dog walking area (NDWA)
- feasibility to implement and monitor (FI)
- non-regulatory options unlikely to be successful (NR)

Figure One: Special ecological areas

#	SEA	CS	WV	AOS	NDWA	FI	NR	Total Score
1	Coastal Dunes	3	4	5	4	3	1	19
2	Estuaries	3	3	3	2	2	2	14
3	River Mouths	3	3	3	2	2	2	15
4	Wetlands	3	3	2	2	2	2	14
5	Shark Alley (year-round)	3*	4	4	2	3	2	18
6	Beach areas frequently by dotterel	3*	3	2	2	3	2	15
7	Kōpūrererua Valley	3	4	2	2	2	2	15

* Note community views were not sought on this issue, so a neutral figure was selected for the purpose of comparing against other options.



Te Rangapū policy committee feedback

On 16 October council staff meet with the Te Rangapū policy committee (the committee) to provide an overview of the issues and options presented in the report. Key feedback on each topic is provided below.

Overall approach to dog management

Feedback from the committee was around a desire to have more regular monitoring of the location and specifics of dog attacks by staff to better target education to areas or issues of concern. Then if trends arise relating to Māori communities, tangata whenua can support to advise how to best address the issues.

The committee noted that the bylaw currently doesn't specify the breeds or types of dogs classified as menacing. The committee noted this is an important issue for mana whenua due to the fact that dogs classed as menacing must be muzzled when exercised making them unsuitable for hunting or kai gathering purposes. Council staff noted that rules relating to the classification of dogs were set in the Dog Control Act 1996 rather than the bylaw. The committee recommended that council staff include the definition from the Dog Control Act (schedule 4) into the bylaw for clarity. They also noted concerns around the registration fees for these dogs given they are considered working dogs, and these concerns have been passed on to the corporate planning team to consider as part of the annual review of user fees and charges.

The committee noted generally that options that require microchipping or desexing (cats or dogs) can impose a cost burden on families which may cause hardship. The committee was supportive of the current approach of using community funding grants to support the SPCA to provide desexing vouchers to those in hardship.

Protecting threatened wildlife

The committee supported the proposal to extend the dog prohibited areas to include Shark Alley and the coastal dunes, noting the need to respond to the evidence of harm to wildlife.

For other public places with or adjacent to special ecological areas the committee expressed a desire to see more consistent monitoring and evidence gathering to be able to better identify the impact of dogs and cats on these areas. The committee wanted to see this information used to inform evidence-based interventions. The committee supported the use of targeted education campaigns as a way to raise community awareness and noted the example of the campaign to encourage residents around Mauao to use bell collars on cats following issues with predation.

Community Spaces

The committee supported the council recommendations, including in particular the leashing of dogs in heritage reserves (where not already prohibited) as a way to ensure the protection of cultural and archaeological values. The committee discussed where there were any spaces including urupā, wāhi tapu and marae were specific sites of concern for dog restrictions. Council staff noted that to be able to enforce a rule under the bylaw spaces would need to be publicly accessible rather than private property. The committee noted that several marae within Tauranga had long standing dog rules that were well adhered to and that they did not think that changes were likely to be required.

Further engagement

The committee noted they were broadly comfortable with the direction of the review. Council staff noted that a Special Consultative Procedure would be required for the consultation on the policy and the bylaw and of the requirement to notify every registered dog owner in the district. The committee noted that this would be an option should any iwi or hapū wish to submit directly.

11.3 Adoption of 2024/25 Annual Report

File Number: A18769779

Author: Sheree Covell, Manager: Treasury & Financial Processes
Rachel Burt, Corporate Planner

Authoriser: Kathryn Sharplin, Acting COFO - Finance & Digital

PURPOSE OF THE REPORT

1. The purpose of this report is to adopt the 2024/25 Tauranga City Council Annual Report.

RECOMMENDATIONS

That the Council:

- (a) Receives the report titled "Adoption of 2024/25 Annual Report".
- (b) Receives the Audit NZ report on Tauranga City Council's 2024/25 Annual Report.
- (c) Adopts the audited Tauranga City Council 2024/25 Annual Report, as required under the provisions of the Local Government Act 2002.
- (d) Authorises the Chief Executive to make any necessary minor changes to numerical, wording or layout to the 2024/25 Annual Report before final publication.
- (e) Receives the audited 2024/25 Annual Report Summary, which uses approved content only and notes that no new content may be introduced in the Summary that is not already included in the full Annual Report.
- (f) Receives the 2024/25 Annual Report highlights, which summarises key achievements from the year.

EXECUTIVE SUMMARY

2. The 2024/25 Annual Report is presented for adoption by Council.
3. Audit NZ is currently auditing the Annual Report and will present its opinion at this meeting after which it is recommended that Council adopt the audited Annual Report.
4. The final Annual Report and summaries will be tabled at the meeting due to awaiting verbal clearance from Audit NZ.
5. Feedback from the Councillors and discussions with Audit NZ have shaped the final version of the attached document. This report aims to be transparent, consistent, and easy to read for the community.
6. The non-financial performance results for the 2024/25 year are:

Key Performance Measures	Achieved	Not Achieved	Not Measured
82 total measures	63	16	3

7. The key financial metrics for the 2024/25 financial year are as follows:

Key Financial Metric	2025 Budget (LTP)	2025 Actual	Variance to Budget
Debt Summary			
Capital programme (\$m)	431	329	(102)
Operational expenditure of a capital nature (\$m) ¹	78	86	8
Net debt (\$m)	1,450	1,312	(138)
Debt to revenue ratio (Financial Strategy)	277%	246%	(31%)
Debt to revenue ratio (LGFA compliance)	234%	224%	(10%)
Financial limit on borrowing (debt to revenue ratio - bespoke)	330%	330%	0%
Operational Summary			
Total revenue including all asset development revenue	652	579	(73)
Capital subsidies	120	71	(49)
Total operating revenue	470	474	4
Total operating expenditure	573	584	11
Balanced budget – LGFA & Financial Prudence requirement (\$) ¹	16	(39)	(56)
Balanced budget – LGFA & Financial Prudence requirement (%)	103%	93%	(10%)

¹ the balanced budget less than 100% due to non-funded depreciation, capitalised DC interest, and loan funded expenditure per page 74 of section 2 of Annual Report.

BACKGROUND

8. The 2024/25 Annual Report is being presented to Council for formal adoption.
9. The draft Annual Report was first shared with the City Delivery Committee on 22 July 2025. A workshop was held on 7 August 2025 to gather feedback. The full draft document was then presented to the Committee on 2 September 2025. Feedback from both sessions was incorporated into the version circulated to the mayor and councillors on 3 October.
10. Audit New Zealand will complete its audit before adoption. The Audit Director will present the audit opinion at this meeting.
11. Following the presentation of the audit opinion, Council will be asked to adopt the audited Annual Report. The final version will be made publicly available.

12. A draft Summary Annual Report will also be provided. This includes financial highlights and extracts from the front sections of the full report. The Summary will be audited and published within one month of adoption. No new content may be introduced in the Summary that is not already included in the full Annual Report.
13. Councillors requested that a one-page highlights document be developed to present key information from the Annual Report in a clear and accessible format for the community. A draft version of this summary will be provided for review.

STATUTORY CONTEXT

14. The Annual Report is prepared each year in accordance with generally accepted accounting practise in New Zealand and compliant with the requirements in section 98 of the Local Government Act 2002. The Annual Report is required by section 98 of the Local Government Act 2002 to be completed, and the audited Annual Report adopted by Council within four months of the end of financial year.
15. Council is also required make publicly available within one month of the adoption of the Annual Report, both the report and summary prepared under section 98(4)(b).

STRATEGIC ALIGNMENT

16. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city	✓
We can move around our city easily	✓
We are a city that supports business and education	✓

While adoption of the Annual Report itself does not directly contribute to the outcomes, the document does describe how Council contributes to achieving the strategic community outcomes. All outcomes are covered in this respect.

OPTIONS ANALYSIS

17. There are no options presented in this report.

FINANCIAL CONSIDERATIONS

18. The Annual Report provides a report to the community of Council's performance against the proposed services and capital investment set out in the Annual Plan and the 2024-34 Long-term Plan.

LEGAL IMPLICATIONS / RISKS

19. Local Government Act 2002 requires the Annual Report to be adopted within four months of balance date. Council's that do not adopt an Annual Report within the legislative timeframe are required to make a disclosure in that Annual Report as to why the timeframe was not met and this will be published in the Office of Auditor General's report for non-compliance.

TE AO MĀORI APPROACH

20. The Annual Report presents information under the heading "partnership with Tangata Whenua." and refers to elements reflecting Council's approach to Te Ao Māori. However, the information covered by this report is not directly impacted by that approach.

CLIMATE IMPACT

21. Similarly, the information under the heading “sustainability approach - Te Ahunga Toitū” will refer to but is not directly impacted by Council’s approach to climate impact. Again, the information covered by this report is not directly impacted by that approach.

CONSULTATION / ENGAGEMENT

22. The Annual Report will be made publicly available after adoption. The 2024-34 Long-term Plan which the years results are measured against was consulted on before being adopted. There is no consultation on the Annual Report itself

SIGNIFICANCE

23. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council’s Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
24. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the .
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
25. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance.

ENGAGEMENT

26. Taking into consideration the above assessment, that the matter is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

27. The adopted report will be loaded to the Tauranga City Council website and copies of the Annual Report Summary will be distributed.

ATTACHMENTS

Nil

11.4 Street Use and Public Places Bylaw Review - draft bylaw**File Number: A18456942****Author: Jane Barnett, Policy Analyst
Shawn Geard, Manager: Transport System Operations****Authoriser: Sarah Omundsen, General Manager: Regulatory and Community Services****PURPOSE OF THE REPORT**

1. To seek Council's approval to consult on the proposed draft amended Street Use and Public Places Bylaw.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Street Use and Public Places Bylaw Review - draft bylaw".
- (b) Adopts the draft Street Use and Public Places Bylaw (Attachment 1 of this report) and Statement of Proposal (Attachment 2 of this report) for community consultation.
- (c) Resolves, in accordance with section 155 of the Local Government Act 2002, that the Street Use and Public Places Bylaw (Attachment 3 of this report):
 - (i) is the most appropriate way to help protect the community from public nuisance and offensive behaviour, protect public health and safety, and protect council-controlled public places and the environment from misuse
 - (ii) is the most appropriate form of the bylaw
 - (iii) is not inconsistent with the New Zealand Bill of Rights Act 1990, noting that any implications are considered reasonable and demonstrably justifiable in a free and democratic society as they are necessary to protect public safety, amenity and the rights of others using public places.
- (d) Authorises the General Manager: Regulatory and Community Services to make any necessary minor drafting or presentation changes to the draft Street Use and Public Places bylaw, statement of proposal and related consultation material before consultation.

EXECUTIVE SUMMARY

2. The Street Use and Public Places Bylaw 2018 (bylaw) sets the rules for public spaces in Tauranga to ensure public safety, accessibility and enjoyment for the community. It covers a wide range of activities including signage, trading, street dining, skating and scooter use, and busking.
3. On 24 March 2025, Council directed staff to review the bylaw. During the initial stages of the review issues relating to the pedestrian way, definition of a mobile shop, use of the footpath outside businesses and real estate signs were identified. On 7 October 2025 Council gave direction on these issues and this direction has been incorporated into a proposed draft bylaw.

4. The draft bylaw also includes structural changes, clarification of language, refined and new definitions, and the addition of explanatory notes to help make the bylaw easier to understand.
5. Council is asked to adopt the draft bylaw (**Attachment 1**) and accompanying statement of proposal (**Attachment 2**) for community consultation to be carried out in November/December 2025.
6. Council is required¹² to confirm that a bylaw is the most appropriate way to manage issues like public nuisance, offensive behaviour, health and safety risks, and the misuse of community assets. Council must also confirm that the bylaw is in the right form and consistent with the New Zealand Bill of Rights 1990. **Attachment 3** sets out these considerations.
7. If Council adopts the draft bylaw, it will go out for community feedback through the special consultative procedure as required under the LGA and Land Transport Act 1998.
8. Targeted consultation will also be carried out with stakeholders including the Police, main street organisations, current licence to occupy and mobile shop holders, local real estate companies, Hospitality New Zealand, Tauranga Māori Business Association (TMBA), Toi Kai Rawa, Tauranga Business Chamber, Fire Emergency New Zealand (FENZ) and Ngā Poutiriao ō Mauao.
9. Community consultation will seek feedback on proposed changes to the definition of a mobile shop, the rules around businesses using the footpath, and rules relating to real estate signs.

BACKGROUND

10. The Street Use and Public Places Bylaw 2018 (bylaw) sets the rules for public spaces in Tauranga to ensure public safety, accessibility and enjoyment for the community. It covers a wide range of activities including signage, trading, street dining, skating and scooter use, and busking.
11. On 24 March 2025, Council directed staff to review the bylaw, with a focus on street dining and broader footpath use. The initial review identified several issues, which Council considered and provided direction on at their meeting on 7 October 2025. This direction has been incorporated into a draft bylaw for community consultation and includes:
 - changing the pedestrian way definition
 - changing the definition of a mobile shop to include those offering services
 - broadening the scope of what can be displayed on the footpath by businesses
 - applying consistent rules for all businesses across the city that wish to use the footpath for street dining and commercial displays (allowing a standard area to be used, with any additional space requiring approval from Tauranga City Council)
 - clarifying the rules for real estate signs.
12. The review has led to the proposal to remove existing sections on trading, markets, mobile shops and events. These will be replaced with a single simplified clause requiring approval for all commercial activity, large scale and commercial filming, and events. This allows for greater flexibility in managing these activities and makes the bylaw easier to understand.
13. The review identified that sections 23 to 28 are no longer necessary, as their content is already addressed in legislation. Removing these sections avoids duplication of legislation, streamlines the bylaw, and reduces the risk of inconsistency if legislation changes.
14. The proposed draft bylaw also includes structural changes, clearer language, and updated and additional definitions, and a contents page and explanatory notes to support

¹² Section 155 Local Government Act 2002

interpretation. Some of the new definitions have been added to enable Council's direction on footpath use to be incorporated in the bylaw.

15. Council is asked to adopt the proposed draft bylaw (**Attachment 1**) and statement of proposal (**Attachment 2**) for community consultation. The proposed changes to the bylaw are shown in red.

STATUTORY CONTEXT

16. The ability for Council to make a bylaw comes from legislation that sets out the purpose for which the bylaw can be made. The current bylaw is made under the LGA, the Health Act 1956 and the Litter Act 1979. Generally, bylaws are made to:
 - protect the public from nuisance;
 - protect, promote and maintain public health and safety; and to
 - minimise the potential for offensive behaviour in public places.
17. Proposed amendments to the bylaw include making both the pedestrian way and mobile shop provisions under the Land Transport Act 1998 (LTA) in addition to the LGA. Any bylaw made under the LTA must be sent to the Minister, who may at any time disallow the bylaw or any part of it.
18. Under the LGA the special consultative procedure must be used when amending a bylaw. This also applies to a bylaw made under the LTA. Section 22AD of the LTA also specifies that Tauranga City Council must also give notice in writing to a number of parties including any affected local community, the Commissioner of Police and any other user group that it considers affected.
19. Section 155 of the LGA sets out that Council must determine whether a bylaw is the most appropriate and proportionate way of addressing the perceived problem and does not give rise to any implications under the New Zealand Bill of Rights Act 1990. This analysis is presented in **Attachment 3**.

STRATEGIC ALIGNMENT

20. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city	✓
We can move around our city easily	✓
We are a city that supports business and education	✓

21. The bylaw aligns with all five community outcomes. It contributes to:
 - an inclusive city by ensuring public access and enjoyment of public spaces
 - valuing, protecting and enhancing the environment by setting rules around pollution and damage of public places including trees and plants
 - a well-planned city by setting rules for street dining furniture, signage and trading in public places including mobile shops
 - being able to move around the city easily by protecting pedestrian access, regulating footpath use, prohibiting the unsafe use of skateboards and scooters and ensuring visibility and safety around intersections and crossings

- being a city that supports business and education by allowing business signs, retail display and street dining to support commercial activity.
22. Reviewing the bylaw provides an opportunity to ensure the bylaw aligns with these strategic community outcomes.

OPTIONS ANALYSIS

23. The table below sets out the advantages and disadvantages of approving the proposed draft bylaw and statement of proposal for consultation.

Options	Advantages	Disadvantages
Option 1: Approve the draft Street Use and Public Places Bylaw and the statement of proposal for community consultation. Recommended.	• Community feedback on the proposed changes can be considered. • Meets Council's statutory requirement to review the bylaw by 2028. • Consistent with Council's resolution (24 March 2025) to review the bylaw.	• Resources used for required consultation.
Option 2: Retain the current Street Use and Public Places bylaw and do not approve the draft bylaw and statement of proposal for community consultation. Under this option, the bylaw review would be paused, and no changes would be made to the bylaw. Note: The statutory review of the bylaw is required by 2028.	• No resources will need to be used for consultation.	• No opportunity for community feedback on the bylaw. • Could mean that Council's statutory requirement to review the bylaw by 2028 may not be met. • Does not align with Council's resolution on 24 March 2025 to review the bylaw.

FINANCIAL CONSIDERATIONS

24. The cost of consulting on the proposed draft bylaw will be funded from the existing policy and bylaws budget.

LEGAL IMPLICATIONS / RISKS

25. There is a risk that the bylaw will be perceived negatively by businesses and the wider community. This risk will be managed through effective engagement and consultation.

TE AO MĀORI APPROACH

26. The review of the bylaw reflects the principles of Manaakitanga by ensuring public spaces are safe, accessible, and welcoming for all. It also aligns with the principle of Kaitiakitanga through supporting the protection of the environment. The bylaw regulates activities that may damage trees, distribute soil or contribute to pollution while protecting the environment and community assets.

27. The proposed amendment to the mobile shop definition enables traditional Māori healing practices such as mirimiri¹³ and romiromi¹⁴ to be offered from mobile shops, responding to feedback from Te Rangapū and supporting Māori-led enterprise.

CLIMATE IMPACT

28. There are no direct or specific climate change impacts resulting from considering the options in the bylaw review. However, the bylaw itself provides an important regulatory tool to help protect environmental assets in public spaces, in particular trees and other vegetation, that help contribute to climate resilience.

CONSULTATION / ENGAGEMENT

29. Staff have engaged with Fire and Emergency New Zealand (FENZ), the Police, Mount Main Street, Downtown Tauranga, Te Rangapū policy subcommittee and the chair of Ngā Poutiriao ō Mauao.
30. Conversations with FENZ focused on the building identification provisions in the bylaw and staff engaged with Police on the areas where skateboards and roller skates are prohibited.
31. Discussions with the chair of Ngā Poutiriao ō Mauao focused on the bylaw's application to Mauao to ensure this remained appropriate. The bylaw was seen to still have value as a tool to help protect Mauao especially the natural environment. Any requests for activities on Mauao would be guided by the reserve management plan and consultation with Ngā Poutiriao ō Mauao. The importance of waiata on Mauao was highlighted and how the bylaw could recognise this. Staff have incorporated this feedback into a draft bylaw.
32. Mount Mainstreet expressed significant concern around Council considering additional fees for businesses in the Mount given the current business environment and the increase in rates and recent licence to occupy fees. They note that *'there has been a notable increase in commercial vacancies on Mount Mainstreet, which traditionally has very low store vacancies with 10 businesses either closing or relocating since January 2025. Feedback from members indicates mounting pressure due to a combination of declining consumer demand and rising operational costs.'*
33. Downtown Tauranga expressed their desire for any changes to be fair and equitable. They want the same rules to apply to all businesses in Tauranga regardless of where they are located. In considering displays they favour allowing a set area for this, provided it is not less than the current set area for retail display, with the option on applying for a permit for additional space. Downtown Tauranga supports the current approach for signs but consideration for a permit to display extra signs depending on the size of the shop.

SIGNIFICANCE

34. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
35. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the issue.

¹³ Mirimiri is a Māori healing practice that targets physical, mental, emotional and spiritual imbalances, tension and pain.

¹⁴ Romiromi is a Māori bodywork tradition that focuses on clearing blockages in the body's energy systems and restoring physical alignments.

- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

36. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue of the bylaw is of medium significance, however the decision on the options presented in this report is of low significance.

ENGAGEMENT

37. In accordance with the legal requirement in the LGA and the LTA, community consultation will be carried out on the draft bylaw, using the special consultative procedure¹⁵.
38. The special consultative procedure requires a statement of proposal, the opportunity for people to present their views to Council, and a consultation period of no less than a month.
39. As noted in the statutory context section (paragraph 9) the LTA also requires that written notice of the consultation be provided to a number of stakeholders including any affected local community, the Commissioner of Police and any other user group that it considers affected.
40. In addition, we propose undertaking targeted consultation with the main street organisations, current licence to occupy holders, mobile shop licence holders, local real estate companies, Hospitality New Zealand, Tauranga Māori Business Association (TMBA), Toi Kai Rawa, Fire and Emergency New Zealand (FENZ) and Ngā Poutiriao ō Mauao.
41. Community consultation provides the opportunity for the community to consider the rules for the use of public places and it will ask people for feedback on:
- changing the definition of a mobile shop to include those offering services, to provide a consistent approach and allow for infringement fees (under the Land Transport Act 1998) to be used to help with compliance;
 - businesses across the city using a set area of the footpath outside their premises (for street dining and commercial display), with the option of seeking approval to use additional area; and
 - setting a limit on the number of real estate signs that can be displayed.

NEXT STEPS

42. If Council approves the proposed draft bylaw and statement of proposal for community consultation this will be carried out in November/December 2025.
43. If there are any submitters who wish to speak to their submission, Council will hold hearings early next year. Council will then deliberate on the issues raised and consider formally adopting the bylaw.

ATTACHMENTS

1. **Draft Street Use and Public Places Bylaw - A19034122**  
2. **Draft Statement of Proposal - A19083708**  
3. **Section 155 consideration - A18993609**  

¹⁵ Local Government Act 2002 s.83

DRAFT STREET USE AND PUBLIC PLACES BYLAW ~~(2018)~~ (2025)



First adopted	8 December 2005	Minute reference	M05/142
Revisions/amendments	18 March 2013 20 November 2018 27 February 2020	Minute references	M13/12 M18/101.6 CO2/20/3
Review date	2028 INSERT NEW DATE – 10 years from adoption		
Engagement required	Special Consultative Procedure		
Associated documents	Street Use Policy 2024 Traffic and Parking Bylaw 2023 Use of Council Land Policy 2022 Freedom Camping Bylaw 2019 Beaches Bylaw 2018 Alcohol Control Bylaw 2018 Dog Management Bylaw 2018 Dog Management Policy 2018		
Relevant legislation	This bylaw is made under sections 145 and 146 of the Local Government Act 2002, section 22AB of the Land Transport Act 1998, section 64 of the Health Act 1956 and section 12 of the Litter Act 1979.		

TABLE OF CONTENTS TO BE INSERTED

1. TITLE

- 1.1 This bylaw is the Street Use and Public Places Bylaw (~~insert new date~~)2018.

2. COMMENCEMENT

- 2.1 This bylaw comes into force on (~~insert new date~~)1 April 2019.

3. APPLICATION

- 3.1 This bylaw applies to Tauranga City. ~~Except as herein expressly provided this Bylaw shall apply to the whole of the District.~~

~~3.2 Every schedule to the Bylaw and the several parts thereof shall be deemed to form part of this Bylaw.~~

4. PURPOSE

4.1 The purpose of this bylaw is to:

- (a) protect the public from nuisance, promote and maintain public health and safety and minimise the potential for offensive behaviour in public places;
- (b) protect the environment, land, structures, property and assets managed or under the control of Tauranga City Council; and
- (c) manage public places for the wellbeing and enjoyment of the public.

~~ensure public health and safety is maintained, protect the public from nuisances, minimise the potential for offensive behaviour and to manage Public Places for the wellbeing and enjoyment of the public.~~

~~It covers a diverse range of activities including commercial activity such as trading and the promotion of goods and services, busking and entertainment activities and events, and the use of Footpaths for tables and chairs and retail displays.~~

5. DEFINITIONS

5.1 For the purposes of this bylaw words which refer to the singular include the plural and the plural includes the singular.

5.2 For the purposes of this bylaw the following definitions shall apply:

Term	Definition
Approval	means a licence, permit, or other form of written permission granted by an authorised officer under this bylaw, which must be obtained before undertaking the activity to which it relates, and includes any conditions, to which the approval is subject. The approval conditions will include the duration of the approval period.
Authorised Officer	means an employee or contractor of Tauranga City Council who carries out duties under this bylaw as part of their role, and has been formally delegated authority to exercise powers under this bylaw.
Bylaw	refers means to the Tauranga City Council Street Use and Public Places Bylaw.
Commercial Activity	means any activity undertaken for payment or reward whether direct or indirect. This includes but not limited to: (a) trading, (b) advertising goods, services, (c) street performing, (d) promotional giveaways.

Commercial Display	means any temporary structure, installation or arrangement located in a public place for the purpose of promoting, selling or advertising goods, services or brands. This includes, but is not limited to: (a) retail displays such as product stands and promotional tables; (b) coin-operated machines including vending machines amusement devices or similar equipment; (c) advertising activations such as temporary installation and branded props.
Community Event Sign	means any sign advertising an event (regardless of frequency) or community message.
Council	means the elected member body representing Tauranga City. Tauranga City Council or any Committee, Sub Committee or elected member of Council or officer or other person authorised to exercise the authority of Council.
Directional Real Estate Sign	means a temporary sign used to guide potential buyers or renters to a property that is for sale or lease, and is open for viewing as part of an open home or to auction event.
District	means the district of Tauranga City Council.
Enforcement Officer	means any person appointed and/or authorised by Council for the purpose of enforcing the provisions of this part of the Bylaw.
Election Sign	means any sign that: (a) may reasonably be regarded as encouraging or persuading a person to vote or not vote for a candidate, party, type of candidate or party, or in any particular way; and (b) is associated with an election, by-election, poll or referendum: (i) in the Electoral Act 1993, Local Electoral Act 2001 or any legislation that enables a referendum; or (ii) relating to a trust which owns shares in a public utility company for the benefits of its beneficiaries in Tauranga City. identifying or promoting a person or political party in a parliamentary or local authority election. That may be a Local Election Sign or a General Election Sign.
Event	means a temporary organised activity that takes place on one or more days conducted for the primary purpose of bringing people together to participate in a community, cultural, commemorative, recreational, sporting, artistic or entertainment, experience. For the purposes of this bylaw 'event' does not include the non - exclusive use of a place for informal recreation (for example a picnic in a park) or peaceful protest or demonstration protected under the New

	Zealand Bill of Rights Act 1990. Some events may also constitute commercial activity if undertaken for payment or reward.
Filming	the recording of images, moving or still, for commercial purposes or at a scale that might unduly obstruct use of a public place.
Food and Beverage Business	means any business such as a café, restaurant or bar that produces and sells food and/or beverages for consumption on its premises.
Footpath	means a path or way principally designed for and used by pedestrians and includes a footbridge.
Frontage	means the area directly between the shop front and the road kerb.
Furniture	means tables, chairs and umbrellas that businesses are permitted to place on the Footpath. It does not include temporary fencing or furniture cordons.
General Election Signs	means any Sign identifying or promoting a person or political party for a parliamentary election under the Electoral Act 1993. Election signs are hoardings and include vehicles parked for the purposes of advertising.
Local Election Signs	means any Sign identifying or promoting a person for a local body election. This includes Council elections, Regional Council elections, and District Health Board, or other local body election. Election signs are hoardings and include vehicles parked for the purposes of advertising.
Magazine Sign	means any portable sign independently supported by means such as a post, frame, stand or wall.
Mainstreet	means an organisation that represents the interests of businesses in a geographically defined town centre, that has an agreement with Council for the provision of outcomes in support of that centre and that has authority to levy a rate on businesses for the delivery of those outcomes.
Merchandise	means any goods offered for sale, and includes both food and non food items.
Mobile Shop	means a vehicle from which Merchandise goods can be sold or services are offered for sale or hire in a public place, including where payment is made electronically, remotely, or in advance of the goods or services being transferred.

	For the purposes of enforcement under the Land Transport Act 1998 or any regulations made under it, mobile shop has the meaning given in 22AB (6) of that Act.
Nuisance	has the same meaning as Section 29 of the Health Act 1956 and includes a person, animal, thing or circumstance causing unreasonable interference with the peace, comfort or convenience of another person whether or not that person is in a public place.
Open Home/Auction sign	means a temporary sign used to advertise and direct people to a property or site that is available for an open home viewing or being auctioned.
Person	includes means an individual, a corporation sole, a body corporate, and an unincorporated body.
Pedestrian Way	means the portion of the footpath that provides a continuous, unobstructed path for pedestrians, with a minimum width of 1.8 metres, unless otherwise specified by Council resolution. The pedestrian way is measured as follows: (i) 0.8 metres from the kerb (road frontage zone); and (ii) 1.5 metres from the property boundary (frontage zone). Where total footpath width is less than 4.1 metres, the frontage zone will be reduced as required to maintain the minimum pedestrian way. means the thoroughfare along a Footpath for use by pedestrians which, unless otherwise specified by Council resolution in any particular case, is the part of the Footpath 2.5 1.8 metres in width measured 1.5 metres from and running parallel to any adjacent Shop Front. Explanatory note: On 8 July 2024 Crown Commissioners specified by resolution a 1.5m pedestrian way width for Maunganui Road, Pacific Avenue, Prince Avenue, Banks Avenue and Salsbury Avenue. Resolution CO9/24/8
Public Place	means an area that is open to or used by the public, and which is owned, managed, maintained or controlled by Tauranga City Council. Public places include, but are not limited to roads, streets, footpaths, alleys, cycle tracks, lanes, accessways, carparks, reserves, parks, domains, beaches, foreshore, berms, verges and recreational grounds. a place under the control of Council that at any time is open to or is being used by the public, whether free or for payment of a charge and includes every road, street, Footpath, court, alley, pedestrian mall, cycle track, lane, accessway, thoroughfare, Reserve, park, domain, beach, foreshore, and any other place of public recreation or resort.

Real Estate Sign	means a sign advertising the sale, lease, rent or auction of all or part of any premises.
Reserve	means any land which is vested in or under the control of Tauranga City Council and which is set aside for public enjoyment as a reserve, park, garden or greenspace, whether or not that land has been vested a reserve under the Reserves Act 1977. a reserve under the Reserves Act 1977.
Reserve Management Plan	means a plan prepared under section 41 of the Reserves Act 1977.
Road	has the same meaning as road in section 315 of the Local Government Act 1974.
Shop Front	means the common boundary between the legal road and the adjacent shop or other business.
Sign	means any display or device whether or not placed on land or affixed to a building, stationary vehicle or structure, intended to attract attention for the purposes of directing, identifying, and informing, or advertising, and which is visible from a public place. means an advertisement, message or notice conveyed using any visual medium, which advertises a premises, service, good, product, activity and / or event or acts to inform, influence or warn any person.
Street dining furniture	means any movable furniture placed in a public place to facilitate dining and social interaction. For example, tables and chairs.
Street performance	means the provision of entertainment in a public place (for example, playing an instrument, singing, dancing, juggling, mime, puppetry, performance art, conjuring, aerobatics, recitation, undertaking artworks and performing other acts of theatrical or visual forms).
Tauranga City Council	means Council or any Committee, Sub Committee or elected member of Council or officer or other person authorised to exercise the authority of Council.
Trade, trading and trading activity	means the sale, hire, or offer of goods or services for payment or reward and includes displaying goods or services for sale.

- 5.3 Explanatory notes are not part of this bylaw, and may be added, amended or deleted at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent or a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.

6. OBSTRUCTIONS IN PUBLIC PLACES

- 6.1 A person ~~shall~~**must** not obstruct:
- (a) the pedestrian way
 - (b) the entrance to or exit from a public place.
- 6.2 Except where otherwise provided in this bylaw, no person ~~shall~~ **must** place or leave any material or thing in a public place without approval.
- 6.3 No owner or occupier of land shall allow trees or ~~shrubs~~ **any other vegetation** growing on such land to overhang or encroach by their roots or branches onto any public place so as to obstruct access to the public place or cause a nuisance.
- 6.4 If any tree or vegetation is, in the opinion of an authorised officer, hazardous or is obstructing the pedestrian way or causing a nuisance the authorised officer may require the owner or occupier to cut back the tree or vegetation by written notice.
- 6.5 The owner or occupier is responsible for carrying out the works required by that notice under clause 6.4 and for meeting the costs of those works. If the owner or occupier fails to comply with the notice, Tauranga City Council may carry out such works and recover the costs from the owner or occupier.

Explanatory note: Section 355 of the Local Government Act 1974 empowers Tauranga City Council to require owners of land adjoining roads to manage trees and other vegetation on their property that affect public roads.

7. NUISANCE, PUBLIC SAFETY AND DAMAGE TO PUBLIC PLACES

- 7.1 A person may not cause a nuisance in a public place.
- 7.2 ~~No person, without the prior written permission of Council shall~~ **may, without approval:**
- (a) cause or allow any material or thing to be deposited or dropped onto a public place
 - (b) place or leave any materials or, thing or substance in a public place ~~which~~ **that** is likely to be hazardous or injurious to any person, or likely to create a nuisance
 - (c) deposit in or around a public litter ~~receptacle~~ **bin** any household, business or trade refuse
 - (d) ~~preach, sing, make or perform music, lecture or busk in a public place~~
 - (e) damage, deface, interfere with, destroy or remove ~~any natural feature, grass lot, flower bed, tree, shrub or plant or any inscription or label relating to in in a Public Place~~ **any thing, or any part of any thing in a public place, including any structure or building, any sign, artwork, and vegetation**

- (f) ~~erect, construct or place any building, structure or plant any vegetation in a public place, except as provided for in clause 19, pollute, damage, deface or disfigure, apply posters, stickers or advertising devices to, or interfere with any ornament, statue, building, Footpath, kerb, road (including road berm), structure, or facilities in a Public Place~~
- (g) ~~cause or permit to be done any act whatsoever by which that may damage is caused to any public place, or any work or thing in, on, over or under the a public place~~
- (h) use any vehicle or be in control of an animal which damages any part of a public place
- (i) ride or take a bicycle or motorcycle or any other vehicle on or around Mauao ~~(The Mountain).~~

Explanatory note: The Summary Offences Act 1981 enables the New Zealand Police to address more serious instances of obstruction, intimidation, disorderly and offensive behaviour or language in public places.

In accordance with section 13 and 14 of the Litter Act 1979 and the Council resolution M12/68.9 (23 October 2012) any person who breaches clauses 7.3(a), (b) and (c) may incur a fee of up to \$400.

7.4 No person may light any fire in any public place without first obtaining approval.

7.5 ~~This provision shall not~~ **Clause 7.4**, subject to prohibitions or restrictions on the lighting of fires imposed by Fire and Emergency New Zealand, does not ~~This provision shall not~~ apply to:

- (a) barbecues (meaning a fixed or portable electric or gas fired appliance or device, designed or intended for the cooking of food in the open air);
- (b) fireworks (having the same meaning as the Hazardous Substances (Fireworks) Regulations 2001);
- (c) emergency flares;
- (d) fires lit in accordance with the Beaches Bylaw 2018.

8. ~~COMMERCIAL ACTIVITIES, EVENTS AND FILMING IN A PUBLIC PLACE~~ **TRADING IN A PUBLIC PLACE**

8.1 No person may conduct a commercial activity, filming or hold an event in a public place without approval.

Explanatory note: Commercial activity includes market and stalls, mobile shops, fundraising or a charitable cause, soliciting of any subscription or collection of any donation, street performance, distribution of promotional goods and materials and hire of equipment.

A person must not operate a mobile shop in a public place without approval under this bylaw. Breach of this clause is an infringement offence under section 22AB of the Land Transport Act 1998 and may incur a fee of up to \$750, or such lesser amount as specified by Council resolution

17.1 ~~Except as provided elsewhere in this Bylaw, no person shall use any portion of any Public Place to display, distribute, provide, sell or offer for sale any goods or services or solicit subscriptions or collect donations without first obtaining written permission of Council. This includes promotional activities offering free goods and services, and filming. In granting permission, Council may impose conditions, including payment of a fee.~~

- 17.2 ~~Permission will generally not be granted for commercial activities except where such activities are:~~
- ~~(a) part of a Council approved event~~
 - ~~(b) part of a Council approved market (see **Operation of Markets and Stalls Policy**)~~
 - ~~(c) a Mobile Shop (see **Operation of Mobile Shops Policy**)~~
 - ~~(d) a permitted activity on a reserve site through a lease or licence agreement from Council (in accordance with the Reserves Act 1977)~~
 - ~~(e) a permitted activity in accordance with Council's Temporary Commercial Activities on Reserve Land Policy~~
 - ~~(f) undertaken for the specific purpose of fundraising for a community or charitable organisation such as a sausage sizzle or the sale of raffle tickets (g) predominately public entertainment in nature such as busking.~~
- 17.3 ~~No person shall distribute printed or written advertising material in any Public Place without prior written permission from Council.~~
- 17.4 ~~No person shall within the District wash or clean the windows of any vehicle or vehicles that are temporarily stopped on any roadway for payment donation or subscription.~~

9. MARKETS

- 18.1 ~~No person may organise or operate a market in a Public Place without first obtaining written permission of Council. In granting permission, Council may impose conditions, including payment of a fee.~~
- 18.2 ~~The organiser of such a market is responsible for ensuring all stall holders comply with any conditions issued by Council to the market organiser that are relevant to the operation of the stall. Market organisers are to ensure all stall holders hold any licences that they may be required to have including those relating to food handling, food registration and alcohol.~~

10. MOBILE SHOPS

- 19.1 ~~Subject to clause 16.3, trading from Mobile Shops may occur in Public Places provided the operator of the Mobile Shop has obtained a licence from Council to do so. The terms and conditions of the licence will be set by Council from time to time, including any fee. The licence must be made available for inspection upon the request of an Enforcement Officer.~~
- 19.2 ~~A Mobile Shop licence is personal to the licensee and may not be transferred.~~
- 19.3 ~~Council may, by publicly notified resolution from time to time:~~
- ~~(a) Prohibit all operators of Mobile Shops from trading or carrying on business in any specified road or part of a road or Public Place within the District~~
 - ~~(b) Limit the hours or day or days of the week during or on which operators of Mobile Shops may carry on business~~
 - ~~(c) Vary, revoke or alter any such prohibitions or restrictions including the terms of the Mobile Shop Policy.~~

9. ~~OUTDOOR SEATING~~ **STREET DINING AND COMMERCIAL DISPLAYS**

- 9.1 All businesses operating from fixed premises are permitted to place **street dining furniture and commercial displays**, on the footpath, subject to the following conditions:
- (a) **the area used must not exceed a total floor area of 1.5 square metres and must not protrude more than 1.5 metres from the front of the premise unless approval has been obtained.**
 - (b) **any protrusion up to 1.5 metres is permitted only where a pedestrian way of no less than 1.8 metres width, unless otherwise specified by Council resolution, is maintained on the footpath for unobstructed pedestrian movement.**
 - (c) ~~subject to clauses 7.2 and 7.3, each business may place a maximum of 2 tables, each with 1 umbrella and 4 chairs~~
 - (d) ~~the~~ **street dining furniture and commercial displays** can only be placed in ~~the~~ **frontage** of the business
 - (e) ~~the~~ **street dining furniture and commercial displays** must not be placed in or otherwise obstruct the pedestrian way
 - (f) ~~the~~ **street dining furniture and commercial displays** may only be placed on the footpath during the business's hours of operation
 - (g) ~~the tables and chairs~~ **street furniture** must be made available for use by any member of the public
 - (h) unless otherwise authorised by Council, the **street dining furniture and commercial display** may not be placed:
 - (i) within ~~1.5~~ metre of any tree trunk or any **Tauranga City** Council street furniture (e.g. public bench)
 - (ii) within ~~4.0~~ 8 metre of any road kerb
 - (i) ~~the~~ **street dining furniture and commercial display shall** must not obstruct access to parking meters, rubbish bins, **accessibility features**, ~~blind guidance strips~~, bus stops or shelters, mobility spaces, pedestrian crossings, vehicular entrances or hinder visibility to or of ~~road~~ **pedestrian and vehicle** traffic
 - (j) ~~the~~ **street dining furniture and commercial displays shall** must not encroach into the frontages of adjacent businesses unless all parties concerned agree in writing and have provided written notification to **an authorised officer Council** of their agreement
 - (k) ~~the~~ **street dining furniture and commercial displays** must be removed from the footpath:
 - (i) outside the business's hours of operation
 - (ii) between the hours of 3am and 7am
 - (iii) when requested by **an authorised officer Council** to facilitate street works, services, repairs, or other public utilities, or to ensure the health and safety of the public
 - (k) any business placing **street dining** furniture on the footpath must:
 - (i) keep the **street dining** furniture clean and in good order and repair
 - (ii) ensure that all waste, water and rubbish on or near the **street dining** furniture is removed

(iii) comply with all statutes, regulations and ordinances regarding the conduct of the business and the use of the footpath for that purpose.

- 9.2 Commercial displays must be securely mounted or anchored and free from litter and objects that could fall or be blown into the path of pedestrians or traffic.
- 9.3 Commercial displays must not have any sharp edges or protruding objects that could injure the public.
- 9.4 Commercial displays must not include weapons, dangerous objects, music or amplified sound.
- 9.5 Approval must be obtained to use any area in addition to the area specified in clause 9.1(a).

9.2 ~~Food and Beverage Businesses~~

- (a) ~~Food and Beverage Businesses, excluding Mobile Shops, may place tables, chairs and umbrellas on the Footpath:~~
 - (i) ~~additional to those permitted by clause 7.1 (a), but subject to compliance with clauses 7.1(b) to (j) in respect of the additional Furniture as well~~
 - (ii) ~~during Council approved special events, where permitted by Council and with no rental charge applied for the additional area occupied.~~

9.3 ~~Food and Beverage Businesses – Licence to Occupy Locations~~

- (a) ~~Notwithstanding clauses 7.1 and 7.2 above, Council may by resolution determine locations in the District where no business shall place furniture on the Footpath without first obtaining a licence to occupy the Footpath from Council.~~
- (b) ~~To avoid doubt, all clauses of this Bylaw apply to businesses granted a licence pursuant to clause 7.3 (a), except that:~~
 - (i) ~~despite clauses 7.1 (d) and (i), a business which holds a licence to occupy the Footpath may leave its Furniture on the Footpath outside the business's hours of operation~~
 - (ii) ~~despite clause 7.1 (e), a business which holds a licence to occupy the Footpath shall have exclusive use of its tables and chairs.~~

10. ~~MERCHANDISE DISPLAY~~

- 10.1 ~~Merchandise display may only be displayed within the Frontage of the business to which the Merchandise relates.~~
- 10.2 ~~Subject to clauses 8.5 and 8.6, Merchandise displays shall not exceed a total floor area of 1.5 square metres and shall not protrude more than 1.5 metres from the Shop front of the business.~~
- 10.3 ~~Merchandise displays shall not obstruct the Pedestrian Way.~~
- 10.4 ~~Merchandise displays shall not obstruct access to parking meters, rubbish bins, blind guidance strips, bus stops or shelters, mobility spaces, pedestrian crossings or vehicular entrances, and shall not hinder visibility to or of road traffic.~~
- 10.5 ~~Council may grant a licence for Merchandise displays to exceed 1.5 square metres, subject to payment of the amount set by Council for rental of the additional area~~

~~occupied. Clauses 8.3 and 8.4 must be complied with in relation to any such extended Merchandise display.~~

- ~~10.6 Merchandise displays may exceed 1.5 square metres on a Mainstreet organised or Council approved market days or events provided that clauses 8.3 and 8.4 are complied with.~~

- ~~10.7 Merchandise displays must be removed from the Footpath:~~

- ~~(a) outside the business' hours of operation~~
- ~~(b) between the hours of 3am and 7am~~
- ~~(c) when requested by Council to facilitate street works, services, repairs, or other public utilities, or to ensure the health and safety of the public.~~

10. SKATEBOARDS AND SCOOTERS

- 10.1 No person shall ride or use a skateboard, scooter, roller skates or similar device in any public place in such a manner as to be dangerous or cause a nuisance.
- 10.2 Council may by resolution determine areas where riding or using a skateboard, scooter, roller skates or similar device is prohibited (a **Prohibited Area**). Council may prohibit one or more of these wheeled recreational devices for example, skateboards but not scooters.
- 10.3 No person shall ride or use a skateboard, scooter, roller skates or a similar device in any prohibited area.
- 10.4 A ~~fine~~ **fee** of \$55 is applicable for any breach of clauses 10.1 or 10.3.

11. GENERAL REQUIREMENTS FOR SIGNS

- 11.1 Except as provided for ~~elsewhere in this bylaw~~, no sign shall be displayed in any public place without **approval** ~~the written permission of Council. This includes Signs attached in any way to poles, fences, street furniture or other public utilities on or in any Public Place.~~
- 11.2 All signs and their supporting structures ~~shall~~ **must** be constructed, fixed, placed and maintained in a manner so they do not pose a danger to property or the public ~~or cause a nuisance. This shall be the responsibility of the Sign owner and the owner of the building on which the Sign is placed.~~
- 11.3 **Without limiting 11.2, a sign must:**
 - (a) be secure, structurally sound, not easily broken, and not able to be displaced under poor or adverse weather conditions**
 - (b) be maintained in a condition that does not endanger public safety (for example become structurally unsound or fall over) or cause a nuisance**
 - (b) not use illumination, luminescence, movement or material that may cause a distraction (for example flashing lights, lasers or reflective or luminescent material)**
 - (c) not cover the display of any number allocated to a premises under the Local Government Act 1974**
 - (d) not emit smoke, steam or other matter.**
- 11.4 Signs attached beneath street verandas shall have a minimum of 2.5 metres clearance from the footpath below.

- 11.5 No sign shall be placed or shall remain in a public place where in the opinion of an authorised officer ~~Council~~ that sign would affect the safe and efficient movement of pedestrian and vehicle traffic.
- 11.6 Without limiting 11.5 a sign must:
- (a) not obstruct or be likely to obstruct the line of sight, view of any corner, bend, intersection, vehicle crossing, pedestrian crossing or private entrance, traffic sign or traffic signal
 - (b) not distract unduly or be likely to distract unduly the attention of road users or footpath users
 - (c) not constitute or be likely to constitute in any way a danger to road users or footpath users
 - (d) be able to be read by a driver of a vehicle on a road moving at the legal speed limit if the sign is directed at drivers.
- 11.7 ~~Council~~ An authorised officer may by notice in writing (or without notice if the sign is deemed to be dangerous by an ~~Enforcement~~ authorised officer), require the owner or user of any non-complying or unsafe sign to remove the offending sign from any public place.

Explanatory note:

Safe line of standards can be viewed in the Austroads Guide to Road Design (Part 4A, Section 3.2.2).

Minimum recommended letter sizes and other design elements to ensure signs can be safely read by drivers of vehicles can be viewed in the New Zealand Transport Agency Waka Kotahi's Traffic Control Devices Manual Part 3 Advertsiting Signs.

12. BUSINESS SIGNS

- 12.1 Businesses operating from fixed premises are permitted to place signs on the footpath subject to compliance with section 11, clauses 12.2 and 12.3.
- 12.2 Siting of business signs:
- (a) businesses with one street front entrance shall be permitted one sign in addition to magazine signs
 - (b) businesses with more than one street front entrance may have a maximum of two signs in addition to magazine signs
 - (c) magazine signs shall be placed against the shop front
 - (d) signs, other than magazine signs, shall be located:
 - (i) within the frontage of the shop or business being advertised
 - (ii) in the area within 1.5 metres from the shop front or within 4-0.8 metre from the kerb line
 - (iii) in no case within the pedestrian way
 - (e) businesses using common entrance ways may only have a composite sign encompassing all businesses therein unless individual businesses within the arcade or mall have their own street frontage.
- 12.3 Dimensions of business signs
- (a) the maximum size of a free standing sign (including a composite sign) shall be 1200mm high x 800 mm wide

- (b) the maximum size of an upright fabric banner style signs shall be 1200mm high x 800 mm wide
- (c) the maximum size of a magazine sign shall be 0.5 square metres.

13. MOBILE SHOP SIGNS

- 13.1 Mobile shops are permitted to have two roadside signs displayed. Any other advertising must be directly attached to the mobile shop. Mobile shop signs must meet the general requirements for signs in clause 11.4 of this bylaw.
- 13.2 Mobile shop signs shall **must** be no larger than one square metre and must not be located further than 100 metres from the mobile shop.

14. REAL ESTATE SIGNS

- 14.1 Real estate signs may only be placed directly outside the property to which the signage refers and as close to the street front boundary of that property as practicable. ~~To avoid doubt, Real Estate Signs include flags attached to parked vehicles outside the property advertising an auction of real estate or open home.~~
- 14.2 **Where a property is marketed by a sole agency one real estate sign is permitted, where a property is marketed by multiple agencies a maximum of 3 real estate signs are permitted.**
- 14.3 Real estate signs must be removed **no later than 14 days** ~~2 weeks~~ after the property has-sold **and comply with the general conditions in section 11.**
- 14.4 ~~In addition to the above, Directional real estate signs "open homes" and "auction" signs may be displayed on the day of the open home or auction, are permitted provided they comply with the following conditions, in addition to the general conditions in section 11:~~
 - (a) each sign must not exceed 0.3 metres in area
 - (b) the maximum height of each sign must not exceed 1 metre above ground level
 - (c) maximum of 1 directional sign adjacent to the property for sale or auction site
 - (d) a maximum of 1 directional sign at each of the three nearest intersections leading towards the property

~~Public Places in the period starting 3 hours prior to the open home or auction and finishing at the end of the open home or auction, provided clauses 110.2 to 110.65 of this Bylaw are met.~~
- 14.5 **In addition to the directional real estate signs permitted in clause 14.4, one open home or auction sign may be displayed on a public place or attached to a lawfully parked vehicle provided the sign is directly outside the site or property and complies with the general conditions in section 11.**

Explanatory note: In accordance with the City Plan real estate signs must relate to the property they are displayed on.

15. ELECTION SIGNS

- 15.1 Approval must be obtained ~~from Council~~ for the **siting display** of election signs on or in a public place.
- 15.2 The maximum size of any local election sign ~~shall~~ **must not exceed** ~~be~~ 1.5 square metres in area.

- 15.3 Local election signs must comply with:
- (a) clause ~~11.4~~ of this bylaw
 - (b) Tauranga City Council's **relevant policy on election signs**. ~~Local Elections~~ policy.
- 15.4 **In accordance with the Electoral Act 1993 general election signs of up to 3 square metres in size are permitted to be displayed 9 weeks before polling day.**
- 15.6 **General elections must comply with Tauranga City Council's relevant policy on election signs.**
- General Election Signs must:**
- ~~— (a) comply with clause 10 of this Bylaw~~
 - ~~— (b) only be displayed between the period nine weeks before polling day and the close of the day before polling day~~

Explanatory note: Council's current policy on elections signs is the Local Elections policy.

The Electoral Act 1993 sets out specific conditions for election signs including the requirement for a promoter statement.

16. COMMUNITY SIGNS

- 16.1 ~~Council may, on application, permit the display in a Public Place of Community Event Signs publicising charitable and non-commercial events or events where (in Council's opinion) the benefit to the community outweighs any commercial considerations.~~
- 16.1 ~~Community signs can only relate~~ **Approval is required for community signs** ~~to events taking place in the Tauranga City Council and/or Western Bay of Plenty District Council districts.~~
- 16.2 ~~Approved community signs may only be erected at sites or on frames specifically reserved by Council for that purpose. Signs must comply with Reserve Management Plans and any specifications for reserve signage.~~
- 16.3 ~~An application for permission to display a Community Sign must be made in writing to Council and in granting permission Council may impose conditions including payment of fees for hiring the site or frame, and removal and maintenance of signs.~~

17. GARAGE SALE SIGNS

- 17.1 Subject to clause 17.2, signs advertising garage sales are permitted in a public place provided clauses 11.2 to 11.7 of this Bylaw are complied with.
- 17.2 Signs advertising garage sales are only permitted to be displayed in the period starting 24 hours prior to the commencement of the garage sale and finishing at the end of the garage sale.

18. FENCES AND TREES ADJACENT TO A PUBLIC PLACE

- 18.1 ~~Where~~ **If** any **rail, gate** fence, wall or retaining wall adjacent to a public place is in a state of disrepair as to be in the opinion of an ~~Enforcement~~ **authorised** officer dangerous to persons passing within the public place, the ~~authorised Enforcement~~ officer may give **written** notice ~~in writing~~ requiring the owner or occupier of the land to repair or remove the fence, wall or retaining wall to the satisfaction of the ~~Enforcement~~ **authorised** officer. The owner or occupier shall comply with such a notice.

Explanatory note: The Building Act 2024 allows Tauranga City Council to regulate fence construction. The Fencing Act 1978 addresses fence encroachment issues. The Tauranga City Plan regulates fences, walls and retaining structures adjoining walkways and the coastal marine area. Section 355 of the Local Government Act allows Tauranga City Council to require removal or lowering of fences that may obstruct traffic.

18. EVENTS, PARADES AND ASSEMBLY

~~22.1 No person shall in any Public Place, without the prior written permission of Council, combine with other persons or take part in any assembly or organise, hold or conduct any public meeting, gathering, demonstration, or any parade or procession (whether in vehicles or on foot), or organise or conduct any display or event (referred to below as an activity) in such a way as to:~~

- ~~(a) impede pedestrian or vehicular traffic access to or along any Public Place or to any shops or premises facing on to any Public Place~~
- ~~(b) cause a public nuisance~~
- ~~(c) endanger public health and safety (including traffic safety) (d) be offensive.~~

~~22.2 Permission will not be unreasonably withheld and reasons will be given by Council where permission is refused. Permission may be refused in circumstances where Council reasonably believes the activity will or is likely to:~~

- ~~(a) unreasonably impede pedestrian or vehicular traffic access~~
- ~~(b) cause a public nuisance~~
- ~~(c) endanger public health and safety (including traffic safety)~~
- ~~(d) be offensive~~
- ~~(e) conflict with another activity for which permission has already been granted.~~

~~22.3 In determining whether or not to grant permission Council may consider any relevant matter including:~~

- ~~(a) the time, location and duration of the activity~~
- ~~(b) the expected number of participants in, and any spectators of, the activity~~
- ~~(c) the impact the activity may have on the normal use of the Public Place including other users of that Public Place~~
- ~~(d) cumulative effects of activities~~
- ~~(e) whether the activity may give rise to some public disorder for example whether, viewed objectively, it may have a reasonable likelihood of dissuading others from enjoying their right to use the Public Place (by entering or remaining in it).~~

~~22.4 Council shall also consider whether any proposed refusal of permission is demonstrably justifiable in light of:~~

- ~~(a) the rights and freedoms protected by the New Zealand Bill of Rights Act 1990~~
- ~~(b) the significance of the problem being addressed (namely the impeding of access or the public nuisance or danger to public health or safety or offensiveness)~~
- ~~(c) whether the proposed refusal is a proportionate response to that problem~~
- ~~(d) whether that response interferes with any relevant right or freedom as little as is reasonably possible in the circumstances.~~

19. BUILDING AND STRUCTURES

- 19.1 No person ~~may~~, without ~~approval the prior written consent of Council, shall~~, except where otherwise provided for in the City Plan or relevant Reserve Management Plan:
- (a) erect, construct, or place any building, dwelling or other structure or erection whatsoever, or any part thereof under, on, above, or across any public place;
 - (b) ~~put~~ **install** any veranda, projecting window, balcony, wall, lamp, doorstep, cellar door, signboard, window shutter, gatepost, curtain, awning, blind or other obstruction, enclosure or projection of any kind ~~whatsoever in such a position as to that may~~ interfere with or cause obstruction in any public place
 - (c) hang, or allow to be hung, any door or gate abutting ~~on any public place so as to render it capable of being that it may swing over or across such a public place. This clause 20.1 (c) does not restrict any fire or emergency access as required by any Act or Regulation~~
 - (d) omit or neglect to secure and maintain the foundations of any building, ~~or any wall or fence, or cause or permit any encroachment by any building, wall, or fence abutting on any public place, in a way that the Ppublic Pplace is or may be damaged or obstructed a public place~~
 - (e) mix concrete or carry out any other work upon any public place ~~so as to that may damage, deface or create an obstruction in the public place.~~

20. ROAD AND BUILDING IDENTIFICATION

- 20.1 No person shall give any name to or affix, set up, or paint any name on any street, or public place without the prior **approval**. ~~permission in writing of Council.~~
- ~~20.2 Council may from time to time cause to be painted or affixed on a conspicuous part of some house or building at or near the end, corner, or entrance of every street, and in the direction of the line of such street, the name of such street.~~
- ~~20.2 The owner or occupier of every building shall mark such building in the way specified in clause 204.34 with such numbers as Council shall direct or approve, and shall renew the numbers as often as they are obliterated or defaced, or as Council shall order or direct, replacement but no longer than one month from the date of Council ordering such replacement.~~
- 20.2 The size of the numbers required to mark every building shall be not less than 50mm in height for residential dwellings and not less than 150 mm in height for all other buildings. The numbers shall be displayed in such a position as to be readily visible from any street fronted by that building or access way to that building.
- 20.3 ~~Council~~ **An authorised officer shall have** ~~has~~ power ~~at any time to:~~
- (a) alter the number of any building where it may be in Tauranga City Council's opinion necessary or advisable to do so
 - (b) affix or apply a number to any premises in such manner and position as it thinks fit.
- 20.4 No person shall ~~wilfully or maliciously~~ destroy, pull down, obliterate, or deface the name of any street, or the number of any building.

21. TAURANGA CITY COUNCIL FACILITIES

- 21.1 ~~Council Rules~~ may be displayed at the main entrance to any public place ~~and or~~ Tauranga City Council facilities (library, public swimming pool or other Tauranga City Council facility), ~~rules to~~ regulate the use by members of the public. Every person shall comply with such rules or the reasonable request of an ~~Enforcement~~ authorised officer about conduct at these facilities.

22. ~~LICENCES~~ APPROVAL

- 22.1 No person may undertake any activity for which approval (including a licence or permit) is required under this bylaw without first obtaining written approval from an authorised officer.
- 22.2 The form of ~~any application for and grant of any permission, licence or approval~~ required under this bylaw will be determined by an authorised officer ~~Council~~.
- 22.3 ~~Conditions~~ Council may be attached to any permission, approval and include the duration of approval. ~~or licence any terms or conditions as it thinks fit.~~
- ~~26.3 No application for a licence from Council, and no payment of or receipt for any fee paid in connection with such application or licence, shall confer any right, authority or immunity on the person making such application or payment.~~
- 22.4 Any approval under this bylaw attaches to the person who obtained it and is not transferable to any other person unless the approval expressly provides otherwise.
- 22.5 Any approval granted under this bylaw may be reviewed:
- (a) to respond to non-compliance of the conditions of the approval
 - (b) to be consistent with changes to legislation
 - (c) to address any public safety, nuisance or misuse issues arising from the exercise of the approval (for example unsafe or hazardous conditions, unreasonable obstruction, damage) and
 - (d) if the activity is likely to interfere with any authorised works by Tauranga City Council or a network utility operator.
- 22.6 Tauranga City Council may take action for failure to comply with an approval. This clause applies to a person who has been granted an approval who:
- (a) fails to comply with the approval, including any condition of an approval; or
 - (b) provided inaccurate information on any application for an approval which materially influenced the decision made on the application.
- 22.7 Tauranga City Council may take any one or more of the following actions against a person to whom clause 22.6 applies:
- (a) issue a written warning which may be used as evidence of a bylaw breach during any subsequent consideration of an approval or enforcement action;
 - (b) review the approval which may result in its amendment, suspension or cancellation.
- 22.8 ~~Council may suspend a~~ Any licence approval granted under this bylaw may be suspended for a period ~~not exceeding 72 hours~~ during the staging of any special event, by giving the ~~licence~~ approval holder 10 days' notice in writing.
- 22.9 Approval Council may be suspended ~~any such licence~~ for the purposes of protecting the public from nuisance or for protecting, promoting or maintaining public health and safety.

Explanatory note: Tauranga City Council may charge fees for approvals and inspections under this bylaw.

Authorised Officers can issue notices requiring action to fix breaches.

Tauranga City Council also has powers to remove things built in breach of the bylaw and recover costs and may issue infringement fees under the Land Transport Act 1998 where applicable.

Suspending or Revoking Licences:

- (a) ~~Council may revoke or suspend a licence granted under this Bylaw if it reasonably believes the licence holder:~~
 - (i) ~~has acted or is acting in breach of the licence (ii) is unfit in any way to hold such a licence.~~
- (b) ~~Council may require the licence holder to attend a hearing to explain why the licence should not be revoked or suspended. Council may revoke or suspend the licence at its discretion if either:~~
 - (i) ~~the licence holder does not attend the hearing~~
 - (ii) ~~if after the hearing Council is satisfied the licence holder has been in breach of the licence or is unfit to hold the licence.~~
- (c) ~~Council may suspend any licence granted under this Bylaw for a period not exceeding 72 hours during the staging of any special event, by giving the licence holder 10 days' notice in writing. Council may suspend any such licence for the purposes of protecting the public from nuisance or for protecting, promoting or maintaining public health and safety.~~

23. FEES

- ~~23.1 Council may in accordance with section 150 of the Local Government Act 2002 prescribe fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by Council under this Bylaw.~~

24. NOTICES

- ~~24.1 Council may give notice to any person in breach of this bylaw to carry out any remedial action in order to comply with the bylaw and every such notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time.~~

25. ENFORCEMENT POWERS

- ~~25.1 Council may use its powers under the Local Government Act 2002, the Litter Act 1979, and the Health Act 1956 to enforce this bylaw.~~

- ~~25.2 **Removal of material or things**~~

- (a) ~~In addition to the powers conferred on it by any other enactment, Council may remove or cause to be removed from any public place any material or thing using that public place in breach of the Bylaw.~~
- (b) ~~Council may recover from the person who committed the breach of this bylaw the appropriate costs in connection with the removal of the material or thing.~~

25.3 **Removal of construction**

~~Council may, Pursuant to section 163 of the Local Government Act 2002, remove or alter a work or thing that has been constructed in breach of this bylaw and may be and recover any costs of removal or alteration from the person who committed the breach.~~

26. OFFENCES AND PENALTIES

- ~~26.1 A person who fails to comply with this Bylaw commits a breach of this Bylaw and is liable to a penalty under the Local Government Act 2002.~~
- ~~26.3 A person who commits a breach of this Bylaw that is an offence under the Litter Act 1979 is liable to a penalty under that Act.~~
- ~~26.4 A fine of \$55 is applicable for any breach of clauses 9.1 or 9.3.~~

27. DISPENSING POWERS

- ~~27.1 Council may waive full compliance with any provision of this Bylaw in a case where Council is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. Council may in its discretion impose conditions of any such waiver.~~

28. SERVING OF NOTICES AND DOCUMENTS

- ~~32.1 Except as otherwise expressly provided for in any Act, where any notice, order, or other document is required to be served on any person for the purposes of Bylaw, Council may serve notice by:~~
 - ~~(a) delivering it personally~~
 - ~~(b) sending it by messenger~~
 - ~~(c) sending it by registered post to the person's last known place of residence or business.~~
- ~~32.2 If that person is absent from New Zealand, the notice may be sent to his or her agent instead of to that person.~~
- ~~32.3 If that person has no known name or address or is absent from New Zealand and has no known agent, and the notice relates to any land or building, the notice may be served on the occupier, or if there is no occupier the notice may be put on some conspicuous part of the land or building without the notice naming the owner or occupier.~~
- ~~32.4 If that person has died, the notice may be served on his or her personal or legal representative or executor.~~
- ~~32.5 Where a notice is sent by registered post it will be sent to arrive in the normal course no later than the notice is required to be served and will be deemed to have been~~

~~served at the time when the registered letter would be delivered in the ordinary course of post.~~

ATTACHMENTS TO TAURANGA STREET USE AND PUBLIC PLACES BYLAW 2018

The Tauranga Street Use and Public Places Bylaw 2018 allows Council by resolution to determine:

- (a) areas where riding or using a skateboard, scooter, roller skates or a similar device are prohibited (Prohibited Areas)
- (b) ~~areas where a license to occupy is required to place tables, chairs and umbrellas on the Footpath (Licence to Occupy Areas).~~

These proposed attachments are provided for information only and do not form part of the Bylaw itself.

ATTACHMENT A

Council resolution: 20 November 2018

By Council resolution under clause 10.2 of the bylaw riding or using the following wheeled recreational device:

Skateboard or Roller Skates

Are prohibited in the following areas:

Tauranga Central Area:

Prohibited on Road and Footpath:

1. Hamilton Street from Durham Street to Willow Street (inclusive)
2. Wharf Street from Durham Street to Willow Street (inclusive)
3. Spring Street from Durham Street to Willow Street (inclusive)
4. Civic Centre Arcade including public thoroughfares
5. Spring Street Carpark Building
6. Elizabeth Street Carpark Building
7. Hamilton/Harington Carpark Building.

Prohibited on Footpath only:

1. Wharf Street from Willow Street to the Strand (inclusive)
2. Grey Street from Elizabeth Street to Spring Street (inclusive)
3. Devonport Road from Elizabeth Street to Spring Street (inclusive)
4. The Strand from Spring Street to Harington Street (inclusive).

Mount Maunganui Central Area:

Prohibited on Footpath only:

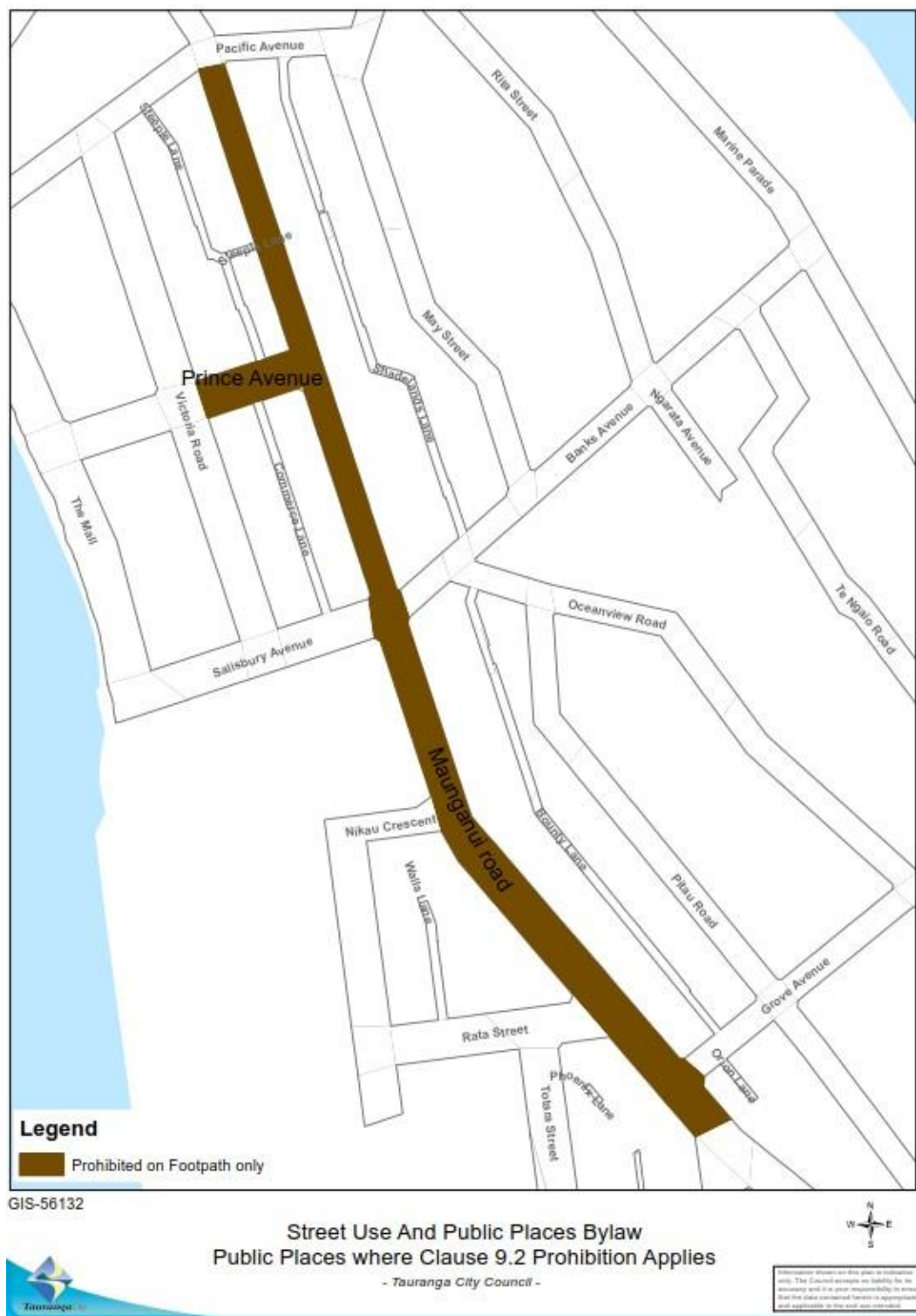
1. Maunganui Road from Pacific Avenue to its intersection with Tawa Street
2. Prince Avenue from Victoria Road to Maunganui Road.

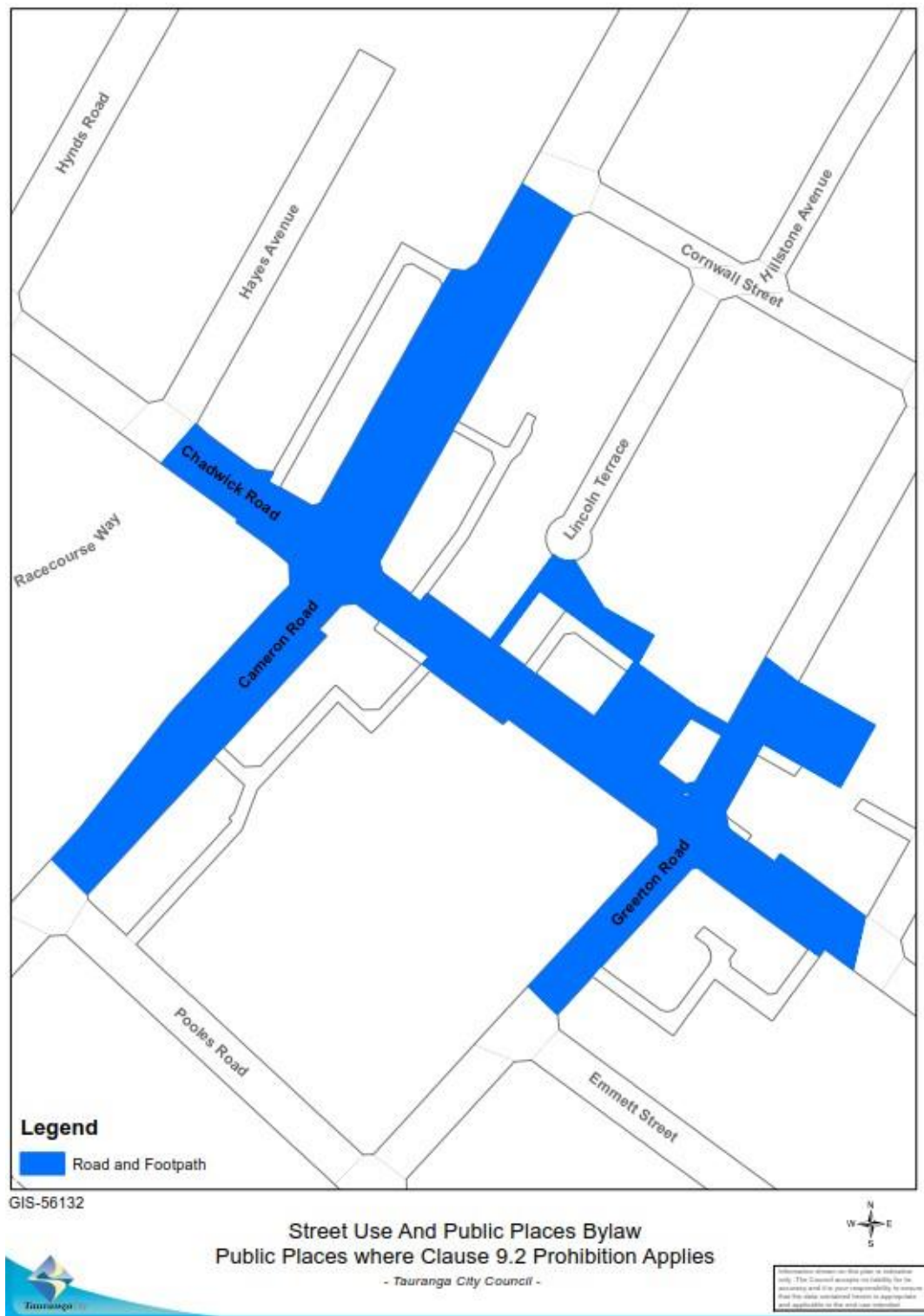
Greerton Commercial Area:

Prohibited on Road and Footpath:

1. Cameron Road from intersection with Cornwall Street to intersection with Pooles Road
2. Chadwick Road from intersection with Mitchell Street to intersection with Hayes Avenue
3. Greerton Road from intersection with Emmett Street to northern boundary of the Greerton Road carpark
4. Greerton Road carpark
5. Lincoln Terrace Walkway and Greerton Village Square and linking walkways.







ATTACHMENT B

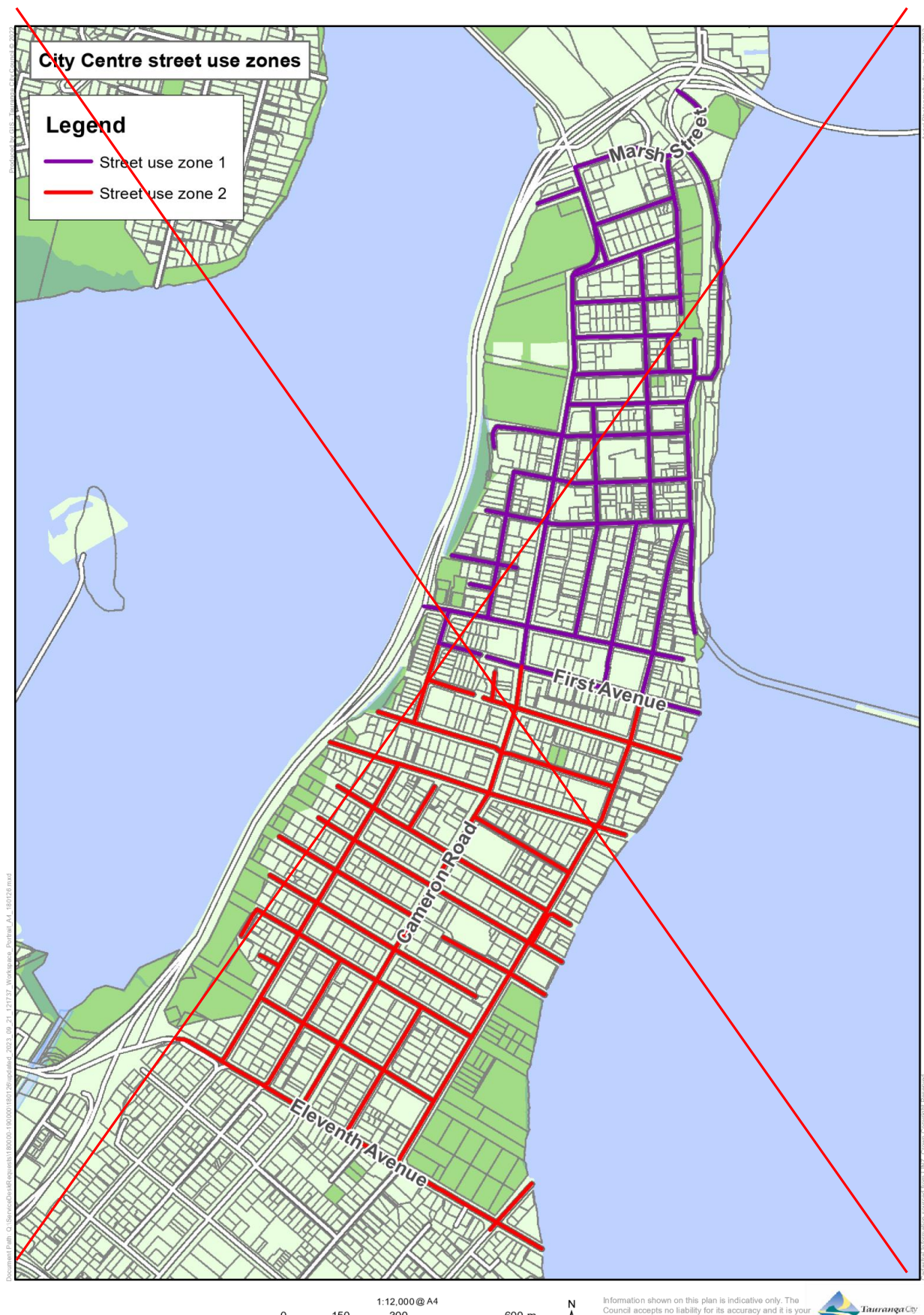
Areas where a licence to occupy is required to place tables, chairs and umbrellas on the Footpath (Clause 7.3 of the Bylaw) as per council resolution CO9/24/8 made 29 April 2024.

Zone A – Inner City Centre, South of Marsh Street to First Ave (inclusive) as outlined in the City Centre street use zones map

Zone B – South City Centre, Second Ave to Eleventh Ave (inclusive) as outlined in the City Centre street use zones map

Zone C – Mount Mainstreet, Maunganui Road from Grace Road to Salisbury Avenue (inclusive) as outlined in the Mount Maunganui street use zones map

Zone D – Mount Central, North of SH2, Hewletts Road and Golf Road (inclusive) but excluding Maunganui Road from Grace Road to Salisbury Avenue, as outlined in the Mount Maunganui street use zones map as outlined in the Mount Maunganui street use zones map





Statement of Proposal – review of the Street Use and Public Places Bylaw

Protecting the community and public places

Tauranga has many public places for our communities to connect, relax and enjoy the outdoors. Because these areas are shared, conflicts can occur, affecting safety and reducing people's enjoyment.

Trading activities in public spaces, such as on footpaths, streets and parks add vibrancy and contribute to social and economic benefits. However, they can also create risks, including accidents, obstructions, or misuse of community assets, particularly when footpaths become cluttered with furniture or goods.

Street Use and Public Places Bylaw

The Street Use and Public Places Bylaw 2018 (bylaw) sets the rules for public places to ensure public safety, accessibility and enjoyment for the community.

We are reviewing the bylaw to check that the rules are appropriate and to get feedback from our communities on issues identified through the review including:

- the appropriate footpath area allocated for businesses to use and whether they should be able to apply for additional space;
- the types of things that the footpath, and other public places, can be used for;
- expanding the definition of a mobile shop to include those offering services; and
- signage across the city

Council considers a bylaw to be the most effective way to address issues such as public nuisance, health and safety risks and the misuse of public places. The draft bylaw is the most appropriate form to manage these concerns, and the proposed changes improve clarity, consistency and enforceability.

Some provisions, such as those regulating street performance and signage may have implications for freedom of expression under the New Zealand Bill of Rights Act 1990 (Act). However, these provisions are considered reasonable and justifiable, as they are necessary to protect public safety and the rights of others. Therefore, the draft bylaw is not inconsistent with the Act.

Reasons for the proposed changes

We are proposing to retain most of the existing rules in the bylaw but have revised the structure and wording to make it easier to understand. The key proposed changes are outlined below:

What we're proposing...	... and why?
The pedestrian way To amend the definition of the pedestrian way from 2.5 metres wide to 1.8 metres wide.	The current bylaw's definition goes beyond what is necessary for safe pedestrian movement and is not practical given the physical constraints of many of Tauranga's footpaths.

What we're proposing...	... and why?
Mobile shop definition To change the definition of a mobile shop to include those offering services. The current bylaw defines a mobile shop as 'a vehicle from which merchandise can be sold'	Provides a consistent approach to mobile shop trading and allows for a greater range of services to be provided for. Allows for infringement fees under the Land Transport Act 1998 to be applied to those trading from inappropriate locations to improve road safety, including on footpaths.
What can be displayed on the footpath To widen the scope of what can be displayed on the footpath outside shops without approval. The current bylaw only allows for merchandise to be displayed, other types of commercial displays including coin activated machines and advertising activations require approval.	Sets consistent rules for all types of commercial displays and provides greater clarity.
Amount of footpath space for street dining and commercial displays Allow all businesses to use up to 1.5 square metres of footpath space outside their premises for street dining furniture, commercial displays or a combination of both. The total space must not exceed 1.5 square metres, regardless of how it is allocated between the two activities. Any use of additional space will require approval.	Sets consistent rules across the city. Currently businesses in some areas of the city are required to have a licence to occupy to use the footpath for street dining but are permitted to use the footpath for retail displays. Businesses in other areas of the city are permitted to have a set number of street furniture items without requiring a licence. Provides for flexibility by allowing all businesses to use some public space with scope to use additional space if they go through an approval process.
Real estate signs Set a maximum number and conditions for real estate signs on Council owned land. Including directional real estate signs and open home and auction signs.	Provides greater clarity around the conditions for all types of real estate signs. Ensures safety and amenity value is maintained by setting a maximum number of signs.

Have your say

We want to know what you think about the proposed draft bylaw. Starting on **INSERT DATE** we are asking for feedback on the proposed changes to the street use and public places bylaw.

You can give your feedback:

- Entering your feedback online at **INSERT WEB ADDRESS**
- Emailing it to info@tauranga.govt.nz
- Filling in the form attached to this statement of proposal

Review Timeframes: **DATES TO BE CONFIRMED**

- Consultation period: November/December 2025
- Hearings, deliberations, and bylaw adoption: March/April 2025

Section 155 Determinations for the proposed draft Street Use and Public Places Bylaw

Section 155 of the Local Government Act 2002 must be followed when reviewing a bylaw. Section 155(1) requires a council to determine whether a bylaw is the **most appropriate way of addressing a perceived problem**. If Council determines that it is, then before making the bylaw it must determine if the proposed bylaw is in the most appropriate form and assessing whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Identified problem 1: Safe pedestrian way

The primary use of a footpath is for pedestrian movement. Footpaths can also be used for a variety of other activities such as outdoor street dining and displays. These activities can sometimes interfere with safe and efficient pedestrian movement.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
Through a bylaw Tauranga City Council can 'protect' a pedestrian way, to ensure a safe means of access for pedestrians, by regulating the use of the footpath for non-pedestrian purposes. A bylaw is the most efficient way of setting a pre-defined safe area for pedestrian access. There is no other legislation or regulatory tool which would achieve this. A bylaw made under the Land Transport Act 1998 would also allow for infringement fees to help with compliance for road safety (including footpaths). A bylaw is also the most appropriate way of addressing other issues on footpaths which may be dangerous or cause a nuisance, such as skateboards and scooters or neighbouring trees and fences.	Proposed clauses 6.1, 6.3, 6.4, 9.1(e), 10.1, 10.2, 11.5, 12.2 and 18.1 The interpretation section defines the pedestrian way. Clause 6.1 ensures that the pedestrian way is not obstructed and proposed clauses 9.1(e), 11.5 and 12.2 ensures that the pedestrian way is maintained if street furniture, commercial displays and signs are placed on the footpath. Clause 10.1 specifies that no person shall ride or use a skateboard, scooter or similar device in any public place in such a manner as to be dangerous or cause a nuisance. This addresses pedestrian safety issues. Clause 10.2 allows for Council to prohibit the use of skateboards and scooters in certain areas to eliminate any safety risks from their use. Proposed clauses 6.3 and 6.4 ensure that no trees or vegetation impact on access to a public place or be dangerous to persons passing. Proposed clause 18.1 also ensures that no public place is obstructed or causes a safety hazard by fences, rail, gates, wall or retaining wall. These proposed clauses are considered the most appropriate form for addressing the perceived problem.	The proposed bylaw does not give rise to any implications under the NZBoRA. The bylaw supports freedom of movement by ensuring a safe and unobstructed pedestrian way in public places. The provisions are reasonable and demonstrably justifiable in a free and democratic society, as they are necessary to protect public safety and accessibility for all users of public places.

Identified problem 2: Safety risks and impacts of signs

Advertising and signage in public places play an important part in informing the community. This includes businesses using signs. However, the size, location, nature and number of signs can impact on the area where they are displayed. Signs can pose safety risks if they are placed in positions that obstruct pedestrian access or hinder driver visibility. If signs are not attached securely there is a risk that they could detach and become a hazard.

The ability to control signs in public places ensures that we don't have too many signs placed in one area or signs placed in such a location that they prevent other uses or activities occurring in that area. If people were able to place signs anywhere on public places this would create a nuisance for other users.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
A bylaw is the most appropriate way to regulate signs in public places to address both safety and nuisance issues. The City Plan can address general issues of what size signs are allowed in the district's zones and the impact of those signs. However, the bylaw can regulate the location and number of signs in a public place to ensure that signs do not pose any safety risks or create a nuisance by interfering with other users of the sites enjoyment of the area. A bylaw also allows more flexibility over City Plan rules to respond to changes and avoids the need for a formal plan change, which can be time-consuming and less adaptable to operational or site specific issues.	Proposed clauses 11, 12, 13, 14, 15, 16 and 17 Clauses 11.1 – 11.6 specify the general requirements for signs in public places. The bylaw has been updated to ensure it is consistent and provides clear conditions for displaying signs. Proposed clause 12.2 sets out the requirements for the siting of business signs and clause 12.3 sets size limits to ensure safety and amenity. These clauses respond appropriately to the perceived problem and this accords with the purposes for which Councils' may make bylaws under the Local Government Act 2002. Clause 13 allows mobile shop operators to display two road signs and specifies the requirements of these signs. Including the size and where the signs can be positioned. This addresses safety issues. Clause 14 specifies the requirements for real estate signs to ensure safety standards are maintained. Clause 15 sets the maximum size for a local election sign and requires compliance with Council's Election Sign policy which identifies locations for signs to ensure safety and amenity value.	Restrictions on the display of signs in public places could be considered a limit on freedom of expression under NZBoRA. However, the primary focus of the proposed bylaws is not the content of the sign but the physical and amenity effects of excessive signage. The bylaw allows for some display of each type of sign (either directly or with approval) and any limitations are considered reasonable and demonstrably justifiable in a free and democratic society in accordance with the NZBoRA.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
While a Council policy can provide guidance on signage, any non-compliant signs can only be removed if there is a bylaw in place.	Clause 16 states what type of events can apply to hire sites or frames to display signs in public places. The sites and frames are specifically reserved by Council for that purpose. This controls the number of signs, the set locations, ensures that signs are placed in positions that meet safety conditions and do not prevent other people's use of public places, therefore creating a nuisance. Clause 17 sets out the requirements for garage sale signs in public places. These proposed clauses are considered the most appropriate form for addressing the perceived problem.	

Identified problem 3: Impacts from trading, events and filming in public places

Trading, events and filming in public places can add to the character and vibrancy of the city. However, it is important to manage these activities in public places to ensure appropriate standards of health, safety, and accessibility, and to protect the public from potential nuisances.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
There is no other legislation which would allow the Council to impose these restrictions.	Proposed clause 8.1 Proposed clause 8.1 requires approval for any commercial activity, event or filming to occur in a public place. Approval is defined in the interpretation section and <i>'means a licence, permit, or other form of written permission granted by an authorised officer under this bylaw, which must be obtained before undertaking the activity to which it relates, and includes any conditions to which the approval is subject. The powers in the proposed clauses provide an effective way for Council to regulate the perceived problems identified'</i>.	Clauses 8.1 This clause cover the requirement for people to obtain approval for trading events and filming. Therefore, there are Bill of Rights implications because of the requirement to seek approval for performing music and other types of performances in a public place may be considered a limitation on freedom of expression. The purpose of requiring permission for these activities is to provide a means by which the rights of the 'performer' can be balanced with the rights of others using the public place, to

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
	The powers is the proposed clause provide an effective way for Tauranga City Council to regulate the perceived problems identified.	determine whether the behaviour can take place in the circumstances. The Bill of Rights Act will inform the Council's implementation and enforcement of clause 8.

Identified problem 4: Activities in public places that may create a nuisance and/or safety hazard

Many activities in public places may pose safety risks or cause nuisance to others. For example, depositing hazardous materials in a public place can endanger public health. Other behaviours, such as performing music may also create a nuisance depending on where and how they are carried out, and in some cases, may be considered offensive.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
The Litter Act 1979 covers pure littering but not specifically the deposit of material which may be hazardous or likely to create a nuisance. Nor does the Litter Act deal with the problem of public litter bins being used for household or business refuse. Therefore, a bylaw is required to address the safety risks and other adverse impacts of these types of activities. A bylaw provides Council with the power to regulate and enforce these types of activities. The Local Government Act 2002 authorises the Council to make bylaws to protect the public from nuisance and to minimise the potential for offensive behaviour in public places (section 145(a) and (c)). A bylaw is the only practical way in which	Proposed clauses 6.2, 7.1, 7.2, 7.3 and 8.1, Clauses 7.1 protects people's enjoyment of public safety in accordance with the sections 145 of the Local Government Act 2002. Clauses 6.2, 7.2(a), (b) and (c) do not allow for any materials to be deposited in a public place without approval. This provides Tauranga City Council the ability to set conditions and to manage the safety and nuisance. Clauses 8.1 provides a mechanism for approval to be sought prior to the activity in question taking place. This approach allows for approval to be sought on a case-by-case basis and is considered the most appropriate form of the bylaw. The range of potential activities is limitless and it is not possible for the bylaw itself to	Clauses 6.2, 7.1, 7.2 and 7.3 Council has determined that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990. Clauses 8.1 These clauses cover the requirement for people to obtain approval for trading (including busking and street performance), events and filming. Therefore, there are Bill of Rights implications because of the requirement to seek approval for performing music and other types of performances in a public place may be considered a limitation on freedom of expression. The purpose of requiring permission for these activities is to provide a means by which the

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
the Council can regulate this type of conduct if it becomes necessary to do so.	state in the abstract exactly what activity is permitted and what prohibited. The requirement to seek approval therefore gives a mechanism for Tauranga City Council to consider the particular circumstances of each request. This balances between the rights of individuals to engage in public expression, and the rights of people to go about their business in public places without unreasonable impediment or being exposed to offensive behaviour or nuisance.	rights of the 'performer' can be balanced with the rights of others using the public place, to determine whether the behaviour can take place in the circumstances. The Bill of Rights Act will inform the Council's implementation and enforcement of clause 8.

Identified problem 5: Damage to public places and community assets

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
The Local Government Act 2002 provides the powers to make a bylaw to prevent damage to Council land and assets in public places and is the most appropriate way of addressing the problem.	Clauses 6.2, 7.2, 7.4 and 19.1 Clause 6.2 requires approval for any person to place or leave any material or thing this enables Tauranga Council to assess any potential damage to the environment and assets and if required impose conditions to protect assets. Clause 7.2 requires any person whose action may damage a public place including any structure, building, and vegetation, or use any animal or vehicle which damages any part of a public place or wishes to ride a bicycle or motorcycle or other vehicle on or around Mauao to obtain approval from Tauranga City Council. Clause 7.4 requires approval before lighting any fire in a public place. These clauses help to protect public places from damage.	No - Council has determined that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
	Clause 19.1 sets out actions that require approval. These actions include construction or placing any building or other structure on or above a public place and mixing concrete o carrying out any other work that may damage the public place.	

Identified problem 6: Safety issues if roads and buildings are not clearly identified.

If buildings and roads are not clearly identified this could cause significant delays for emergency services in emergency situations.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?
There is no other legislation that allows Tauranga Council to ensure that all roads and buildings in the district are clearly identified. Therefore, a bylaw is the most appropriate way of addressing this health and safety problem.	Clauses 20.1-20.4 Under the rules specified in clauses 20.1 and 20.2 emergency services are able to readily identify roads and locations where they are required.	No - Council has determined that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

11.5 Event temporary alcohol-free areas 2025/2026**File Number: A18878444****Author: Nigel McGlone, Manager: Compliance Services
Jenna Quay, Events Facilitation Manager****Authoriser: Sarah Omundsen, General Manager: Regulatory and Community Services****PURPOSE OF THE REPORT**

1. To seek Council approval for temporary alcohol-free areas to support safe hosting of events across Tauranga for the 2025/2026 summer period.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Event temporary alcohol-free areas 2025/2026".
- (b) Agrees the proposed temporary alcohol-free areas are appropriate and proportionate, and justified as a reasonable limitation on people's rights and freedoms.
- (c) Resolves under clause 9 of the Alcohol Control Bylaw 2018 to implement temporary alcohol-free areas to support events across Tauranga for the 2025/2026 summer as follows:

Tauranga City Council New Year's Eve community events and Soper Reserve events as per below table:

Fergusson Park	Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) from 10am, 31 December 2025 to 6am, 1 January 2026.
Gordon Spratt Reserve	Gordon Spratt Reserve and Alice Way (all inclusive) and Parton Road (between Tara Road and Papamoa Beach Road) from 10am, 31 December 2025 to 6am, 1 January 2026.
Tauranga Racecourse Reserve	Tauranga Racecourse Reserve from 10am, 31 December 2025 to 6am, 1 January 2026.
Soper Reserve	Soper Reserve and Newton Street (all inclusive) as follows from 6am to midnight on the following dates. • 7 February 2026, postponement date 14 February 2026 (Rockstock Tauranga) • 28 February 2026 (Beast of a Feast) • 21 March 2026 (Tauranga Moana Irish Festival)

Mercury Baypark New Year's Eve event, covering the streets identified in the table below from 10am, 31 December 2025 to 3am, 1 January 2026.

Girven Road	From Gloucester Road to Maunganui Road
Maunganui Road	From Girven Road to State Highway 2
State Highway 2/Te Maunga Lane	From Maunganui Road to Sandhurst Drive
Te Maunga Lane	All inclusive

Truman Lane	All inclusive
Mangatawa Link Road	All inclusive
State Highway 29A	From Truman Lane to Maunganui Road/Te Maunga Lane (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

Bay Oval events, covering Blake Park and the surrounding streets identified below for the following times and dates, 10am to midnight 17 January 2026 for Black Clash, 10am, 31 January 2026 to 1am, 1 February 2026 for FISHER and 10am to midnight on 7 February 2026 for UB40.

Blake Park	All inclusive (Skate Park and overflow carpark)
Hull Road	All inclusive
Maunganui Road	From Tweed Street to Puriri Street
Hinau Street	All inclusive
Miro Street	From Kawaka Street to Puriri Street
Kawaka Street	All inclusive
Totara Street	From Hull Road to Puriri Street
Tawa Street	From Kawaka Street Puriri Street
Matai Street	All inclusive
Puriri Street	All inclusive

EXECUTIVE SUMMARY

- Each year NZ Police request temporary alcohol-free areas associated with various events across Tauranga to reduce the risk of alcohol-related harm in and around event areas and support event organisers in delivering safe and well-run events with minimal disruption to nearby residents.

3. The areas requested in attachment one support the New Year's Event community events, events at Baypark, Soper Reserve and the Bay Oval for the 2025/2026 summer.
4. The [Alcohol Control Bylaw 2018](#) (the Bylaw) provides for Council to put in place temporary alcohol-free areas for events by publicly notified resolution.
5. This report seeks Council approval for the various temporary alcohol-free areas at event locations to support safe hosting of a number of events across Tauranga this summer.
6. If approved council officers will place a public notice as required and develop a communications plan that will include installation of temporary signage. NZ Police will enforce the alcohol-free areas when in place.

BACKGROUND

7. The purpose of the Bylaw is to control the consumption of alcohol in public places to reduce potential alcohol-related harm. As well as setting out permanent alcohol-free areas, clause 9 of the Bylaw states Council may, by resolution, prohibit the consumption, bringing and possession of alcohol on or in a public place for a time and/or event specified in that resolution (temporary alcohol-free area).
8. Each year, temporary alcohol-free areas are requested around key events across the city. These help Police manage potential alcohol-related disorder, reduce the risk of alcohol-related harm in and around event areas, and support event organisers in delivering safe and well-run events with minimal disruption to nearby residents.
9. The attached letter (attachment one) from NZ Police outlines the events where temporary alcohol-free areas have been requested, this request is also supported by staff. This enables NZ Police to better support the community celebrations and concerts and minimise any potential alcohol related crime and disorder.
10. The request covers three of the five New Year's Eve community events where permanent alcohol-free areas are not already in place and events at Mercury Baypark, Soper Reserve and the Bay Oval.
11. Temporary alcohol-free areas are not required for the NYE community celebrations planned for the Tauranga city centre and Blake Park, Mt Maunganui as these event sites within existing alcohol-free areas.
12. The table below sets out the proposed temporary alcohol-free areas for the New Year's Eve community events and Soper Reserve events.

Fergusson Park	Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) from 10am, 31 December 2025 to 6am, 1 January 2026.
Gordon Spratt Reserve	Gordon Spratt Reserve and Alice Way (all inclusive) and Parton Road (between Tara Road and Papamoa Beach Road) from 10am, 31 December 2025 to 6am, 1 January 2026.
Tauranga Racecourse Reserve	Tauranga Racecourse Reserve from 10am, 31 December 2025 to 6am, 1 January 2026.
Soper Reserve	Soper Reserve and Newton Street (all inclusive) as follows from 6am to midnight on the following dates. • 7 February 2026, postponement date 14 February 2026 (Rockstock Tauranga) • 28 February 2026 (Beast of a Feast) • 21 March 2026 (Tauranga Moana Irish Festival)

13. To support the concert, at Mercury Baypark a temporary alcohol-free area, covering the streets identified below is proposed from 10am, 31 December 2025 to 3am, 1 January 2026.

Girven Road	From Gloucester Road to Maunganui Road
Maunganui Road	From Girven Road to State Highway 2
State Highway 2/Te Maunga Lane	From Maunganui Road to Sandhurst Drive
Te Maunga Lane	All inclusive
Truman Lane	All inclusive
Mangatawa Link Road	All inclusive
State Highway 29A	From Truman Lane to Maunganui Road/Te Maunga Lane (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

14. To support the Bay Oval events, covering Blake Park and the surrounding streets identified below for the following times and dates, 10am to midnight 17 January 2026 for Black Clash, 10am, 31 January 2026 to 1am, 1 February 2026 for FISHER and 10am to midnight on 7 February 2026 for UB40.

Blake Park	All inclusive (Skate Park and overflow carpark)
Hull Road	All inclusive
Maunganui Road	From Tweed Street to Puriri Street
Hinau Street	All inclusive
Miro Street	From Kawaka Street to Puriri Street
Kawaka Street	All inclusive
Totara Street	From Hull Road to Puriri Street
Tawa Street	From Kawaka Street to Puriri Street
Matai Street	All inclusive
Puriri Street	All inclusive

STATUTORY CONTEXT

15. The proposed temporary-alcohol free areas are consistent with the purpose of the Bylaw to reduce alcohol-related harm in our community.
16. In accordance with section 147B of the Local Government Act 2002, the proposed temporary alcohol-free areas are proportionate responses and place reasonable limitations of people's rights and freedoms. The time periods for the proposed alcohol-free areas reflect the time period of concern for potential alcohol related crime and disorder.

STRATEGIC ALIGNMENT

17. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city	☐
We can move around our city easily	☐
We are a city that supports business and education	☐

18. The proposed temporary alcohol-free areas are consistent with the purpose of the bylaw to reduce alcohol-related harm in our community.
19. The proposed temporary alcohol-free areas will help people feel safer in their communities, a key goal of Council's Tauranga Matarauui – Inclusive City Strategy and community outcome. This in turn contributes to the community and inclusivity pillar of the vision for Tauranga, *Together we can ... lift each other up*, as outlined in Council's [Our Direction](#) framework.

OPTIONS ANALYSIS

2. The table below outlines the advantages and disadvantages of approving the temporary alcohol-free areas.

Option		Advantages	Disadvantages
1	Approve the temporary alcohol-free areas (recommended)	- Police are enabled to successfully limit alcohol harm and manage public disorder in public places around events. - Police are provided with an additional tool to support a safer environment for the community. - The community can enjoy a safer environment in these areas and when attending events.	Some residents and visitors may view the proposed temporary alcohol-free areas as being too restrictive.
2	Do not approve the temporary-alcohol free areas	Nil	The ability of the NZ Police to successfully limit alcohol harm and manage public disorder along the coast and at events would be reduced.

FINANCIAL CONSIDERATIONS

20. Implementing the alcohol-free areas involves costs related to public notification and the installation of temporary signage. The total estimated cost to cover all areas is approximately \$4,300, which will be met within existing budgets.

LEGAL IMPLICATIONS / RISKS

21. To activate Police powers under Section 170(2) of the Local Government Act 2002, the Council must provide at least 14 days public notice and install signage for any temporary alcohol-free areas. This enables the Police to carry out search powers immediately and without further notice in those areas for alcohol.

TE AO MĀORI APPROACH

22. The proposed temporary alcohol-free areas align with the principles of Manaakitanga – a strong duty of care and safety for our people and Kaitiākanga – stewardship of the natural environment.

CLIMATE IMPACT

23. There are no direct or specific climate change impacts resulting from the proposed temporary alcohol-free areas this is a regulatory procedure.

CONSULTATION / ENGAGEMENT

24. As clause 9 of the Bylaw provides Council with the power to put in place temporary alcohol-free areas by resolution, public consultation is not required. Public consultation was carried out when the Bylaw was developed.
25. Council officers have worked with the Police to determine the proposed temporary alcohol-free areas. Although Council has the power to make the Bylaw and put in place the alcohol-free areas it is the Police that enforce these.

SIGNIFICANCE

26. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
27. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
28. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

29. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

30. In accordance with the Bylaw, public notice will be given prior to the temporary alcohol-free areas taking effect and a communications plan covering each area and event will be implemented, including but not limited to erecting signage required to inform public of the temporary alcohol-free areas, dates and times. This will ensure Police can exercise the power of search under the Local Government Act 2002.

ATTACHMENTS

1. **NZ Police request for temporary alcohol-free areas for events 2025/2026 - A19059481**
 



Friday, 10 October 2025

Tauranga City Council
TAURANGA

Temporary Alcohol-Free Areas for Summer 2025/2026

This letter is to request temporary alcohol-free areas associated with events over the summer period in addition to the permanent and New Year alcohol-free areas as defined in the Tauranga City Council Alcohol Control Bylaw 2018. These additions to the permanent alcohol-free areas request have been implemented for several years now and work well to support events happening in Tauranga.

The temporary alcohol-free areas implemented in previous years have contributed to enhanced Police operations and a safer environment for the community during the identified events. Therefore, NZ Police request the below temporary alcohol-free areas to support Police operations:

Events

- Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) in Matua from 10am, 31 December 2025 to 6am, 1 January 2026 for the New Year's Event community event.
- Gordon Spratt Reserve and Alice Way (all inclusive), and Parton Road (between Tara Road and Papamoa Beach Road) in Papamoa from 10am, 31 December 2025 to 6am, 1 January 2026 for the New Year's Event community event.
- Tauranga Racecourse Reserve in Tauranga South from 10am, 31 December 2025 to 6am, 1 January 2026 for the New Year's Event community event.
- Soper Reserve and Newton Street (all inclusive) as follows from 6am to midnight on the following dates:
 - 7 February 2026, postponement date 14 February 2026 (Rockstock Tauranga)
 - 28 February 2026 (Beast of a Feast)
 - 21 March 2026 (Tauranga Moana Irish Festival)
- The streets identified in the table below surrounding Baypark to support the concert, Famous Last Words at the venue during the period from 10am, 31 December 2025 to 3am, 1 January 2026.

Baypark area requirements	
Girven Road	From Gloucester Road to Maunganui Road
Maunganui Road	From Girven Road to State Highway 2
State Highway 2/Te Maunga Lane	From Maunganui Road to Sandhurst Drive
Truman Lane	All inclusive
Mangatawa Link Road	All inclusive

State Highway 29A	From Truman Lane to Maunganui Road/Te Maunga Lane (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

- To support the Bay Oval events, covering Blake Park and the surrounding streets identified below for the following times and dates, 10am to midnight 17 January 2026 for Black Clash, 10am, 31 January 2026 to 1am, 1 February 2026 for FISHER and 10am to midnight on 7 February 2026 for UB40.

Bay Oval area requirements	
Blake Park	All inclusive (Skate Park and overflow carpark)
Hull Road	All inclusive
Maunganui Road	From Tweed Street to Puriri Street
Hinau Street	All inclusive
Miro Street	From Kawaka Street to Puriri Street
Kawaka Street	All inclusive
Totara Street	From Hull Road to Puriri Street
Tawa Street	From Kawaka Street to Puriri Street
Matai Street	All inclusive
Puriri Street	All inclusive

Please do not hesitate to contact myself or Inspector Clifford PAXTON if you have any further queries regarding the Police stance on this matter.

Yours faithfully,



Zane Smith
Inspector
Area Prevention Manager
WESTERN BAY OF PLENTY POLICE

11.6 Cambridge Road Closed Landfill Infrastructure Upgrade: Unbudgeted Expenditure**File Number:** A19035828**Author:** Greg Steele, Head of City Operations.
Sharon Herbst, Policy Analyst**Authoriser:** Barbara Dempsey, Acting General Manager Operations and Infrastructure**PURPOSE OF THE REPORT**

1. Request for approval of unbudgeted capital expenditure in the 2025/26 financial year to complete compliance works required under an abatement notice issued by Bay of Plenty Regional Council for the Cambridge Road closed landfill site, noting that additional environmental issues at the wider site are being investigated.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Cambridge Road Closed Landfill Infrastructure Upgrade: Unbudgeted Expenditure".
- (b) Approves an additional capital budget of \$1,497,085 for the completion of compliance works at 278 Cambridge Road.
- (c) Approves an increase to Council's 2025/26 borrowing limit by \$1,497,085 to fund the works.

EXECUTIVE SUMMARY

2. Tauranga City Council (the council) is required to undertake urgent infrastructure upgrades at the Cambridge Road closed landfill site to comply with an abatement notice issued in July 2024 by Bay of Plenty Regional Council (BoPRC).
3. The notice relates to unauthorised discharges of leachate and stormwater from a historic overflow landfill area at 278 Cambridge Road into the Kopurererua Stream.
4. Design and consenting work have been completed, but physical works were delayed due to seasonal restrictions. The deadline for compliance is 1 May 2026.
5. The total cost of the required works is \$1,497,085. No budget has been allocated for this work in the 2025/26 financial year.
6. The proposed works include leachate and stormwater infrastructure, easement documentation, asbestos sampling and monitoring, project management, and contingency.
7. The works are essential to avoid legal penalties, reputational damage, and environmental harm.

BACKGROUND**Cambridge Road Closed Landfill**

8. The Cambridge Road closed landfill was operational from the mid-1960s until 1998 (municipal waste) when closure was completed. During that time, it was the main refuse disposal site for domestic and commercial refuse from Tauranga. Resource consents were

obtained in 1995 to monitor and manage the ongoing discharges from the site, which expire in May 2030.

9. Beginning in 2020, council staff undertook a project to begin getting the site ready for re-consenting in 2030, which included a remediation project to rectify issues with the leachate collection system. Part of this project was also to purchase the section of the neighbouring property at 278 Cambridge Road that was identified as having been used as an overflow landfill during the 1980s. By purchasing the land, this enabled the council to then bring the area into the existing discharge consents for the closed landfill, and design and install the infrastructure required to manage the discharges for which it is ultimately responsible.
10. In 2020, the council and the neighbouring landowners (Trust) entered a section 17 Public Works Act acquisition agreement for the landfill area of 278 Cambridge Road. The Trust was compensated for the acquisition, and a compensation certificate was registered over the property to indicate the council acquired the landfill area and compensated the Trust. Prior to the final survey being completed, it was identified that the required buffer zone around the edge of the landfill had not been included. It was decided to register a covenant over the buffer zone rather than acquiring the additional area of land. This was more cost effective, identified the risk of waste beyond the original boundary for current and future landowners, and enabled restrictions on the additional area.
11. Work on the covenant began in 2023, with an agreement signed in 2024. A separate title for the acquired land was issued in November 2024, and the restrictive covenant was registered against the landowner's title in March 2025. As the design progressed for the physical works required, it became clear that an easement was required for stormwater diversion infrastructure crossing the neighbouring property. The agreement for easement was executed in September 2025.
12. In July 2024 BoPRC issued an abatement notice, requiring the council to address the stormwater and leachate discharges from the land at 278 Cambridge Road. Leachate is currently discharging from the land, eventually into the Kopurererua Stream, which is an unauthorised discharge.
13. The design and consent work required to enable the works to become compliant has been completed (2024/25 FY), and the physical works were intended to be completed last financial year, however the consent included a condition of no winter works, which meant we were unable to commence works until September 2025. The deadline to comply with the abatement notice is 1 May 2026.
14. Based on initial concept designs, the original engineer's estimate for the physical works was \$380,000 which was expected to be covered by the \$405,000 budget in the 2024/2025 financial year. The budget was spent in 2024/2025 on the planning stage of the project.
15. However, the contractor's price has come back at \$889,026.33 after the design and contaminated soils management plan were peer reviewed and detailed design completed. This review identified gaps and required revisions to meet the abatement notice conditions, which contributed to the increased cost. The contractor was procured via the City Waters Construction Services supplier panel due to the urgent nature of the work and based on the engineers estimate, complied with the procurement policy. The contractor's price has been reviewed by a Quantity surveyor and was reduced to the current price after reviewing recommendations provided.
16. The design and consent work has proved costly, as well as having to pay for a project manager (engagement cost \$172K) to oversee this programme. The project manager was engaged externally due to insufficient expertise and internal resource availability to deliver the project. This design, consenting and project management work spent the 2024/2025 capex that was budgeted. Once physical works commence, the external project manager's role will reduce.
17. Based on the contractor's programme, the physical works are expected to take 14 weeks.

18. Asbestos testing has been completed onsite to mitigate any accidental finds triggering cease works under the consent conditions. Asbestos has been identified; therefore, an asbestos assessor and removalist will be engaged to oversee the works to enable the works to continue once started.
19. There have been no funds budgeted for the 2025/26 FY.

Wider Site Issues at Cambridge Road Closed Landfill

1. BMX Track

20. The Tauranga BMX track at 262 Cambridge Road sits within the footprint of the wider Cambridge Road closed landfill.
21. Leachate has been coming up through the BMX track due to insufficient/inadequate stormwater and groundwater infrastructure installed beneath and around the track, as well as the high groundwater table. The track was built by the BMX club in 2011. Clean fill was brought in to build on top of the cap, but it is unclear what infrastructure is installed beneath the track. Cracks have formed which the council Spaces and Places team are regularly repairing, and there is also a soft spot on one area of the track.
22. A high-level investigation has been drafted on remediation options, including a staged approach, however, a cost estimate has not yet been provided and detailed design yet to be completed. Due to the proposed scale, it could be similar cost to the physical works at 278 Cambridge Rd.
23. A human health risk assessment has been completed, and the risk was determined to be low. Advice has been provided to the BMX club and contractors working on the site. The area the BMX track is on is leased by the BMX club, the track is their asset, and maintenance of the track is their responsibility, however as the site is on a closed landfill the council has an obligation regarding the underground issues.
24. The stormwater from the BMX track is currently connected to the leachate ponds due to being contaminated with leachate, but BoPRC have advised that discharging stormwater into the pond will not be accepted when we apply to renew the consents.

2. Remainder of Site

25. A comprehensive site investigation is required to identify any additional areas that may require remediation in preparation for the reconsenting of the Cambridge Road closed landfill, with the current consents set to expire in 2030. Leachate has been observed in the drain along the access road heading into Cambridge Park, which indicates further infrastructure upgrades will be required.
26. Council staff intend to undertake a full site investigation during the current financial year to identify any additional areas requiring remediation and what would be required to ensure compliance. Funding may be required in the 2026/27 financial year to address any issues identified. At present, there is no capital expenditure budget allocated for the Cambridge Road site in future years. A report outlining the findings of the investigation and recommended actions will be provided to Council upon completion.

STATUTORY CONTEXT

27. The works are required under the Resource Management Act 1991 to comply with the abatement notice and prevent environmental harm.
28. Non-compliance risks infringement notices with fines up to \$4,000, prosecution with one-off fines up to \$600,000 for councils, daily penalties for ongoing breaches, and enforcement orders from the Environment Court requiring remedial action.

STRATEGIC ALIGNMENT

29. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	☐
We value, protect and enhance the environment	☒
We are a well-planned city	☒
We can move around our city easily	☐
We are a city that supports business and education	☐

30. The recommended works directly support council's strategic outcome of valuing, protecting and enhancing the environment by preventing unauthorised leachate and stormwater discharges into the Kopurererua Stream, thereby reducing pollution and ecological harm. The project also contributes to Tauranga being a well-planned city by ensuring legacy infrastructure is brought into compliance with environmental regulations and future-proofed ahead of re-consenting in 2030. The works align with the council's Climate Action & Investment Plan and Nature and Biodiversity Action & Investment Plan and reflect responsible stewardship of land and water resources.

OPTIONS ANALYSIS

31. The design and consent work has been completed. The physical works are required to meet legal obligations and avoid significant risks.
32. No alternative options are considered feasible given the statutory requirements and environmental risks.

FINANCIAL CONSIDERATIONS

33. The total cost of the works is \$1,497,085. No budget has been allocated in the 2025/26 Annual Plan.

Works	Costs
Planning	\$42,327
Physical Works	\$904,501
Works Monitoring/Project Management	\$300,742
Contingency 20%	\$249,514
Total	\$1,497,085

34. The expenditure will be loan-funded and requires an increase in Council's borrowing limit for 2025/26. Associated opex costs will be \$105,000 depreciation per year and loan interest will be \$71,112 per year. Ongoing monitoring and other operational costs are already included in operating budgets.
35. Delaying a decision on this project may result in further cost escalation due to contractor price increases, longer lead times for securing materials and specialist services, and potential non-compliance with the abatement notice deadline of 1 May 2026.

LEGAL IMPLICATIONS / RISKS

36. Failure to comply with the abatement notice may result in infringement notices, prosecution, and enforcement orders.
37. Council is legally responsible to give effect to the Resource Management Act.
38. The works will ensure compliance with the Resource Management Act and mitigate environmental and reputational risks.

TE AO MĀORI APPROACH

39. The Cambridge Road Closed Landfill compliance works respond to an abatement notice requiring urgent environmental remediation. The project involves discharges into the Kopurererua Stream, a waterway of significance to mana whenua. The project presents an opportunity to strengthen kaitiakitanga through improved stewardship of land and water, and to engage tangata whenua in the design and monitoring of the leachate and stormwater systems.
40. Ngāi Tamarawaho were engaged prior to the submission of the resource consent application. During this engagement, they reviewed the proposed design and expressed interest in opportunities for training, native planting, and ongoing involvement in the project.
41. Cultural engagement will continue as the project progresses, with a view to ensuring meaningful participation by mana whenua in both environmental and design outcomes.

CLIMATE IMPACT

42. The proposed works directly support Tauranga's climate adaptation goals by mitigating unauthorised leachate discharges that contribute to nutrient loading and ecological degradation in the Kopurererua Stream and downstream environments. While the infrastructure itself does not significantly reduce emissions, it prevents environmental harm and supports biodiversity by protecting freshwater ecosystems. The project aligns with TCC's Climate Action & Investment Plan and Nature and Biodiversity Action & Investment Plan by addressing pollution risks and enhancing resilience to climate-related impacts such as increased rainfall and stormwater runoff. Opportunities to incorporate nature-based solutions and minimise embodied emissions should be considered during implementation.

CONSULTATION / ENGAGEMENT

43. Initial engagement has occurred with Ngāi Tamarawaho during the planning phase. Broader consultation with affected landowners has also taken place to support easement agreements and temporary occupation arrangements required for the works. While formal public consultation has not been undertaken due to the urgent nature of the compliance response, engagement with tangata whenua, landowners, and relevant stakeholders will continue as the project progresses. This includes ongoing liaison with the Takawaenga Māori Unit and opportunities to strengthen relationships with mana whenua, environmental groups, and the local community.

SIGNIFICANCE

44. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
45. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.

- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

46. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance.

ENGAGEMENT

47. Taking into consideration the above assessment, that the matter is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

48. Subject to Council approval of the unbudgeted expenditure, the project team will proceed with finalising contractual arrangements and commence physical works, in accordance with consent conditions. Engagement with tangata whenua, affected landowners, and relevant stakeholders will continue throughout the delivery phase. Progress will be monitored to ensure compliance with the abatement notice by the 1 May 2026 deadline, and updates will be provided to Council as required.

ATTACHMENTS

Nil

11.7 Status update on actions from prior Council meetings**File Number:** A19031023**Author:** Clare Sullivan, Senior Governance Advisor
Sarah Holmes, Team Leader: Governance & CCO Support Services**Authoriser:** Christine Jones, General Manager: Strategy, Partnerships & Growth**Please note that this report contains confidential attachments.**

Public Excluded Attachment	Reason why Public Excluded
Item 11.7 - Status update on actions from prior Council meetings - Attachment 2 - Actions from Council (public excluded) - as at 20 October 2025	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.

PURPOSE OF THE REPORT

This report provides a status update on actions requested during previous Council meetings.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Status update on actions from prior Council meetings".
- (b) **Attachment 2** can be transferred into the open when the report that generated this action is released to open.

BACKGROUND

2. This is a recurring report provided to every second Council meeting. The next report will be to the 9 December 2025 meeting.
3. The attached update includes all open actions and actions completed since the last report on 16 September 2025.
4. Once reported, completed actions are archived and made available to Elected Members in their Stellar library.¹⁶

DISCUSSION

5. A summary of outstanding and recently closed actions as at 15 October 2025 is provided in the table on the following page:

¹⁶ Stellar pathway for completed Council actions: *Council and Committees (Agendas and Minutes -> Council -> Actions Requested by Council -> 'Closed actions from Council'*.

Status of actions	No. actions
Closed (completed since the last report – <i>includes one action in public excluded agenda</i>)	7
Pending (waiting on something)	4
In progress	10
To be actioned	
Total actions included in this report	21

6. The full status update information is provided as **Attachment 1** (20 actions from public agenda items) and **Attachment 2** (1 closed action from public excluded agenda items).

ATTACHMENTS

1. Actions from Council (open agenda) - as at 20 October 2025 - A19151412 [!\[\]\(ce9fb84673c82abe523e9ade2eaad95b_img.jpg\)](#) [!\[\]\(6f55574fa57b51dcdae4a6217a984370_img.jpg\)](#)
2. Actions from Council (public excluded) - as at 20 October 2025 - A19151414 - Public Excluded

Council				Actions status update as at: 20 October 2025			
Meeting Date	Agenda Ref.	Report Name	Action Required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
16 Sep 2025	11.2	Memorial Park Aquatic Centre Update	Chief Executive to review and report back on the previous report and discussion at the Council meetings on 24 October and 12 November 2024, and any outstanding invoices for MPAC.	Investigation underway, almost complete.	In progress		Marty Grenfell
16 Sep 2025	11.3	Mount Parking Management Plan - Consultation Summary and Options	Staff to contact staff from Bay of Plenty Regional Council raising the idea of a hop-on-hop-off bus in the Mount Maunganui area for who it might be considered by discussed at the Joint Transport Committee.	Remains in progress	In progress		Nic Johansson
16 Sep 2025	11.3	Mount Parking Management Plan - Consultation Summary and Options	Staff to find and circulate feedback from the community from an engagement completed in 2020 on the Mount Maunganui plan.	Investigation ongoing	In progress		Nic Johansson
16 Sep 2025	11.7	Fees & Charges Review: Confirmation of Scope	Elected members requested information/faqs they could use re the review of certain fees and charges that will be a focus for the FY26/27 for use when they meet with constituents.	User Fees & Charge Review 2026 - Cheat Sheet uploaded to Stellar and email sent to EM's (Juanita Assink).	Closed	27 Sep 2025	Christine Jones
26 Aug 2025	9.1	Petition - Mr Rob Coe	Council requested that a report is brought back to a Committee with a letter to the Government, as requested by the petition.	A report and draft letter will go to Council on 18 November 2025	In progress		Nic Johansson
26 Aug 2025	11.3	Concept Design for NZ Institute for Marine Futures	That staff distribute the latest version of the NZ Institute for Marine Futures concept design to Elected Members.	Complete - shared via email and Council meeting	Closed		Barbara Dempsey
5 Aug 2025	11.1	Status update on actions from Council meetings	That staff provide information from other Councils as to how they track ownership of community assets in relation to Bay Venues	To be discussed in the workshop scheduled for 16 October	Pending		Sarah Omundsen

Meeting Date	Agenda Ref.	Report Name	Action Required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
5 Aug 2025	11.8	City Centre Parking - Parking Permits	That staff look for options for innovative ways to allow for quicker turnover of parking spaces outside businesses in the CBD.	Underway. In discussion with app provider on costs and timings	In progress		Nic Johansson
14 Jul 2025	11.1	Netball Relocation to Baypark	That staff provide EMs with the cost of signalisation or a right hand turn into Trumans Lane.	Will be included in report back in early 2026 to confirm overall project cost.	In progress		Barbara Dempsey
14 Jul 2025	11.2	Community Feedback on Speedway Proposals	That staff provide Councillors with a copy of the draft lease agreement for Baypark Speedway.	Report going to Council in December with draft agreements. Drafting of agreements being finalised based on verbal agreement between SRL, BVL and TCC	In progress		Barbara Dempsey
26 Jun 2025	11.13	Annual Plan 2025/26 adoption	Follow up with staff to ensure that Resolution C* from 26 May 2025 report 11.13 (AP 2025/6 deliberations – further I&O paper: Domain Road) is being implemented. *Resolution C directed staff to work with the submitter to investigate the option of a shared pathway.	NZTA funding confirmed as unlikely. I&O paper being drafted to come back to City Delivery Committee prior to Christmas. Preliminary discussion planned with submitter on their ideas to be considered accordingly.	In progress		Nic Johansson
28 Apr 2025	11.2	Draft Alcohol Licensing Fees Bylaw - Deliberations	Provide comparisons with similar sized Councils in relation to the amount charged and time spent with applications.	Delivered through the Fees and Charges workshop 9/10/25	Closed	9 Oct 2025	Sarah Omundsen
28 Apr 2025	11.5	Elected Members' Expenses and Resources Policy - proposed leave of absence section	Elected Members would like to workshop this item further	Workshop request form submitted 6/5/25 for approval for time slot. Workshop was scheduled for 3 July, subsequently cancelled by elected members. Briefing held 4 September.	Closed	4 Sep 2025	Christine Jones
28 Apr 2025	11.10	Haumarū (Cameron Road Courts) Ownership and Operation	A further report to be provided for Council to consider a wider context and whether Council should own and lease properties or whether these should be managed by one of the CCOs.	Asset ownership workshop was scheduled for 16 October, but postponed due to unavailability of Mayor, some Councillors, and CE. Replacement date to be confirmed.	Pending		Barbara Dempsey
28 Apr 2025	11.11	Appointments to the Board Bay Venues Limited, the Tauranga Art Gallery Trust and Tourism Bay of Plenty	Defer the consideration of the appointments of Councillors to CCO Boards to six months time.	Appointments report going to Council on 18 November. Opportunity for EMs to revisit this consideration at that time.	Pending		Christine Jones

Meeting Date	Agenda Ref.	Report Name	Action Required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
25 Mar 2025	7.1	Draft Alcohol Licensing Fees Bylaw - Hearings	Comparison information from other local authorities and an analysis of the decisions would be provided to Council in the upcoming report to set the fees. It would include a number of relevant factors including the number of staff, the time taken, the cost, the ratio of ratepayer and business to provide a benchmark and to ensure that all processes were being undertaken as efficiently as possible.	Delivered through the Fees and Charges workshop 9/10/25	Closed	9 Oct 2025	Sarah Omundsen
3 Mar 2025	3.2	Public Forum: Brian Cavit and Sandra Johnston on behalf of the Wairakei Community Centre Trust	The Community Development Team worked with Non-Government Organisations to facilitate support for areas. An update would be provided on specific work in the Pāpāmoa East area.	Council staff have met three times with representatives of Wairakei Community Centre Trust and other organisations including CAB and TECT to better understand the needs of the Pāpāmoa East Community, the aspirations of the trust and explain funding options. Council staff are searching properties in the area to identify options for the trust. TCC has contracted Socialink to undertake a Community and Social Services Needs Assessment for Pāpāmoa East. This will be completed by the end of 2025.	In progress		Barbara Dempsey

Meeting Date	Agenda Ref.	Report Name	Action Required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
3 Mar 2025	11.6	Background Information - Marine Park Reclassification	Ensure executive summaries included high level of what needed to be considered, any risks and financial information.	Guidance issued to staff on Report Executive Summaries (presentation to senior leadership group 7 March 2025, material distributed later that day, then updated and redistributed on 13 March 2025 to better address 'risk' in Executive Summaries). Recent Executive Summaries have been fuller as requested by EMs. GMs to speak to Chairs and Deputy Chairs of the Committees as to whether they are comfortable with the content and completeness of Executive Summaries in reports to their Committees. Meeting scheduled between Cr Scoular and Jeremy Boase to discuss further, deferred by Cr Scoular, rescheduled and held on 23 July. Notes circulated to Cr Scoular 24 July seeking her confirmation before further messaging prepared for senior leadership group and report writers. Follow-up emails sent to Cr Scoular seeking confirmation on 31 July and 8 August. Will proceed with next steps once confirmation received from Cr Scoular.	Pending		Christine Jones
24 Feb 2025	11.4	Draft Annual Plan 2025/26 Decision Making	Provide information on the cost of use of consultants for City Waters.	Information has been collated and was provided to EMs as a memo in mid-September.	Closed	On or about 15 September 2025	Nic Johansson
29 Oct 2024	11.6	Delegations Manual Review	It was agreed that more time was needed to consider other issues and it was requested that a report be presented to the an Audit and Risk Committee to clarify the financial delegations	Delegations are being updated to reflect the implications of reset and will be reported to Council where required.	In progress		Kathryn Sharplin

12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 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 for the passing of this resolution
13.1 - Local Water Done Well - Work Programme and Due Diligence	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
Confidential Attachment 2 - 11.7 - Status update on actions from prior Council meetings	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

14 CLOSING KARAKIA