



AGENDA

Ordinary Council meeting Tuesday, 3 March 2026

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

Date: Tuesday, 3 March 2026

Time: 9:30 am

Location: Tauranga City Council Chambers
L1, 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 Jessica Walker from the SPCA will address their submission on the Draft Street Use & Public Places Bylaw**

ATTACHMENTS

Nil

- 3.2 Hayden Duncan from Bower Real Estate will address their submission on the Draft Street Use and Public Places Bylaw**

ATTACHMENTS

Nil

- 3.3 Residents from Nautilus Apartments**

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 Street Use and Public Places Bylaw 2026 Deliberations

File Number: A19546452

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 consider the issues raised by submitters on the draft Street Use and Public Places Bylaw and decide whether to adopt the bylaw.

Recommendations

That the Council:

- (a) Receives the report "Street Use and Public Places Bylaw 2026 Deliberations".
- (b) Approves the following amendments to the draft Street Use and Public Places Bylaw:
 - (i) a maximum size requirement of 1200mm high x 800mm wide for real estate signs
 - (ii) open home and auction signs may only be displayed on the day of the open home or auction.
- (c) Resolves, in accordance with section 155 of the Local Government Act 2002 that the proposed Street Use and Public Places Bylaw (**Attachment One**):
 - (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) Adopts the final Street Use and Public Places Bylaw 2026, to come into force on 1 July 2026.
- (e) Authorises the General Manager: Regulatory and Community Services to make any necessary minor final edits to the Street Use and Public Places Bylaw 2026, prior to publication.
- (f) Directs staff to prepare a draft amendment to the bylaw to prohibit fireworks in all Council owned and or controlled public places.

EXECUTIVE SUMMARY

2. Council approved the draft Street Use and Public Places Bylaw (the draft bylaw) for community consultation on 29 October 2025.
3. The consultation took place from 13 November 2025 to 16 December 2025, receiving 112 submissions (included in **Attachment Two**), with two submitters wishing to speak to Council today.
4. Of the 112 submitters, 34 submitters commented on the mobile shop definition, 73 commented on the proposed footpath use for businesses, and 40 commented on the proposed rules for real estate signs.
5. The consultation results showed support for the proposed changes to the bylaw, including expanding the definition of a mobile shop to include service providers (76% support), enabling businesses to use 1.5 square metres of the footpath without a licence (74% support), and introducing limits on real estate and directional signs (58% support).
6. Submitters also raised broader concerns, including pedestrian safety, dog control, skateboard and scooter use, homelessness and parking. These matters will be considered through other bylaw reviews, operational process or upcoming policy reviews.
7. The draft bylaw responds to Council's direction to ensure clearer, more consistent rules for footpath use, mobile shops, real estate signage, and commercial activity in public places.
8. The draft bylaw simplifies several sections, updates definitions, improves structure and clarity, and reduces duplication with existing legislation. It also incorporates new provisions made under the Land Transport Act 1998, requiring the final bylaw to be sent to the Minister of Transport¹.
9. After considering submissions, council staff recommend adopting the draft bylaw with two amendments:
 - a maximum size requirement of 1200mm high x 800mm wide for real estate signs, to ensure consistency with business signs and responding to submitter feedback.
 - limit open home and auction signs to being displayed only on the day of the open home or auction, to reduce unnecessary visual clutter and ensure signs remain relevant to the event.
10. One submission from the SPCA calls for Council to prohibit setting off fireworks in public places unless approval has been granted by the council. This has been included as option because it reflects community concern, including past submissions, complaints and national level petitions.
11. As regulating fireworks was not included in the earlier draft bylaw consultation, Council will need to undertake a separate consultation process if it wishes to include this provision in the bylaw.
12. Staff recommend adopting the bylaw now, and if Council wishes to consider regulating fireworks undertake consultation in the first quarter of the new financial year. This timing would allow any resulting amendments to come into effect before fireworks can be sold from 2 November 2026 to 5 November 2026.
13. There are no immediate financial implications associated with adopting the bylaw, although future fees for footpath use may apply depending on decisions made through the fees and charges process.

¹ This process allows for the Minister to consider the adopted bylaw at which point they may choose to disallow any part of it.

14. In accordance with the Local Government Act 2002 (the LGA), the proposed bylaw is assessed as:
 - the most appropriate and proportionate method for managing public spaces
 - the most appropriate form of bylaw, and
 - consistent with the New Zealand Bill of Rights Act 1990.
15. Council is asked to consider the issues raised by submitters, make determinations under section 155 of the LGA, adopt the final bylaw, and provide direction on a potential bylaw amendment prohibiting fireworks in public places.

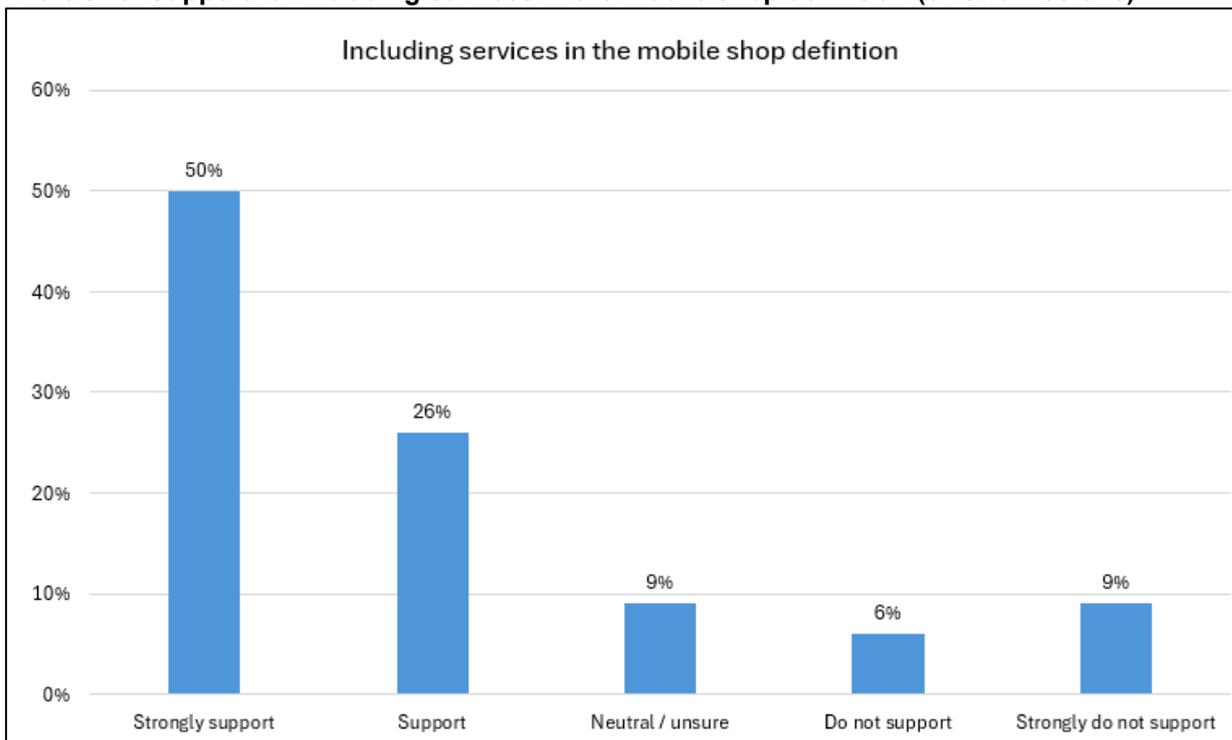
BACKGROUND

16. The Street Use and Public Places Bylaw 2018 (the bylaw) sets rules for public spaces to ensure public safety, accessibility and enjoyment. It covers a wide range of activities including signage, trading, street dining, skating, scooter use, and busking.
17. On 24 March 2025, Council directed council 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 was incorporated into a draft bylaw for community consultation and included:
 - changing the definition of the pedestrian way
 - expanding the definition of a mobile shop to include service providers
 - broadening the scope of what can be displayed on the footpath by businesses
 - applying consistent rules for all businesses across the city wishing 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 rules for real estate signs and capping the number of directional real estate signs.
18. The current bylaw sections on trading, markets, mobile shops and events, have been replaced in the draft bylaw with a single simplified clause requiring approval for all commercial activity, large-scale commercial filming, and events. This streamlines how these activities are managed and makes the bylaw easier to understand.
19. The draft bylaw also removes sections 23 to 28, as these matters are already covered by the LGA reducing duplication and the risk of inconsistency. In addition, the draft bylaw includes structural improvements, clearer language, updated and new definitions, and includes a contents page and explanatory notes to support interpretation. It also includes new definitions needed to reflect Council's direction on footpath use.
20. During consultation the community was specifically asked if they:
 - supported expanding the definition of a mobile shop to include service providers;
 - supported allowing all businesses across the city to use a set area of the footpath (1.5 square metres) for street dining and commercial display without a licence;
 - supported limits on real estate signs (sole agency, multiple agencies, and open home/auction) and directional real estate signs; and
 - wanted to provide any other feedback on the draft bylaw.
21. A total of 112 submissions were received (**Attachment Two**). Of these, 34 submitters commented on the mobile shop definition, 73 commented on the proposed footpath use for businesses, and 40 commented on the proposed rules for real estate signs.
22. A summary of the submissions is provided in **Attachment Three**.

Submission Summary

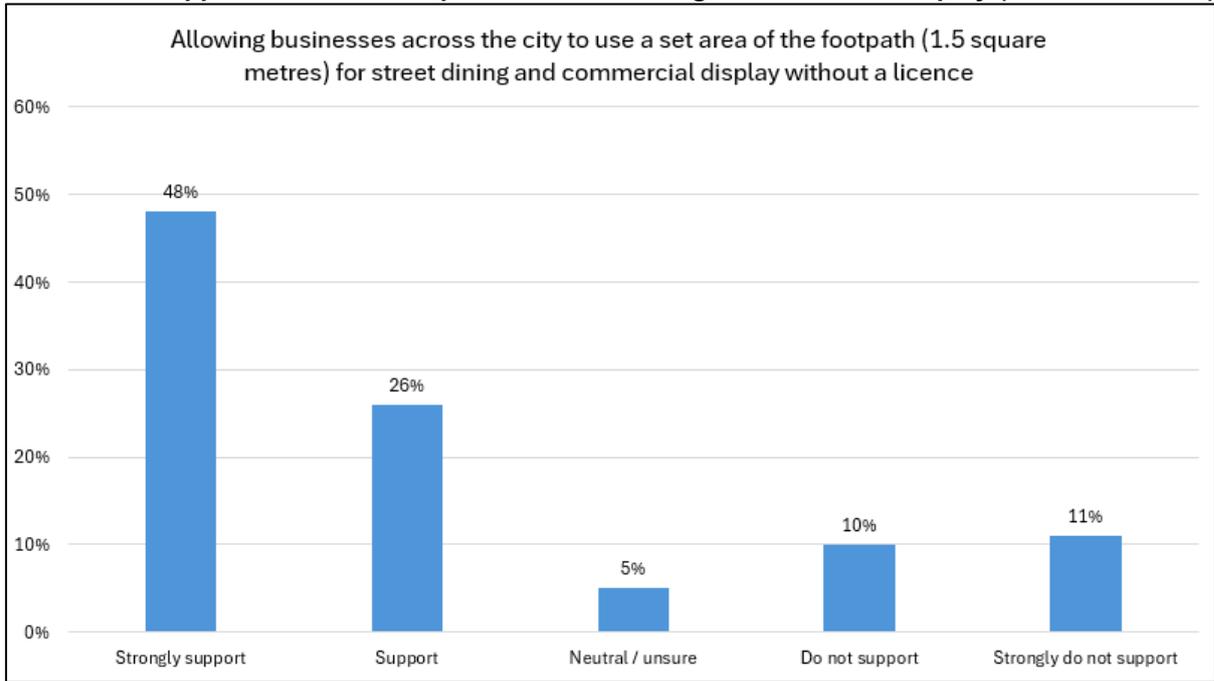
- 23. 76% of the 34 submitters who commented supported expanding the definition of a mobile shop to include service providers, noting benefits such as increased vibrancy, support for small businesses, and clearer, more consistent rules.
- 24. Those submitters who did not support the change were concerned about the suitability of certain services in public spaces, potential impacts on amenity, fairness to permanent businesses, and issues such as mobile shops occupying car parks or creating visual clutter.
- 25. Other issues relating to mobile shops were also raised including the limiting the number of mobile shops, increasing licence fees and concerns about parking and mobile shops being used for accommodation.

Chart One: Support for including services in the mobile shop definition (34 submissions)



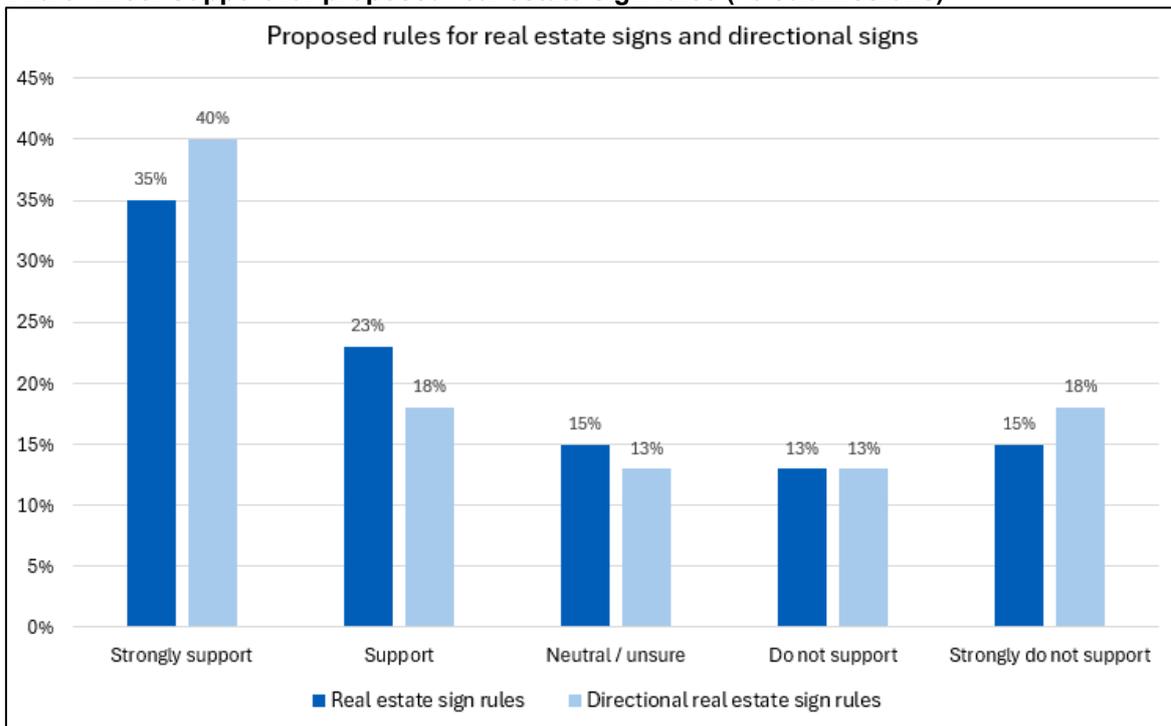
- 26. 74% of the 73 submitters who commented supported allowing businesses to use a standard 1.5 square metre area without a licence, highlighting benefits such as added vibrancy, stronger hospitality and retail activity, and the city’s outdoor culture.
- 27. However, submitters also raised concerns about pedestrian accessibility and safety, particularly for elderly people and those with disabilities, alongside existing congestion and limited enforcement, and differing views on whether the proposed area was too small.

Chart Two: Support for use of footpath for street dining & commercial display (73 submissions)



- 28. Some submitters also noted their opposition to businesses being charged for the use of the footpath and one said they should be charged for using public spaces.
- 29. Of the 40 submitters who commented, 58% supported the proposed limits on real estate signs (covering sole-agency, multi-agency and open-home signage) and the same proportion supported the proposed cap of four directional signs.
- 30. Supporters highlighted reduced visual clutter, improved safety, and greater fairness between agencies. However, some submitters were concerned that the restrictions could reduce marketing effectiveness, while others either wanted fewer signs (including a complete ban) or more flexibility, such as additional directional signs for open homes. Several submitters also noted the need for clearer definitions and size limits.

Chart Three: Support for proposed real estate sign rules (40 submissions)



31. The SPCA’s submission asks Council to prohibit setting off fireworks in public places unless approval has been granted by the council to reduce harm to animals, prevent fire risks and improve public safety.
32. Regulating fireworks was not included in the Statement of Proposal and draft bylaw that was consulted on. Under sections 82 and 156 of the LGA, Council cannot make a significant change to a proposal after consultation without providing the community with the opportunity to provide feedback on that change. A prohibition on fireworks in public places is a substantive policy decision and therefore falls within this requirement. If Council wishes to consider introducing a prohibition on fireworks in public places, this will require additional consultation through a Special Consultative Procedure.
33. Submitters also raised a range of additional issues, including:
 - safety concerns about electric scooters and bikes on footpaths, with calls for enforcement or speed limits
 - dog and cat related issues, such as dogs off-leash and leaving waste in public spaces
 - concerns about homelessness and nuisance behaviour
 - parking concerns and a recommendation for a pedestrian only zone in Mount Maunganui
 - requests for public notice boards for community events and more opportunities for commercial activities
34. These matters have either will be considered through other bylaw reviews, operational process or upcoming policy reviews (see **Attachment Five**).

STATUTORY CONTEXT

35. The ability for Council to make a bylaw comes from the Local Government Act 2002 (LGA), the Health Act 1956 and the Litter Act 1979.
36. 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 due to the ability to issue infringement fees under this legislation. 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.
37. 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 Four**.

STRATEGIC ALIGNMENT

38. 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 that is easy to move around	✓
We are a city that supports business and education	✓
We are a vibrant city that embraces events	✓

39. The draft 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 that is easy to move around by setting rules for street dining furniture, signage and trading in public places including mobile shops, 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, mobile shops and street dining to support commercial activity
- being a vibrant city that embraces events by providing an approval process for events on Council land and enabling street performances.

OPTIONS ANALYSIS

40. For the matters consulted on (mobile shop definition, footpath use by businesses and real estate sign rules) on, the majority of submitters supported the draft approach, and those who opposed it did not raise any new issues that had not already been considered. Accordingly, the issues and options analysis contain in the original report ([item 11.5 Street Use and Public Places Bylaw Review: issues and Options](#)) remains valid and is not repeated here.
41. In addition, some submitters raised other matters relating to real estate signage, specifically regarding the permissible size of signs and the duration that open home and auction signs may be displayed. These issues have been assessed under the 'Other matters relating to real estate signs' section, which sets the options, associated advantages and disadvantages, and a recommended approach.
42. The issue raised by the SPCA regarding the regulating fireworks is addressed in the 'Fireworks in public places' section. Direction is sought from Council on this matter.
43. Other issues and concerns raised by submitters, that fall outside the scope of the bylaw review, were considered but discounted after assessment, or are more appropriately addressed through other bylaws or operational processes, are presented in **Attachment Five**.

Other matters regarding real estate signage

44. The current bylaw allows real estate signs to be placed outside the property being sold and requires their removal within two weeks of the sale. It also permits open home and auction signs to be displayed three hours prior to the event. However, the current bylaw does not specify a limit on the number of signs permitted or provide for directional real estate signs.
45. The draft bylaw included definitions for real estate signs and directional real estate signs and set limits on the number of each that may be displayed. As above (paragraph 40) staff recommend Council adopt these provisions.
46. Some submitters highlighted the need for maximum dimensions and the permitted times for auction/open home signs to be specified in the bylaw.

'The changes need to reiterate the times they are permitted to be out eg day of the open home only not all weekend and half the next week as is often the case'

'I think there also needs to be a size restriction for the proposed one real estate sign.'

47. Council staff recommend applying the same maximum dimensions as those currently used for business signs. This ensures safety and consistency. Staff also recommend limiting the display of auction or home open signs to the day of the open home or auction. This aligns with the duration permitted for directional real estate signs in the draft bylaw and provides greater clarity.

Issue One: Real estate signage dimensions and duration of open home/auction signs

Options	Advantages	Disadvantages
<p>Option 1A: No amendment to the draft bylaw</p>	<ul style="list-style-type: none"> • No change for businesses. • Allows agents flexibility to choose sign size. 	<ul style="list-style-type: none"> • Risk of visual clutter or inconsistent sign size and signs remaining for longer periods reducing amenity values. • Potential safety implications. • Inconsistent with the approach for business signs where a size limit is specified. • Potential for increasing sign sizes for competitive reasons. • Does not respond to the issues raised by submitters.
<p>Option 1B: Amend the draft bylaw by including:</p> <ul style="list-style-type: none"> • maximum sign dimension requirement 1200mm high x 800 mm for real estate signs. • open home and auction signs may only be displayed on the day of the open home or auction. <p><i>Note: The proposed dimensions are equivalent to the maximum dimensions for business signs set out in the current bylaw.</i></p> <p>Recommended</p>	<ul style="list-style-type: none"> • Reflects feedback from submitters on the need for size specifications and duration limits. • Reduces visual clutter and helps maintain amenity values. • Supports pedestrian and road safety by minimising large signage. • Consistent maximum size dimensions for both business signs and real estate signs. • Provides consistency between the duration rules for directional real estate signage and open home/auction signs. • Allows more time for open day and auction signs to be displayed than in the current bylaw (3 hours prior and up until end of the open home/auction). 	<ul style="list-style-type: none"> • Could be viewed as overly restrictive. • Decreased flexibility for agents to choose sign size.

Adoption of draft bylaw

48. The recommended option above has been incorporated into the bylaw proposed for adoption.

Issue Two: Adoption of the bylaw

Options	Advantages	Disadvantages
<p>Option 2A: Do not adopt the draft bylaw.</p>	<ul style="list-style-type: none"> No change for businesses. 	<ul style="list-style-type: none"> No updates from the outcome of the review will be reflected in the bylaw. Most submitters support the proposed change indicating low support of the status quo. The bylaw cannot use Land Transport Act infringement fees to support compliance of mobile shops. A further review will be legally required to be undertaken in 2028.
<p>Option 2B: Adopt the draft bylaw with the following amendments:</p> <ul style="list-style-type: none"> a maximum sign dimension requirement 1200mm high x 800 mm wide. open home and auction signs may only be displayed on the day of the auction or event. <p>Recommended</p>	<ul style="list-style-type: none"> Most submitters support the proposed changes. Allows for infringement fees under the Land Transport Act to be applied to help improve compliance. The proposed bylaw includes clearer language, updated and new definitions, and includes a contents page and explanatory notes to support interpretation. Helps maintain safety and amenity values by setting a clearer rule for real estate signage. 	<ul style="list-style-type: none"> Requires administrative changes and may have implementation costs. May result in additional costs for businesses in non LTO zones that wish to use space beyond the set area allowance.

Fireworks in public places

49. The regulation of fireworks, raised by the SPCA has been included as an option for Council to consider because it reflects increased community concern and ongoing feedback to Council.

50. Regulation of fireworks has been raised with council in past submissions, complaints, and consultation processes. It has also been raised by the public at national level, including recent petitions to Parliament calling for tighter controls, signalling growing interest in reducing harm associated with fireworks.

51. Other councils (including Auckland, Wellington, and Hamilton) already have stronger regulatory approaches, including bans on fireworks in public places such as beaches, reserves, and sports fields.

52. The table below outlines the advantages and disadvantages of regulating fireworks in public places. It is recommended Council consider prohibiting fireworks in public places. If Council decides to propose proceeding with a prohibition, further community consultation will be required.

Issue Three: Fireworks in public places

Options	Advantages	Disadvantages
<p>Option 3A: Retain current approach for fireworks - not prohibited in public places by the bylaw. (Status quo)</p>	<ul style="list-style-type: none"> • Retains scope for traditional celebrations and community practices. • Avoids any potential delays to the bylaw and additional consultation costs. • Does not require additional enforcement responsibilities. • Prevents any displacement to private property. 	<ul style="list-style-type: none"> • Does not address safety, and nuisance concerns. • Does not respond to growing concern about safety, nuisance and environmental impacts associated with fireworks. • Continued impact on animals and people, particularly those with sensory sensitivities and young children. • Inconsistent with regulatory approaches in other metro councils (Auckland, Hamilton, Wellington and Christchurch). • Does not address the costs of the damage caused by fireworks.
<p>Option 3B: Propose to prohibit setting off fireworks in public (as defined by the draft bylaw²) places without approval from the council. Directs staff a prepare a draft amendment to the bylaw prohibiting fireworks in public places. <i>Note: Any community consultation would be undertaken during the first quarter of the new financial year. This would allow any potential changes to be put in place through a bylaw amendment before fireworks can be sold from 2 November to 5 November 2026.</i> Recommended</p>	<ul style="list-style-type: none"> • Reflects growing concern about safety, nuisance and environmental impacts associated with fireworks. • Provides for the opportunity for the community to give feedback. • Potential to reduce costs associated with fireworks damage (playgrounds, bins, vegetation, and wildlife harm). • Reduces fire risk and noise disturbance. • Potential to reduce fireworks injuries. • Aligns with the approach in Hamilton, Auckland and Wellington. 	<ul style="list-style-type: none"> • May limit traditional celebrations and restrict community practices. • Could be seen as overly restrictive and that responsible users are punished for the behaviour of a minority. • May result in more fireworks on private property which could be less safe or more densely built up. • Enforcement challenges and greater demands on enforcement officers.

² 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.

FINANCIAL CONSIDERATIONS

53. The financial considerations are dependent on the fees associated with the approval process required under the proposed bylaw. These fees will be considered in the fees and charges process for the next financial year.
54. The cost of consulting on the proposed bylaw amendment on fireworks will be funded from the existing policy and bylaws budget.

LEGAL IMPLICATIONS / RISKS

55. There is a risk that the proposed changes to the bylaw could be perceived negatively by businesses and the wider community.
56. There are legal implications if Council considers changing the rules on fireworks on public places without community consultation.

TE AO MĀORI APPROACH

57. The review of the bylaw reflects the principles of *Manaakitanga* by supporting considerate and respectful use of public spaces, with a focus on community wellbeing. It also aligns with *Kaitiakitanga* by encouraging care for shared environments and community assets. The bylaw provides guidance for how certain activities are managed in public places, helping to ensure they are carried out appropriately and in ways that minimise disruption to others.
58. The proposed amendment to the mobile shop definition enables traditional Māori healing practices such as mirimiri³ and romiromi⁴ to be offered from mobile shops. This responds to feedback from Te Rangapū and supports Māori-led enterprise.

CLIMATE IMPACT

59. 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

60. Consultation was carried out of the draft bylaw in accordance with the Local Government Act 2002. Further consultation will be required if Council wish to consider prohibiting fireworks on public places.

SIGNIFICANCE

61. 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.
62. 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.

³ Mirimiri is a Māori healing practice that targets physical, mental, emotional and spiritual imbalances, tension and pain.

⁴ 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.

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

ENGAGEMENT

64. Taking into consideration the above assessment, that the issue is of medium significance, and consultation has been undertaken on the draft bylaw, officers are of the opinion that no further engagement is required prior to Council making a decision.
65. However, any decision on the issue of fireworks will require consultation. Staff considered the option of delaying the adoption of the bylaw until Council made a decision on fireworks and any resulting consultation had taken place, but this option was discounted because it would delay unrelated provisions of the bylaw. Conducting separate consultation on fireworks also allows for more focused engagement solely on this issue.

NEXT STEPS

66. If Council adopts the bylaw, it will be sent to the Minister of Transport in accordance with the Land Transport Act. The Minister may, at any time disallow the bylaw or any part of it.
67. If adopted, the bylaw would come into effect on the 1 July 2026. This effective date allows time for the approval process and associated fees for footpath use beyond the standard 1.5 square metres to be established and also provides for any changes that may be required as a result of the Minister of Transport's review.
68. If Council decides to consider prohibiting fireworks public places, staff will prepare an amendment to the bylaw. This will be presented to Council for approval, with the intention that consultation occurs in the new financial year so that any potential changes can be in place before fireworks can be sold from 2 November to 5 November 2026.

ATTACHMENTS

1. **Proposed Street Use and Public Places Bylaw 2026 - A19123951** [↓](#) 
2. **Submissions on the draft Street Use and Public Places Bylaw - A19688645** [↓](#) 
3. **Submission summary - A19596195** [↓](#) 
4. **Section 155 Analysis - A18993609** [↓](#) 
5. **Responses to other issues raised by submitters - A19767443** [↓](#) 

STREET USE AND PUBLIC PLACES BYLAW (2026)



First adopted	<i>8 December 2005</i>	Minute reference	M05/142
Revisions/amendments	<i>18 March 2013 20 November 2018 27 February 2020 3 March 2026</i>	Minute references	M13/12 M18/101.6 CO2/20/3
Review date	<i>March 2036</i>		
Engagement required	<i>Special Consultative Procedure</i>		
Associated documents	<i>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</i>		
Relevant legislation	<i>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.</i>		

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1. TITLE

1.1. This bylaw is the Street Use and Public Places Bylaw 2026.

2. COMMENCEMENT

2.1. This bylaw comes into force on (insert new date).

3. APPLICATION

3.1. This bylaw applies to Tauranga City.

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) regulate commercial activity in public places.

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 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 includes any person who has been formally delegated authority to exercise powers under this bylaw.
Bylaw	means the Tauranga City Council Street Use and Public Places Bylaw.

Term	Definition
Commercial Activity	<p>means any activity undertaken for payment or reward whether direct or indirect. This includes but not limited to:</p> <ul style="list-style-type: none"> (a) trading; (b) advertising goods, services; (c) street performing; (d) promotional giveaways.
Commercial Display	<p>means any temporary structure, installation or arrangement placed in a public place for the purpose of promoting, selling or advertising goods, services or brands. This includes, but is not limited to:</p> <ul style="list-style-type: none"> (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	<p>means any sign advertising an event (regardless of frequency) or community message.</p>
Council	<p>means the elected member body representing Tauranga City.</p>
Directional Real Estate Sign	<p>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.</p>
Election Sign	<p>means any sign that:</p> <ul style="list-style-type: none"> (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; <ul style="list-style-type: none"> (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.
Event	<p>means a temporary, organised activity that takes place on one or more days in a public place, and may include community, cultural, commemorative, recreational, sporting, artistic, educational, or entertainment activities.</p> <p>For the purposes of this bylaw, “event” does not include informal recreation (for example, a picnic in a park) or peaceful protest or demonstration protected under the New Zealand Bill of Rights Act 1990.</p>

Term	Definition
Filming	means the recording of images, moving or still, for commercial purposes or at a scale that might unduly obstruct use of a public place.
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.
Magazine Sign	means any portable sign independently supported by means such as a post, frame, stand or wall.
Mobile Shop	<p>means a vehicle from which goods 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.</p> <p>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.</p>
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	means an individual, a corporation sole, a body corporate, and an unincorporated body.
Pedestrian Way	<p>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.</p> <p>The pedestrian way is measured as follows:</p> <ul style="list-style-type: none"> (i) 0.8 metres from the kerb (road frontage zone); and (ii) 1.5 metres from the property boundary (frontage zone). <p>Where total footpath width is less than 4.1 metres, the frontage zone will be reduced as required to maintain the minimum pedestrian way.</p> <p>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</p>

Term	Definition
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.
Real Estate Sign	means a sign advertising the sale, lease, rental or auction of all or part of a property or premises.
Reserve	means any land which is vested in or under the control on 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.
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 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, reward, or otherwise, 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 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 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 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 issue a written notice requiring the owner or occupier to cut back the tree or vegetation.
- 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 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 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 bin any household, business or trade refuse;
 - (d) damage, deface, interfere with, destroy or remove anything, or any part of anything in a public place, including any structure or building, any sign, artwork, and vegetation;
 - (e) erect, construct or place any building, structure or plant any vegetation in a public place, except as provided for in clause 19;
 - (f) cause or permit to be done any act that may damage any public place, or any work or thing in, on, over or under a public place;

- (g) use any vehicle or be in control of an animal which damages any part of a public place;
- (h) ride or take a bicycle or motorcycle or any other vehicle on or around Mauao.

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.

- 7.3. No person may light any fire in any public place without approval.
- 7.4. Clause 7.4 subject to prohibitions or restrictions on the lighting of fires imposed by Fire and Emergency New Zealand, does 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, as amended or replaced.

8. COMMERCIAL ACTIVITIES, EVENTS AND FILMING 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 \$70.

9. 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 premises 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) street dining furniture and commercial displays can only be placed in the front of the business;
 - (d) street dining furniture and commercial displays must not be placed in or otherwise obstruct the pedestrian way;

- (e) street dining furniture and commercial displays may only be placed on the footpath during the business's hours of operation;
 - (f) the street dining furniture must be made available for use by any member of the public;
 - (g) unless otherwise authorised by Council, the street dining furniture and commercial display may not be placed:
 - (i) within 1 metre of any tree trunk or any Tauranga City Council street furniture (e.g. public bench);
 - (ii) within 0.8 metre of any road kerb;
 - (h) street dining furniture and commercial display must not obstruct access to parking meters, rubbish bins, accessibility features, bus stops or shelters, mobility spaces, pedestrian crossings, vehicular entrances or hinder visibility to or of pedestrian and vehicle traffic;
 - (i) street dining furniture and commercial displays 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 of their agreement;
 - (j) 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 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 set out in clause 9.1(a).

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 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.

11.2. All signs and their supporting structures must be constructed, fixed, placed and maintained so they do not pose a danger to property or the public or cause a nuisance.

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;
- (c) not use illumination, luminescence, movement or material that may cause a distraction (for example flashing lights, lasers or reflective or luminescent material);
- (d) not cover the display of any number allocated to a premises under the Local Government Act 1974;
- (e) 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 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. An authorised officer may by notice in writing (or without notice if the sign is deemed to be dangerous by an 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 sight 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's Waka Kotahi's Traffic Control Devices Manual Part 3 Advertising 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 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 1200 millimetres high x 800 millimetres wide;
- (b) the maximum size of an upright fabric banner style signs shall be 1200 millimetres high x 800 millimetres 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 of this bylaw.

13.2. Mobile shop signs 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 must be placed directly outside the property to which the signage refers and as close to the street front boundary of that property as practicable.

- 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. **A real estate sign, open home or auction sign placed in a public place must not exceed maximum dimensions of 1200 millimetres in height and 800 millimetres in width.**
- 14.4. Real estate signs must be removed no later than 14 days after the property is sold and comply with the general conditions in section 11.
- 14.5. Directional real signs may be displayed on the day of an open home or auction 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 3 nearest intersections leading toward the property or auction site.
- 14.6. In addition to the directional real estate signs permitted in clause 14.4 **on the day of an open home or auction** one open home or auction sign may be displayed on a public place or attached to a lawfully parked vehicle directly outside the site or property and complies with the general conditions in section 11.

15. ELECTION SIGNS

- 15.1. Approval must be obtained for the display of election signs on or in a public place.
- 15.2. The maximum size of any local election sign must not exceed 1.5 square metres in area.
- 15.3. Local election signs must comply with:
- (a) clause 11 of this bylaw;
 - (b) Tauranga City Council's relevant policy on elections signs.
- 15.4. In accordance with the Electoral Act 1993 general election signs of up to 3 metres in size are permitted to be displayed 9 weeks before polling day.
- 15.5. General election signs must comply with Tauranga City Council's relevant policy on elections signs.

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 EVENT SIGNS

- 16.1. Approval is required for community event signs.
- 16.2. Approved community events signs may only be erected at sites or on frames specifically reserved for that purpose. Signs must comply with Reserve Management Plans and any specifications for reserve signage.

17. GARAGE SALE SIGNS

- 17.1. Subject to clause 16.2, Signs advertising garage sales are permitted in a public place provided clauses 11.2 to 11.6 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 ADJACENT TO A PUBLIC PLACE

- 18.1. 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 authorised officer dangerous to persons passing within the public place, the authorised officer may give written notice requiring the owner or occupier of the land to repair or remove the rail, gate, fence, cover, wall or retaining wall to the satisfaction of the authorised officer. The owner or occupier must 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.

19. BUILDING AND STRUCTURES

- 19.1. No person may, without approval, 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) 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 in a position that may interfere with or cause obstruction in any public place;
 - (c) hang, or allow to be hung, any door or gate abutting any public place so that it may swing over or across a public place;
 - (d) omit or neglect to secure and maintain the foundations of any building, wall or fence, or cause or permit any encroachment by any building, wall, or fence abutting a public place, in a way that may damage or obstruct a public place;
 - (e) mix concrete or carry out any other work upon any public place that may damage, deface or obstruct 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 approval.
- 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. An authorised officer has power 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 destroy, pull down, obliterate, or deface the name of any street, or the number of any building.

21. TAURANGA CITY COUNCIL FACILITIES

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

22. 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 approval required under this bylaw will be determined by an authorised officer.
- 22.3. Conditions may be attached to any approval and include the duration of approval.
- 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 to:
- (a) to respond to noncompliance of the conditions of the approval;
 - (b) 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);
 - (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 of the approval which may result in its amendment, suspension or cancellation.

22.8. Any approval granted under this bylaw may be suspended for a period during the staging of any special event, by giving the approval holder 10 days' notice in writing.

22.9. Approval may be suspended 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.

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);

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. Te Manawataki o Te Papa Civic Precinct.
5. Spring Street Carpark Building.
6. Elizabeth Street 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.

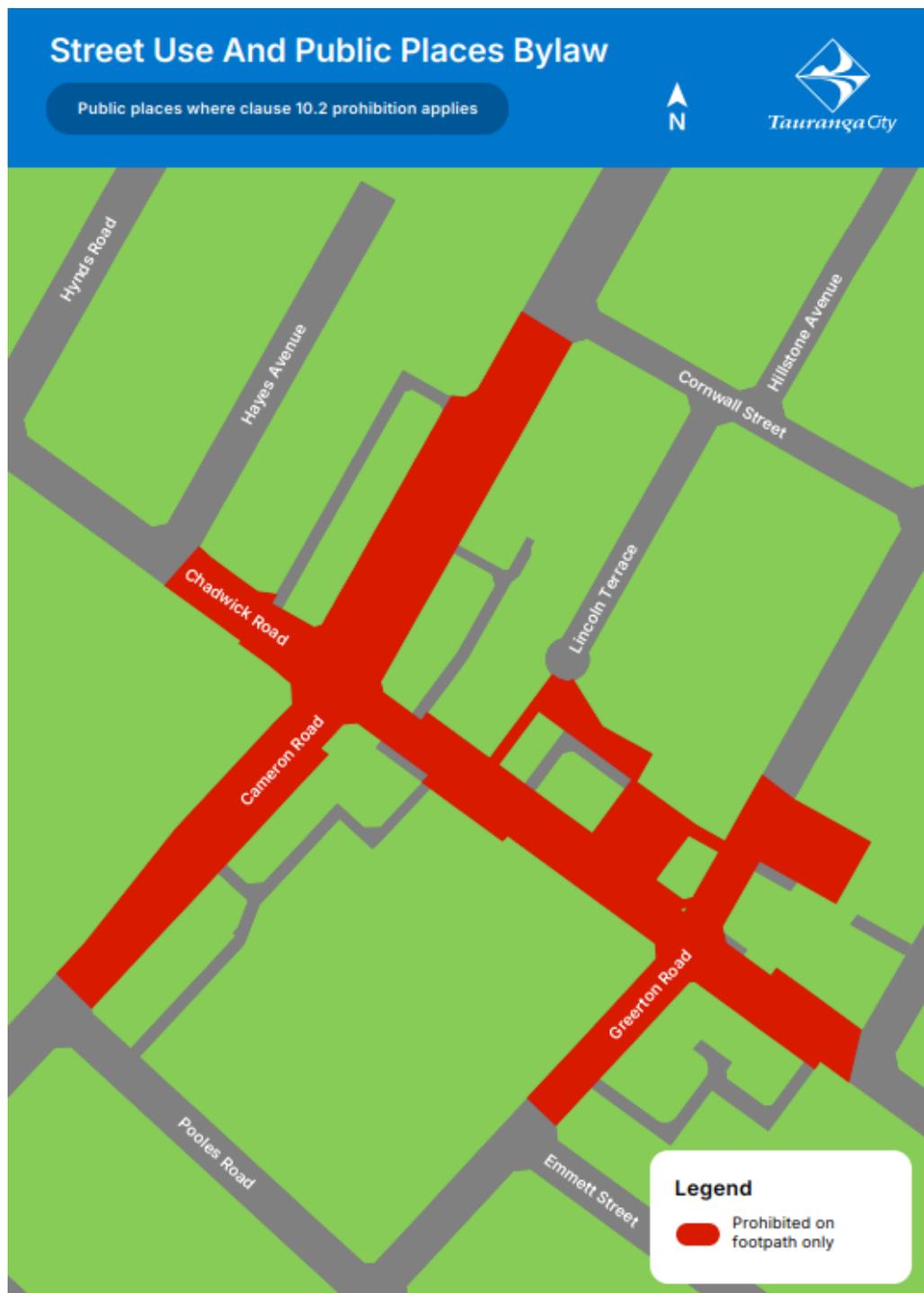
Greerton Commercial Area:

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.







	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support the proposal to allow all businesses a set area of 1.5 square metres for street dining, commercial display or a combination of both?	And what is the reason for your answer?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
001	Mike Hawker	Central Deli	Allowing businesses to use space for street dining and commercial displays	Strongly support	More business is good growth for the city. The opportunity to sit outdoors is what everyone as kiwis would want.				Take the fees away
002	Peter Due		Allowing businesses to use space for street dining and commercial displays	Support	We need to keep up with the trends and I think it's a great idea take a look how popular it is in Europe				
003	Jackie Stewart		Allowing businesses to use space for street dining and commercial displays	Do not support	Too much unnecessary control of something which hasn't been too much of a problem until the Council involved itself. If a street sign or table and chairs is blocking access for pedestrians a quiet word might be a better way. Nobody wants to be 'the bad guy'. Council should definitely not be charging businesses for putting a table or two on the pavement for the pleasure of their customers. Most people are fair and reasonable. Charging for this is just money grabbing.				Having just approved pay rises for councilors with the excuse that budgeted money must be spent, charging cafes to put a table or two on the pavement outside their premises is rubbing salt in the wound. Politically very naive and practically insulting.
004	Graham Needham		Allowing businesses to use space for street dining and commercial displays	Strongly support	I think the atmosphere and liveliness of the City is improved.				No. I think the whole approach is positive
005	Lib Neisham		Allowing businesses to use space for street dining and commercial displays	Support	Consistency for businesses. They should not be allowed to take up most of the footpath as in some places it is hard to get past especially if using wheelchairs, prams etc.				
006	Christine Norton		Allowing businesses to use space for street dining and commercial displays	Strongly support	I feel that cafes and restaurants should be able to provide outside seating for customers without any additional charges or fees. Hospitality has had it hard these last few years and they need a break! I don't believe other businesses need commercial displays on the footpath.				No further comments, thanks.
007	Barclay Wilkinson		Allowing businesses to use space for street dining and commercial displays	Support					

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008	CHETANKUMAR ASHOKKUMAR SONAVANE	pronto	Allowing businesses to use space for street dining and commercial displays	Strongly support	business brings money which help economy				should not be charge for out door furniture
009	Rob Coe		Allowing businesses to use space for street dining and commercial displays	Do not support	1.5m2 is far too small. It's not even enough for a table & 2 chairs				
010	Dacey Zelman-Fahm		Allowing businesses to use space for street dining and commercial displays	Support	More people out and about				None
011	John Lacy		Allowing businesses to use space for street dining and commercial displays	Strongly do not support	Already the footpath - note the term - footpath, is congested and apparently unmanaged. Some paths are too narrow to allow as of right use by storekeepers. How do elderly and people with mobility issues navigate their pedestrian space ?				Ban use of scooters on footpaths.
012	Corinna Sycamore		Allowing businesses to use space for street dining and commercial displays	Support					
013	Brett Watchorn		Allowing businesses to use space for street dining and commercial displays	Strongly support	Having to dodge chairs, tables, dinners and signs on Mount main street is frustrating and adds a negative feeling to the overall street experience.				
014	Nick Wilson		Allowing businesses to use space for street dining and commercial displays	Support	Vibrancy. Atmosphere. However have issues when its used by venues on both the footpath side by premises and the side by road together. There are establishments in the mount where the footpath is inaccessible and when it is possible to walk through your fe walking through a narrow passage way of tables with adults drinking amd eating. This is awkward, intimidating and uncomfortable				
015	Nathan Wansbrough		Allowing businesses to use space for street dining and commercial displays	Support	Clearer and fewer restrictions of street dining will increase the vibrancy in our town centres (Mount Maunganui, Tauranga CBD)				I wonder how this change will be communicated to local businesses. I hope this is being considered. Multiple avenues of communication should be explored to ensure the changes have the desired effect

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016	Ernie Visser		Allowing businesses to use space for street dining and commercial displays	Strongly do not support	Your wording is confusing - but in short - Just leave things as they are at the moment. - DONT change it.				Life is hard enough as it is without the counsel having to make things harder - Rather look at the ridiculous salary increases for counsellors then looking to milk every single cent out of the rate payers!
017	Simon Tavey		Allowing businesses to use space for street dining and commercial displays	Strongly support	It creates a better vibe and helps small businesses				
018	Stephen Smyth		Allowing businesses to use space for street dining and commercial displays	Strongly support	Cafes are all struggling and to have a vibrant city, we need people on the streets and definitely not charging to the business for putting a few tables outside				Don't make it hard for businesses to survive. They need customers across their threshold to pay the bills and earn a living. Not like Council workers where you get paid whatever.
019	Tracy Samson		Allowing businesses to use space for street dining and commercial displays	Strongly do not support	Footpaths are for walking on, trying to get past with table and chairs in the way is unsafe. People who have to use walking sticks, are blind, pushchair etc is a pain to get past them.				
020	Malcolm George		Allowing businesses to use space for street dining and commercial displays	Neutral / unsure	at the moment they are taking up most of the foot path out from the shop frontage & also from the curb into the shop so families & wheelchairs & people on crutches can't get through it may be good for alfresco dining but not good for pedestrians				make more room on the foot paths
021	Sharon Fajardo		Allowing businesses to use space for street dining and commercial displays	Strongly support	If its set on footpath-Yes I strongly support to help businesses and making Tauranga more lively and vibrant city				Nil
022	Moana Bywater		Allowing businesses to use space for street dining and commercial displays	Strongly support	Whatever businesses need to attract more business should be encouraged. So many of our retailers are struggling, more people means more vibes! I love the idea of incorporating more outdoor seating.				

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023	Shaun Cole		Allowing businesses to use space for street dining and commercial displays	Strongly support	It will bring a consistent approach				It is important that footpath users can move freely and safely and the is adequate space for wheelchair users.
024	Ian Willis		Allowing businesses to use space for street dining and commercial displays	Strongly support	Brings life to the city. Supports businessrs				
025	Mary Dillon		Allowing businesses to use space for street dining and commercial displays	Support	This seems like a reasonable approach as there are, within the By-Law, additional provisions for food and beverage premises. Would it be worth restricting the use of advertising signs and merchandise to one display only per premise each day or at any one time. Some of the signage outside premises is a real mess. You can fit a lot of mess into 1.5 square metres.				This By-Law is not easy to enforce so the simpler it is the better.
026	Songsak Prasanpoung	Mobile shop	Allowing businesses to use space for street dining and commercial displays	Support	They need that space				
027	Andrew Ducat		Allowing businesses to use space for street dining and commercial displays	Strongly do not support	I travelled to Europe 50 years ago and it was like leaving the dark ages in NZ. Society loves cafes that flow into the streets and allow patrons to sit and relax in the sun Shop keepers are doing what they know works in a difficult financial environment. Busy and bustling is good. Someone in council has started this silly backwards agenda and I feel it should be nipped in the bud quickly. More important issues. 1 safe cycle way south end of Domain rd. and along Maranui rd outside Pacific Coast. Cheers thanks for opportunity to comment				
028	Susan GERNHOEFER		Allowing businesses to use space for street dining and commercial displays	Strongly support	Encourages people to eat out and socialise				We are too safety conscious at the expense of being practical. OSH OTT

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029	Lynda xx		Allowing businesses to use space for street dining and commercial displays	Strongly support	Allowing street dining helps to create a vibrant city. We do need to be aware of trip hazards and ease of mobility too though. I am assuming that allowing 1.5m for shops will still leave enough free space for pedestrians.				
030	Ralph Ward	AMWW Limited trading as The Phoenix	Allowing businesses to use space for street dining and commercial displays	Strongly support	Give us a level playing field across the whole of Tauranga. I assume those businesses currently paying for an LTO will see a reduction in rent for the first 1.5m to be consistent with other not LTO business. Is this just an excuse to allow The Mount to continue using the footpath without paying for the space				
031	Iarissa ansorge		Allowing businesses to use space for street dining and commercial displays	Support	they should all be allowed the same space if it doesn't block the footpaths				
032	Geoff Ellett		Allowing businesses to use space for street dining and commercial displays	Strongly do not support	I wish to object to businesses being allowed to use the entirety of covered pavement in front of their premises, to the exclusion of passing pedestrians. Public should be allowed to walk on pavements protected by roof cover.				
033	Alison Cathro		Allowing businesses to use space for street dining and commercial displays, Other thoughts or ideas on the bylaw	Neutral / unsure	Will the public who use the tables and chairs keep within the 1.5m zone and their dogs. When you are walking down the street it is hard to dodge on coming traffic on the footpath, people sitting and their dogs etc. Can we have a line painted on the footpath to show the extent of the footpath that can be used for dining.				Dogs not under control in public areas
034	Glenda Phillips		Allowing businesses to use space for street dining and commercial displays, Other thoughts or ideas on the bylaw	Strongly support	We are a summer destination and being able to enjoy food/drink in the fresh air is part of our vibe and must be maintained.				I think the 3 areas is a good idea. I don't want any charges or costs associated with this at all. If people can walk free of charge then we can also sit free of charge.

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035	Mark O'Connor		Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Support	Businesses need all the help and support you can provide them at this time				Council is wasting it's time on these matters whilst you do nothing about the homeless/beggars lying everywhere on the streets. They are the real hazards to pedestrians and turning people away from the city centre. I don't support Council spending more money changing down town Tauranga to simply provide more seats etc for the homeless to camp on. Get rid of them out of town.
036	Erl Sutcliffe		Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Strongly support	The area should be greater 3 sq m as a minimum before a permit is required				
037	Pamela Thorpe		Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Neutral / unsure	I feel 1.5 m is a rather narrow strip for a dining area especially when the street is closed to motor traffic ie Red Square.				I am concerned where cycle lanes may fit into this bylaw and feel that suitable provisions must be made for cyclists if we wish to encourage them into our city and reduce the car volume.
038	David Mackay		Allowing businesses to use space for street dining and commercial displays,Real estate signs	Strongly support	Mainly for shops serving food as they add ambience to the city and it is pleasant to sit outside having coffee etc	Strongly support	Strongly support	Mainly real estate company's don't need more than one sign to advertise a property as anyone wanting to purchase a property will look online for the sale	
039	Jeremy Cunningham	JeremyEvesMount	Allowing businesses to use space for street dining and commercial displays,Real estate signs	Do not support	for restaurants and cafes this will simply be an extra cost which puts pressure on pricing and margins. for retail display it should depend on the shopfront area not a fixed rigid area.	Support	Strongly support	As a real estate agent i am acutely aware of other agents putting their directionals out form Friday afternoons for Sunday open homes, with multiples in front of the property in question - this seems unnecessary - also some agents and agencies seem to use the open home as an opportunity to flood the local area with directionals giving the impression of having more business than actually - therefore using the directionals as a marketing exercise, rather than to direct to the open home in question.	directionals should go up in the morning of the same day as the open home and be taken down thereafter that day.

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040	Rebecca Angell		Allowing businesses to use space for street dining and commercial displays, Real estate signs	Do not support	A lot of hospitality businesses struggle due to a large impact of lack of infrastructure planning on the councils part, increased rates and limited parking. Adding yet another restriction to businesses is unnecessary.	Strongly do not support	Strongly do not support	These signs are temporary. Directional signs are usually displayed for a 24 hour period in the lead up to open homes and the main signboard is only displayed for the life of the campaign. All of this is temporary. Pedestrians can take a few extra steps around a TEMPORARY sign.	Of all the issues Tauranga is facing, this seems one of the least to spend time and money on. Focus on residential facilities in the CBD to bring in more people, focus on more communal facilities for everyone to enjoy, create more family focused facilities and less restrictions on allowing business to survive and opportunity for Tauranga residents. Why are more restrictions being created!
041	A B		Allowing businesses to use space for street dining and commercial displays, Real estate signs, Other thoughts or ideas on the bylaw	Strongly support	As always, a poorly designed survey :(Your question is muddled, and you ask for approval for three things. I only support street dining not advertising or a combination. Street dining should be for more than 1.5m as the particular pavement allows. The rule should be that it is allowed unless the council can come up with a reasonable genuine and specific reason to deny.	Strongly do not support	Strongly do not support	Street junk. Distraction for drivers. Dangerous	Insufficient bike stands given all the money you've wasted on putting in cycle routes no one uses. Why don't you put in bus lanes and make them shared with bikes. That's what better run cities do and it keeps the cost down. It is also safer. Your current disaster on Cameron is actually too dangerous for cyclists to use and they are safer on the street in the pre existing bus lane
042	Craig Wilson	Eves Realty Limited	Allowing businesses to use space for street dining and commercial displays, Real estate signs	Support	We need to be a city that encourages businesses not discourages them, which it could be argued we do right now	Do not support	Support	Provided the signs are advertising the property being for sale rather than the company or sales person then a larger photo sign and smaller for sale sign should be acceptable. Section 13 of the Street Use and Public Places Bylaw 2018 is reasonably clear around the use of temporary signs. The changes need to reiterate the times they are permitted to be out eg day of the open home only not all weekend and half the next week as is often the case now. Examples of blatant breaches of the bylaws which Council have been unwilling to act upon are currently all over town and attached. we need to ensure all businesses are treated equally and some might argue this is not the case currently. You may want to consider a maximum size for real estate signs as well as they can become a traffic hazard in some cases.	If you are serious about making these changes then do it properly so it supports businesses to operate while at the same time makes it very clear what the boundaries are and what the consequences might be for breaching the boundaries

This photo was included to support submission 42



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043	Simon Tavey		Mobile shop definition	Strongly support	Let's include diversity and more cheaper options for everyone.						
044	Hiranya Belgrave Belgrave	Sole trader	Mobile shop definition	Strongly support	Some of the mobile shop business are have not much opportunity to reach their customers						All the mobile shop should have met the license of food control plan
045	Laura Brown		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Strongly support	Support more small business in the area	Strongly support					
046	Peter Mansell		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Neutral / unsure		Support	I support businesses being able to use 1.5m of footpath. I am against the sprawling use of the footpath for street dining. There are multiple instances of pedestrians unable to comfortably use the footpath due to groups congested around tables and chairs. It often appears to be a major inconvenience for them to allow foot traffic through. As ratepayers we have a right to comfortably use the footpath through Mount Main Street and safely access pedestrian crossings.				
047	Nicola Dance		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Support	These services will be located in easily accessible areas, making them more convenient for people to use	Strongly do not support	You cannot fit much in the way of dining tables and chairs in a 1.5m square area				
048	Andre Pansegrouw Andre Pansegrouw		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Strongly do not support	There are properties allocated for businesses.	Strongly do not support	Keep it in the designated areas, not these spaces where we want to get away from shops				Roaming domestic cats must be kept on a leash and mandatory neck bells to warn birds of their presence nearby.
049	Bianca Hewitson		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Support	I would like to see more small businesses encouraged into trading, and have a consistent approach to regulation.	Support	I support a consistent approach for all businesses. I would like to see restaurants and cafes continue to be allowed to have kerbside tables.				

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050	Grant Ford		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Neutral / unsure	depends on what is classed as a "Service"	Do not support	depends on foot path with etc & will be too costly for businesses affected.				all vendors should not be allowed to occupy car park spaces. Mt main beach vendors should be on the grass at Mt Drury, Papamoa Domain vendors should be on the grass.
051	Simone Anderson		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays	Strongly support	Because other countries where we all escape to for vibrant and stimulating experience are bustling with diverse street offerings	Strongly support	As above				
052	Morag Kilpatrick		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Strongly support	We need flexibility and encourage more vibrancy to central Tauranga. We rarely go down now especially with so little cafe open on a Sunday	Strongly support	Sitting outside on sidewalk is my preferred option rather than inside. Especially if I can bring my dog				Bylaw bit restrictive and old fashioned
053	Ewen Castle		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Do not support	Sauna experiences; massage parlour experiences etc are not suitable to be provided from a vehicle.	Support	Use of footpath adds to relaxed atmosphere particularly on Maunganui Road and the STRAND				Requests from retailers should be accommodated if reasonable
054	K L		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Support		Support					

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055	Sarah Locke	I'll stay anonymous	Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Other thoughts or ideas on the bylaw	Do not support	Mobile shops create clutter in the town and they're gross and remind me of caml's. Our town needs smaller shops with more accessible rent prices not mobile carts.	Support	They should be allowed to use as much space as they need, we live in the mount, who wants to sit inside a cafe or restaurant? Stop ruining the dining experience. What shouldn't be allowed is scooters and skateboards. And the cyclists should actually use the bike lanes you spent thousands creating. Council needs to fine these cyclists using the footpath. And make the footpaths bigger so outdoor dining is prioritised. The council always ruin the experience of our town by making by laws.				Fine landlords that have shops sitting empty. Reduce wasteful spending and put it into the town. And actually listen to feedback. We all said no to the concrete area in the middle of the mount, like the whole town said no when asked and you ignored us and did it anyway. Only Mount locals should decide, if council members don't live in the mount they shouldn't make decision for us.
056	IAN NICHOLSON		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Strongly support		Strongly support	Because Tauranga is a ghost town and needs all the help it can get to encourage people in there.	Do not support	Support		No more tahn 1 main sign outside property.
057	Kirstan Alderton		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Support	The portable sauna has been popular	Support	Faimess. But extra area/lumiture should also be possible by license and shouldn't be prohibitively expensive as our restaurants are hurting	Support	Support		
058	Simon Taylor		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Strongly support		Strongly support		Support	Support		
059	Jay Banner	Mount Maunganui Business Association	Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Support	It creates more clarity and allows for better compliance	Strongly support	It is important for both retailers and hospitality venues to be able to use the sidewalk, it creates vibrancy and allows for maximum use of space	Strongly support	Strongly support		
060	Ri Br		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Strongly support	Brings vibrancy to the city	Strongly support	Brings vibrancy to the city	Strongly support	Strongly support		
061	Rebekka Plane		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs	Strongly support	Walking along Marine parade and seeing the sauna or tattoo guy or the surf lessons etc - all adds vibrancy to the town	Strongly support		Strongly do not support	Do not support	If i am selling my property i may need more than 1 real estate sign to show buyers where it is - some properties need a big sign plus a few smaller ones to give adequate direction and proper marketing. Also the same with directionals for an open home - occasionally need more than 4 to direct buyers to the property.	no

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062	Lolo Kitchen	Zeen Limited	Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly do not support	The number of mobile businesses has increased rapidly recently. They are everywhere, and this looks like a disorder in Tauranga. As a 2 Restaurant owner, I pay about \$25K to the council for my rates, Alcohol license, and manager certificates, and footway rental for my outdoor dining tables. I believe the council should protect businesses like us against the mobile traders. Council should have a limit of mobile traders in each area and increase their cost to balance with permanent businesses.	Strongly support		Support	Support		
063	Bia Groenewald		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support	To allow a range of Entrepreneurship to be created when you stop options it kills small business and stops new opportunities to grow the city's small business.	Strongly support	Restaurants attracts more people when people see people enjoying the Restaurant. E.g if you see Brew Co they have people on the foot path and it attracts more customers. It's Psychology people think the service is better if they can see it's full or have people they can see.	Strongly do not support	Strongly do not support	Again this is business and helps Real Estate businesses to sell properties if they only allowed one sign by the house they selling people might miss the house opening. Like people don't stop the first sign they see then they might drive past. They see one up the road and then at the second one stop. I feel it is restrictive.	Yes allow people to sell on foot. All over the world selling things by foot. Sparks small business ideas and opportunities to ignite. This will allow entrepreneurship in the city to grow and can help boost the economy here in the Bay. Allowing more stands around Main Beach and Pilot Bay. I feel the current bidding process again stumps entrepreneurship and variety. Like maybe turning the park across main beach into an open business entrepreneurship zone would be great. This will give people options and variety down at the beach. Putting posters up around town and signage. Again this is a form of Marketing for business and taking this away is like cutting people hands off and asking them to succeed. It would be great if we could have more dedicated spots for Marketing that council has free allocated spots. Then Parking down town strand I did interviews with locals and restaurants down there and everyone is extremely unhappy with the paid Parking they think it's killed the inner city. They say 10 years ago it was busy and fun down there now it's dead and they blame council. Think making free parking in the city will bring it back to life.
064	Scott MacLeod		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support	Makes sense that businesses using spaces for different purposes be treated on a consistent basis.	Neutral / unsure	It's important to help businesses to survive, but it's also nice to be able to walk along a street without tripping over hazards (this is especially a problem in Mt Maunganui Main Street). Businesses should be charged for using public spaces provided by the ratepayer, though it does make sense to cut red tape for businesses using only small areas. Disclosure: I work at TCC and have been involved with LTOs.	Support	Support	Directional signs are only annoying for a short time because they're only in place for a few hours, so not too bothered by this. Real Estate signs are a little more intrusive - maybe consider regulating the maximum size?	Generally, I think people should pay to use any public space they're using permanently or semi-permanently. Otherwise, I as a ratepayer am effectively subsidising their business.

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support or not support the proposal to include services into the definition of a mobile shop?	And what is the reason for your answer?	Do you support the proposal to allow all businesses a set area of 1.5 square metres for street dining, commercial display or a combination of both?	And what is the reason for your answer?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
065	Michael Rayner	Rayner Development	Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support		Strongly support		Strongly support	Strongly support		
066	Kathryn Macdonald		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support	I'm very supportive of small businesses being able to offer services	Do not support	We are a harbour/beach side city, it's part of our culture to be able to sit outside cafes/restaurants/bars on a sunny day. Business should be allowed to use an area proportionate to their street frontage, 1.5 m is a very small area for some and a large area for others	Support	Do not support	1m is not very high, especially in areas where there is already a lot of other types of signage (local residential business and the like), real estate signs are only temporary and should be allowed to be bigger than 1m as long as they're not blocking footpaths, sightlines, access ways etc	Yes, we should have public notice boards in high traffic areas to advertise local (community based) markets, festivals, school events etc. There could be an approval process to be allowed to advertise on them. This would allow local groups to advertise and the community to participate, and give the community a heads up on areas to avoid if they're not interested in the event
067	Stuart Pendlebury		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support		Strongly support		Strongly support	Do not support	Four is too many, everyone has maps on their phone. Max should be 2	
068	Karen Halsey		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Support	I Think Every business should be allowed to operate, some small mobile business find it hard to operate against the bigger players in the marketplace. But I also think there should be regulations that they all have to stick to.	Strongly support	They should be able to display there business and have street dining, as long as it does not block the pathway to much. Disabled person should be able to walk or be in a wheelchair & move about without hindrance.	Support	Support	As long as it does not effect the neighbours, or block views so people driving vehicles are able to have a clear view without signs been to distracting.	
069	Brendan Kilfoi		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support		Strongly support	More street dining! Move that rail line under the ground along the strand.	Neutral / unsure	Strongly support	I think 1 sign should be enough. 4 signs is excessive.	
070	Julianne McMillan		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Support	One rule for All of them. However it should be limited as to how many there are, where they are. They shouldn't have flags everywhere, they should just be mobile and confined. They should not be residences! Some of the owners at the mount are living in their vehicles parked beside their van! Not great!	Support	There should always be a clear path for pushchairs and wheelchairs... the flags are also a burden and unnecessary. People should be able to walk or wheel safely and clearly	Strongly support	Strongly support	They are clutter. Agents get into neighbours gardens, block driveways and generally get in the way.	Flags are a hazard, they are messy, in your face and take up places the public can walk along. There is so much signage everywhere we are a long way from our old clean green town

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support or not support the proposal to include services into the definition of a mobile shop?	And what is the reason for your answer?	Do you support the proposal to allow all businesses a set area of 1.5 square metres for street dining, commercial display or a combination of both?	And what is the reason for your answer?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
071	Koenraad Groot		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly do not support	We do not need more mobile stores. They block car parks, block views and their patrons block the paths. We have rate paying, employing stores that do this already, let them make some money.	Strongly support	good idea	Strongly support	Strongly support		we should have less mobile shops. They should be for events and special occasions. they should not be prominent structures able to block the views and footpath at Main beach. Others need better placement than just the side of the road blocking traffic and having people run against traffic to get there. Toilets must be nearby for staff and patrons. A lot of these stalls have no washing area or toilets for staff, when the staff are there all day. Its obvious they go in the dunes or behind a tree. they should only be able to take up a maximum of 1 car park. Cost need to rise to be inline with rent and rates paid by the cafes nearby. You raise all our rates but the caravans get to pay a token fee for the year.
072	Grant Wilson		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support		Strongly support		Strongly support	Strongly support		
073	Julie Batten		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Support	There should be equality eith all mobile shops.	Do not support	Not all businesses need street furniture.	Neutral / unsure	Neutral / unsure		
074	Ron James		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Strongly support	I've been overseas... and the feeling it gives people walking around is ... cosy!	Strongly support	Just told you in last question I supported	Strongly support	Strongly support	They have to be restricted! One is enough if you're looking outfox a property to look through. I've done enough of that over the years.	We HAVE to do something to drawer people to walking around businesses and stopping or walking to next ones.
075	Danny N		Mobile shop definition,Allowing businesses to use space for street dining and commercial displays,Real estate signs,Other thoughts or ideas on the bylaw	Neutral / unsure		Strongly do not support		Neutral / unsure	Neutral / unsure		

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support or not support the proposal to include services into the definition of a mobile shop?	And what is the reason for your answer?	Do you support the proposal to allow all businesses a set area of 1.5 square metres for street dining, commercial display or a combination of both?	And what is the reason for your answer?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
076	Karen Holbrook	Sand N Surf Cafe Ltd	Mobile shop definition, Other thoughts or ideas on the bylaw	Support	Way easier to understand						As the owner of the Sand N Surf coffee van that has been serving the Papamoa Beach community for many years, I would like to have some clarity for those like us who have unique character vans. We have an awning that rolls out from the side of our Bedford van so we can serve from the side of the van, with tables that sit tidily within the footprint of that awning, that serve a dual purpose, room to put cups, cash drawer, pos system and eftpos, smoothie mixer etc, plus a very important purpose is to keep people out of the coffee making area, with a very hot espresso machine, a health and safety issue. Due to the unique layout, as there's no room in the van to serve from, could something be put in for these types of mobile shops to provide clarity around this as there has been a lot of confusion over the tables recently. The tables sit within the footprint of the awning and enable us to continue serving the Papamoa Beach area, the van bringing a distinct and unique character to the community who come to the beach.

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
077	Francie Morris	All Businesses	Other thoughts or ideas on the bylaw	As a senior citizen who is hearing impaired I am concerned about the narrowing of the pedestrian corridor as electric scooters often use this space as well. So when I am out with grandchildren, prams and little people who are slow to walk and move out of the way. My question is how do you intend to keep it safe.
078	Muzza Smith		Other thoughts or ideas on the bylaw	How about enforcing already passed bylaws, eg, dead beats sleeping in unsafe and unregistered or WoFed vehicles .Also the unwashed and insanitary homeless that are using Grey and Devonport Rd as their home. It makes hte city feel unsafe
079	dj fraser		Other thoughts or ideas on the bylaw	The Parks department is doing brilliantly and has made wonderful significant difference..I think the effort being spent in Yatton Park which is so beautiful and such an historical treasure is undermined by dogs off leash who are not controlled and their feces is NOT being picked up by many..(as many of their owners are too old, like me, or indifferent to bend over) and left in the grass or footpath..the dogs also chase the birds and really go after the herons who sometimes come up from the inlet..there are also dog fights and injuries..dogs are welcome as long as they are licenced and on leash..when I did complain about a pit-bull breed/mastiff running amok, the council person told me it was a greerton dog when in fact the guy who owned it was a Papamoa white south African
080	Miriam du Feu		Other thoughts or ideas on the bylaw	Please look at making it safer for people to cross 11th Ave into Memorial Park on for events at QE2 or Memorial Hall or the park itself. One of those pedestrian shelters in the middle of the road has no white rails anymore so motorists can't see the shelter is there. What about a pedestrian crossing or better still, one with lights?
081	kevin gibbs		Other thoughts or ideas on the bylaw	Cities should have a different colour
082	Dayna Hapimana		Other thoughts or ideas on the bylaw	To help make or improve the inner city of the tauranga CBD, reserves and public spaces and safer from nuisance behaviour and create a safer environment for all, it would be a good idea and a good suggestion is to start up street patrols, by foot and or sign written vehicles run by council or a local security firm based in tauranga. Other city's for example such as Rotorua, Hamilton, whangarei, Napier do have safe city guardians who are run under most councils. The safe city guardians walk around in pairs around the city centre, public reserves and act as a deterrent and to de-escalate nuisance behaviour and liaise with the local police and city camera's to pass on info. The safe city guardians patrol at high risk times, normally business hours from 8am to 4:30pm 7 days a week and Thursday, Friday, Saturday 4:30pm to Midnight. I hope my feedback would be considered as I am a former safe city guardian myself and I would like to see one started up in tauranga in the near future.
083	Sarah Caldwell		Other thoughts or ideas on the bylaw	In regard to public places..dogs off lead at parks should have restricted hours..e g before 9am and after 5pm
084	Martin Buschek		Other thoughts or ideas on the bylaw	Extending footpaths in central areas to the detriment of cars would be wonderful.
085	Elaine Wordsworth		Other thoughts or ideas on the bylaw	Can you advise us on how you will be addressing all the homeless people living in shop entrances and on the footpaths in front of the shops. This needs addressing in order to make people feel safe and comfortable
086	Scott Payne		Other thoughts or ideas on the bylaw	The use of electric motor bikes and scooters on the footpaths and cycleways is increasing. When you engage with these youngsters they tell you it's not a motorbike as it's electric. I do try explain it's a motor powered by electric so still a motorbike.
087	Andrew Ragg	The organisation that opposes you spending our money.	Other thoughts or ideas on the bylaw	Pointless survey as you will do what you already have planned anyway. But stop spending my money.
088	Peter Crankshaw		Other thoughts or ideas on the bylaw	Don't agree that caravans should be legally able to stay on grass verge

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
089	ross andrew		Other thoughts or ideas on the bylaw	ban all pay e scooters from cycle ways and roads ,, covert to pay bikes sydney has done this ,big difference to junk all over the walk ways or trim speed to walking speed 15km is too fast past shop doorways acc would like it to
090	P Brown		Other thoughts or ideas on the bylaw	Public spaces should be just that and not taken over by private landowners like so much is in Tauranga. Also more liquor bans in public spaces and beaches,
091	David Smyth		Other thoughts or ideas on the bylaw	Include all footpaths in the city - residential streets ie make parking on footpaths and narrow verges an offence. Extend paid parking on streets. Make all street parking subject to periodic fees / licenses where paid parking absent.
092	Basil Graeme		Other thoughts or ideas on the bylaw	Support proposal
093	John Johnson		Other thoughts or ideas on the bylaw	When I read this I thought it was related to homeless people and vagrants on the footpath. There are more and more of these and of course, it is related to financial burden. but it can affect the safety and feel of the city. Particularly the cbd. Reducing this would be good
094	Amy Griffin-Brown		Other thoughts or ideas on the bylaw	Hi Council, I strongly advocate for the development of a pedestrian only zone on Maunganui Road from the Burger King to the Tank Juice. The city would benefit in 3 ways. 1. Safety. Every evening and weekend as soon as the temperature gets above 20 degrees, this area is super busy with pedestrian traffic. It is also frequented by boy racers and biker gangs. It is unsafe for these two to mix. 2. Local business profits. With more room to sprawl local businesses would benefit from increased seating capacity and lingering pedestrian customers. Close the street, see profits rise. Examples include red square and Cuba Street. 3. Better options for drivers. The strip between the Burger Kkng and Tank is ride with jaywalkers and difficult to navigate currently. Normal drivers will benefit from simply parking elsewhere and walking to their destination on Maunganui road. At the same time, boy racers have 4 other streets they can use. They can still have their "fun" while children and tourists meander the strip in peace. Please do it. Its cheap and everyone would enjoy it. Win win.
095	Kathryn Spratley		Other thoughts or ideas on the bylaw	In response to your invitation to comment on the use of public footpaths and walkways I would like to say how delighted we were at the completion of the wooden walkway extending along the Strand waterfront. However it was short lived when on the first sunny weekend it turned into a skateboard park. My husband and I live in the Devonport Apartments and our apartment faces the harbour on the seventh floor. Sitting on our deck the noise from just two skateboarders was such that we had to go inside. However, once inside we then had to close our windows as the noise was still horrific. I appreciate that I am in the winter of my life but I had hoped to spend it in relative comfort. I have two grandsons who skateboard so I am not against skateboarding in general. However, I understand there is a skateboarding facility at Memorial Park. We love entertaining on our deck in the summer months and sincerely hope the council can resolve the problem.
096	Nevan Lancaster	Mt Cats and Yaks	Other thoughts or ideas on the bylaw	I am a Temporary trader on Pilot bay. To operate my business an provide thousands of people each summer the chance to go sailing or Kayaking I need to have a lot of equipment especially over the busy season. It would be nice to have an official parking spot for my business. When it is busy around the new years it is not always practical to strictly follow the parking rules as they are written and to provide a service to the locals and tourists that visit our area. I will upload a document that was discussed with Suzy O'Niel and Warren Aiken 7 years ago.

Notes from Fore Shore Traders meeting 26 Feb 2018**Present:**

Mount Surf Academy
Discovery Surf and Hibiscus Surf school
Surf academy operator
Eastcoast paddlers
Mt Cats and Yaks
Team Leader, Team Leader, Parks Environment
Parks Natural Environment Specialist

Complaints received at Council about Fore Shore Licensee trailers being left in car parks over night and for extended periods.

The advertising on the Trailers is also an issue with them being parked in a public place for extended periods.

Advice from Bylaws officers is that when Fore Shore Licensee's are advised to move trailers they are shifting trailers one park and then back again next day. Email sent out to advise this was not acting in the intent of the Foreshore License.

Operators do not consider it practical or safe to move trailers on a daily basis during summer/busy period as parking spaces are at such a premium. In the morning Operators may not get a park close to their site and big enough for the trailer even at 0630. If the park is not close to operating site, they have to lug gear to site. Not desirable to be towing a trailer around Mt/Pilot Bay on a daily basis with frequent road closures and congested pedestrian and vehicle traffic, especially at night.

Food trailer operators (who operate under a different agreement) have set car parks, maybe same could be considered for Foreshore Licensees? Alternatively maybe a dispensation could be sort for secured or overnight parking for trailers just between December to February annually.

Street use and Public spaces Bylaw is being reviewed currently. May be opportunity to have some input to this now.

Operators feel things change a lot from year to year as Council staff change. The Operators feel like things are made quite difficult for them by all the regulations and the convoluted process.

If they have a proven track record Operators would like to have two or three year license periods instead of having to re-apply annually. Operators invest a lot of money in their business and it is always a tense period waiting to see if they will be granted a license each year.

Two or three year licenses have been suggested/done in the past but Councillor's felt it was anti-competitive. Staff will pursue this proposal as it would be more effective use of Council staff time also.

Operators would also like the time frame for licenses changed. Often licenses are not issued till December which is too late, as this is a busy time of year for them before summer and orders from clients are already coming in from November.

Main Beach licenses are only issued from Dec till March. Marine Pde licenses are issued Sept to Sept. However, the Main beach is very often the safest place to take school groups for surf lessons all year round. Some consideration should be given to making this work, as currently Surf school Operators are taking school groups to the Main beach year round and hence not complying with their license conditions.

Non licensed operators are continuing to operate at the Mt. Some non-licensed operators are well established and known to Council, others are opportunist, such as the Tweed St Surf lesson sign that pops up. It's not an equitable situation for Licensed Foreshore Operators who have to comply with License conditions and pay a Tender fee. Foreshore Licenses are granted to permit commercial activities (which enhance reserve experience), to operate on Recreation zoned land. Operators were questioning if there was no exchange of money, advertising or touting for business on reserve land, is it then permissible? [REDACTED] **will find out.**

Operators request that Council monitor for non-licensed operators and respond to them to address the in-enequity.

Also, Maritime License is issued by Harbour Master often after Foreshore License is issued, this needs to be communicated with BOPRC, [REDACTED] **will follow this up.**

We agreed that Foreshore License Operators and Council staff should have another meeting in April, 2018.

	Name	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
097	Jessica Walker	SPCA New Zealand	Other thoughts or ideas on the bylaw	<p>Kia ora Tauranga City Council Consultation Team,</p> <p>On behalf of SPCA, thank you for the opportunity to provide feedback on the Street Use and Public Places Bylaw currently under consultation.</p> <p>We recommend that Council update the bylaw to include clear restrictions on the use of fireworks in public spaces and on Council-owned land within Tauranga.</p> <p>While we understand that Council does not control the private sale or individual use of fireworks, it does have the authority to regulate how and where fireworks are used in shared public environments. Exercising this authority is an important step in addressing community concerns related to public safety, nuisance, fire risk, and animal welfare.</p> <p>SPCA supports the continuation of controlled, notified, and officially-approved public fireworks displays, where risk management planning, professional handling, and advance public communication help protect people, property, the environment, and animals.</p> <p>However, unregulated fireworks use in public places continues to pose significant safety and animal welfare concerns. Other councils have already taken steps to address this. Auckland Council's Public Safety and Nuisance Bylaw 2013, for example, prohibits individuals from setting off fireworks or other explosive materials in a public place without written approval. This ensures such activities are managed responsibly, helping to prevent harm to people, animals, and property.</p> <p>Recent incidents in Tauranga demonstrate a similar need for stronger protections. For instance, in November 2025 Tauranga City Council was forced to close Mauao overnight for several nights due to repeated instances of fireworks being discharged on the maunga, despite a permanent fire ban. The Council noted that this posed significant risks to public safety, native vegetation and wildlife. These are the types of risks SPCA witnesses each year as fireworks cause fear, injury and distress to animals across Aotearoa.</p> <p>We have attached SPCA's recent submission to the Petitions Select Committee, which outlines broader issues associated with the private sale and use of fireworks in New Zealand. We believe that strengthening regulation around fireworks use in public spaces within Tauranga is a pragmatic and meaningful step Council can take now to better protect the community, including its animals.</p> <p>SPCA would welcome the opportunity to discuss this recommendation further or provide any additional information that may assist.</p>



**Submission by the
Royal New Zealand Society for the
Prevention of Cruelty to Animals Inc.**

on

**the Petitions of Animates NZ Holding Ltd, Raewyn
Harrison and Suzanne Cook calling for a ban on the
private sale of fireworks**

1st September 2025



Executive Summary

- SPCA supports the petitioners' calls for a ban on the private sale and use of fireworks.
- Fireworks cause widespread psychological and physical harm to animals.
- Studies show that many companion animals experience fear or anxiety during fireworks, often leading to panic, injury, and death
- Management strategies, such as medication or confinement are largely ineffective, especially as fireworks may be let off unpredictably year-round.
- Wildlife impacts are significant. Fireworks disrupt birds during breeding season, triggering mass night flights, nest abandonment, and increased predation.
- Additional harms include:
 - Wildfires: 106 firework-related fires in 2023 (a 58% increase on 2022).
 - Marine life: exposure to underwater noise and toxic debris.
 - Captive wild animals: stress, injury, and deaths reported in New Zealand zoos.
- Public support for a ban on the private sale and use of fireworks is strong and consistent: a combined 95,354 people signed the petitions currently under consideration.
- Despite assurances from a Select Committee report in 2021 that sales would continue to decline, imports of fireworks rose 52% in 2023, alongside sharp increases in fires and police call-outs. The status quo is not sustainable.
- Internationally, New Zealand is an outlier. Most Australian states, Ireland, and many parts of the US and UK have far stricter controls or outright bans on private fireworks.
- SPCA supports controlled, licensed, and notified public displays as a safe alternative, alongside modern options such as laser or drone shows. These enable cultural and community celebrations without compromising animal welfare.
- Given the predictable, preventable, and widespread harms to animals, SPCA urges Parliament to act decisively by banning the private sale and use of fireworks in New Zealand.

SPCA submission on the petitions of Animates NZ, Raewyn Harrison, and Suzanne Cook
requesting a ban on the private sale of fireworks: 1st September 2025

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SPCA submission on the petitions of Animates NZ, Raewyn Harrison, and Suzanne Cook
 requesting a ban on the private sale of fireworks: 1st September 2025 Page 2 of 18



Introduction

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

SPCA is the preeminent animal welfare and advocacy organisation in New Zealand. The Society has been in existence for over 150 years with a supporter base representing more than 100,000 New Zealanders across the nation.

The organisation includes 28 Animal Welfare Centres across New Zealand and approximately 60 inspectors appointed under the Animal Welfare Act 1999.

SPCA welcomes the opportunity to submit in support of the petitions of Animates NZ Holding, Raewyn Harrison, Suzanne Cook calling for a ban on the private sale and use of fireworks.

Submission

SPCA supports the petitioners' calls for a ban on the private sale and use of fireworks.

SPCA advocates for a ban on the private sale and use of fireworks in New Zealand due to the distress and harm they cause to animals¹. SPCA also advocates that fireworks, pyrotechnics and gas-fired explosions should never be permitted to be used at events involving animals due to the distress they cause animals.

We acknowledge that many New Zealanders include firework displays when celebrating special occasions such as Matariki, Diwali, Chinese New Year, and Guy Fawkes. We are supportive of controlled and notified public firework displays, which allow communities to celebrate while minimising harms.

¹ <https://www.sPCA.nz/advocacy/position-statements/article/fireworks>



This submission outlines the harms fireworks cause to animals, evidence in favour of a ban on the private sale and use of fireworks in New Zealand, and international comparisons.

Harms to domestic animals

Psychological harms

Fear of fireworks is common in companion animals. New Zealand research shows that between 46-74.4% of cat and dog owners report their animals show fear of fireworks (Dale et al., 2010; Gates et al., 2019). Horses owners reported 79% of horses were anxious or very anxious around fireworks (Gronqvist et al., 2016). These fears can lead to panic, destructive behaviour, and long-term phobias.

The potential for psychological suffering is a significant welfare issue for animals. This is exacerbated by the unpredictable nature of firework use in New Zealand. Therefore, rather than becoming desensitised to the noise and sight of fireworks, many animals become sensitised, and their response can be more severe and generalised to a fear of other loud noises.

Fireworks pose a significant risk of acoustic trauma (Plontke et al., 2002). Common responses from animals to fearful or loud noises include increased heart rates and changes in blood chemistry, vigilance, trembling, vocalising, urination, and defecation, and destructive and escape behaviours (Christensen et al., 2005; Hydbring-Sandberg et al., 2004). The New Zealand Veterinary Association (NZVA) has acknowledged the severe anxiety, stress, and psychological harm caused to animals by fireworks, which significantly compromises their welfare².

Fear-related behaviours are indicative of negative welfare for animals and can have long-term physiological effects. Stress responses in animals have been associated with changes in hormonal and immune performance, disease processes and shortened life spans (Dreschel, 2010).

² <https://nzva.org.nz/positions-advocacy/position-statements/fireworks/>



Physical harms

Animals frequently injure themselves attempting to flee fireworks. Most companion animals impacted by fireworks are owned and thus owners typically take injured animals to their local veterinary practice. As such, SPCA does not collate data on injuries caused to animals.

Several New Zealand studies have documented animals injured as a result of fireworks:

- 35% of horse owners reported having horses run through fences in response to fireworks; 26% reported injuries ranging from cuts to broken limbs, with some horses requiring euthanasia (Gronqvist et al., 2016).
- In a study of cat and dog owners, 6% of animals (51/923) were reported to have been injured due to fireworks (Dale et al., 2010).
- A 2019 study recorded at least 345 animals severely injured by fireworks, with 14% dying or being euthanased as a result (Gates et al., 2019).

Each year, stories emerge of much-loved companion animals dying due to fireworks. These are a predictable but tragic occurrence with devastating impacts (see for example, Conchie, 2024; Roberts, 2023). We encourage the committee to read about and reflect on these entirely preventable deaths and the suffering caused to both the animals and their owners.

Management strategies

While management strategies exist, including medications, environmental modification, and behavioural interventions, research shows their success is limited (Gates et al., 2019; Gronqvist et al., 2016; Riemer, 2020).

Prescription medications are the most effective intervention but require advance preparation. With fireworks permitted year-round in New Zealand, owners cannot reliably predict when to administer treatments, leaving many animals unprotected.

While smaller companion animals can be brought inside to protect them from some of the stressors associated with fireworks, larger animals such as horses and farmed animals cannot

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simply be brought indoors, and relocation or confinement often introduces further risks of injury.

SPCA is concerned that, at present in New Zealand, fireworks can be let off at any time of the year. While fireworks are only on sale between 2 and 5 November, stock piling is a known issue. The inability to predict when or where fireworks will be let off prevents those responsible for animals from taking the precautionary measures necessary to protect them as far as is possible.

Harms to wildlife and captive wild animals

While much attention of the impacts of fireworks on animals focuses on companion animals, the effects on wildlife are likely more widespread and severe (Bateman et al., 2023). Additionally, while most harms to animals are unintentional, wildlife and other animals are sometimes deliberately targeted and injured or killed with fireworks with devastating results (See [Appendix 1](#)).

Nesting season

The timing of Guy Fawkes sales (2–5 November) coincides directly with nesting for many New Zealand native bird species and thus fireworks may have adverse long-term population effects on them.

The impact of fireworks on birds, and in particular nesting birds, is well documented (Bateman et al., 2023; Hoekstra et al., 2024; Rodríguez-Casanova et al., 2023). Studies using radar and GPS tracking overseas have consistently demonstrated that when fireworks are set off, huge numbers of birds take flight almost immediately, often at night when they would otherwise be resting (Hoekstra et al., 2024; Wayman et al., 2023). These disturbance events can last for an hour or more, with birds flying at unusually high altitudes and travelling many kilometres from their roost sites. In one nationwide study, bird flight activity increased up to a thousand-fold on New Year's Eve, with effects detected as far as ten kilometres from the source of fireworks (Shamoun-Baranes et al., 2011). Larger species such as waterfowl are particularly affected (Wascher et al., 2022). While these studies are based overseas, the same mechanisms apply to New Zealand's birdlife.

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The consequences for nesting birds are of particular concern. Fireworks can only be sold between 2 and 5 of November, the lead up to Guy Fawkes night. However, unlike in the UK where the tradition originates, New Zealand birds are nesting at this time. Around the world, fireworks have been linked to nest abandonment, panic flights from breeding colonies, and increased predation on eggs and chicks left exposed when adults are startled off the nest. Similar risks exist for New Zealand native bird species, which are already under pressure from habitat disturbance and predation. The timing of Guy Fawkes and New Year fireworks coincides with the peak breeding season for many of these species, meaning fireworks could directly undermine reproductive success.

Even urban birds are not immune. Research on house sparrows in Spain found that when firework festivals took place during the breeding season, fledgling numbers were significantly reduced (Bernat-Ponce et al., 2021). This demonstrates that even common, disturbance-tolerant species can suffer when fireworks are used around nesting sites.

The biological costs of these disturbances are clear. Birds expend far more energy during unexpected night flights, and birds have been shown to forage more intensively for multiple days afterwards to recover (Hoekstra et al., 2024). For New Zealand's migratory and endemic species, which already face tight energy budgets, these additional costs may affect survival in harsh weather or reduce breeding success. There is also an increased risk of collisions with trees, powerlines, or buildings when flocks are startled into night-time flight.

Taken together, the evidence shows that fireworks create a significant acute disturbance for birds, with the potential for longer-term impacts on populations. For New Zealand, this means fireworks have the potential to harm both our iconic native species and our more common urban birds. The precautionary approach is clear: restricting fireworks use, particularly near sensitive habitats and during breeding periods, would help safeguard our birdlife. A move to ban the private sale and use of fireworks, and to replace them with controlled, professional firework displays or alternatives, would align New Zealand with international best practice while better protecting our native wildlife.

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Wildfires

Wildfires caused by fireworks can have devastating impacts on wild animals and their habitats. One hundred and six fires were reported to be caused by fireworks in 2023 (around a 58% increase on the prior year with a total of 67 incidents) (Hollings et al., 2024).

The general trend is for an increasing number of days of extreme fire danger per annum and the extension of extreme fire danger into areas which historically haven't seen many extreme fire danger days. The areas of the country and the number of extreme fire danger days experienced annually across New Zealand varies depending on the weather conditions experienced during each season. However, with climate change it is anticipated that we will see an increase in fire danger days in many parts of the country as a result of increases in temperature or wind speed, and lower rainfall or humidity.

Marine life

SPCA is also concerned about the potential harms to cetaceans and other marine life associated with the use of fireworks.

This area is under researched and the impacts are difficult to document and quantify. However, sound can travel long distances through water, and we know that cetaceans, such as dolphins and whales, change their behaviour in response to loud and abrupt noises. Fireworks also release debris, heavy metals, and toxins into the environment. This debris can contaminate waterways or be ingested by marine life and birds.

Captive wild animals (zoos)

Zoos in New Zealand have long supported a ban on private sale and use of fireworks. Wild animals in captivity have limited ability to escape noise and light stressors associated with fireworks. Deaths linked to fireworks-induced stress have been documented in New Zealand zoos, including a giraffe, a male Nyala (antelope), a wallaby joey ejected from his mother's pouch.

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Fireworks can also impact breeding programmes of endangered animals in zoos. Auckland Zoo have urged people to not let off fireworks at any time due to the likely impacts on the breeding programmes of precious taonga such as kiwi, pāteke, tīeke, kororā/little penguin, kea and kākā (Healy, 2024).

Previous petitions and why a ban is warranted now

We note that this issue has been the subject of many petitions over the years and has been considered by select committees in the previous Parliaments. In total, there have been 13 petitions presented to parliament calling for a ban on the public sale of fireworks ([Appendix 2](#)). Previous committees considering the petitions in recent years chose to make no recommendation, allowing the status quo to continue.

In 2021, the Petition Select Committee reported on three of these petitions concluding, “We note that the number of sales of private fireworks is already decreasing and we believe that the decrease will continue. This would help to address some of the petitioners’ concerns.”

Despite these assurances, recent data from a briefing to Minister Simmonds shows a 52% increase in imported fireworks in 2023 in comparison with 2022 (575,544 kgs vs 378,134 kgs) (Hollings et al., 2024). There has also been a 58% increase in fires caused by fireworks in comparison with the previous year and a 124% increase in service calls to the NZ Police relating to fireworks.

This increase in firework sales and firework harms is despite two large retailers, Countdown supermarkets and The Warehouse, deciding to stop selling retail fireworks in their stores in 2019 and 2020, respectively, and some councils replacing firework displays with popular laser or drone shows.

The harms caused by fireworks are well documented, but the benefits are not. There is little evidence of the value that retail fireworks provide to the New Zealand public. While SPCA acknowledges that some individuals and groups may enjoy using fireworks, these benefits can equally be gained through attending licensed, notified Council or community displays.

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Increasingly, alternatives such as drone and laser shows also offer safe and enjoyable options without the associated risks.

Support for a ban

The majority of New Zealanders support a ban on the private sale and use of fireworks, as shown by multiple surveys and studies.

- In 2018, Auckland City Council received 89% public support for the pursuit of a formal request to central government to ban the private sale and use of fireworks (Auckland Council, 2019).
- A 2022 survey conducted by Talbot Mills found that 65% of the New Zealand public would be in support of a ban (10% unsure, 24% against).
- A 2023 survey conducted by AA, found 53% of those surveyed supported a ban on private use and an additional 20% who wanted to go further and ban fireworks entirely (AA Insurance, 2023).

Support for a ban on the private sale and use of fireworks is even stronger amongst New Zealand pet owners with surveys in 2010, 2016 and 2019 reporting consistent strong support for a ban (83%, 90% and 84%, respectively; Dale et al., 2010; Gates et al., 2019; Gronqvist et al., 2016).

This year, more people have signed petitions calling for a ban on the private sale of fireworks than ever before, with a combined 95,354 signatories between the three petitions currently under consideration. This clearly demonstrates that previous actions have not been adequate in addressing the concerns of the public; the status quo is not tenable.

International comparison

New Zealand's approach to fireworks regulation is notably more permissive compared to many other jurisdictions:

Australia

- Western Australia – banned since 1967

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- Queensland – banned since 1972
- Victoria – banned since 1985
- New South Wales – banned since 1987
- South Australia – banned since 2001

Ireland

- With the exception of party poppers and Christmas crackers, it is a criminal offence to use a firework in public or private.

United States

- Delaware, Massachusetts, New Jersey – sale of all consumer fireworks is banned.
- Illinois, Iowa, New York – only wire or wood stick sparklers and other novelties are permitted.
- Arizona, California, Colorado, Connecticut, Florida, Idaho, Maryland, Minnesota, North Carolina, Oregon, Pennsylvania, Rhode Island, Virginia, Wisconsin, and the District of Columbia – sale and use of non-aerial and non-explosive fireworks only (e.g. fountains and sparklers) are allowed.

Canada

- Sale and use of fireworks is restricted to between 24th October and 1st of November each year. Certain types of fireworks are illegal

Conclusion

SPCA appreciates the opportunity to submit in support of the petitions of Animates NZ Holding, Raewyn Harrison, Suzanne Cook.

Fireworks cause predictable and preventable harms to animals, the environment, and people. We urge the Government to heed the repeated calls from the public, Police, Fire and Emergency, zoos and conservation groups, veterinary associations, and animal protection organisations.

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SPCA considers that a ban on the private sale and use of fireworks, in combination with licensed public displays, offers a reasonable balance between protecting animals, people, and communities from harm while allowing celebration of culturally significant events. Our organisation is happy to discuss this matter if further information is required.

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Appendix 1 – Example of intentional harm caused by fireworks

A female duck showing injuries consistent with deliberate harm caused by fireworks.

Due to the extent of her injuries, this duck was euthanised.



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Appendix 2 – Petitions calling for a ban on fireworks

Year	Petitioner	Signatures
2025	Animates NZ Holdings Ltd Pawprint Petition: Ban Public Fireworks Sales to help protect the Animals of NZ	93,248
2025	Suzanne Cook: Ban private sales of fireworks; allow only licensed public fireworks events	908
2025	Valentine Croon: Ban the sale of fireworks to the public in NZ!	1,198
2024	Raewyn Harrison: Ban the public sale of fireworks	2,233
2023	Grayson Sutherland: Ban the public sale of fireworks	1,042
2023	Catherine Bindon: Ban the sale of fireworks to the New Zealand public	5,630
2020	Chris Eichbaum: Cease retail sales of fireworks	17,942
2020	Melanie Lindstrom: Ban the private sale of fireworks and promote Matariki for public displays	59
2020	Catherine Bindon: Ban the sale of fireworks to the public	28,652
2015	Petition 2011/0127 of Charlotte Purdy	25,000
2009	Petition 2008/0035 of Tony Ciani	10,088
2006	Petition 2005/0024 of Judy Taylor and 2648 others	2,648
2006	Petition 2005/0036 of Patricia Hall and 504 others	504

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	Name:	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
098	Ryan Mulligan		Real estate signs	Strongly support	Strongly do not support	I believe real estate directional signs should be banned. I own a real estate agency and there is no need for the signs. They are a relic and from a time before google maps and the internet. They create mess every Sunday and they're just another way for agents to promote their own name.	
099	Gregory Young	At Home Realty	Real estate signs	Strongly support	Strongly support	I myself am a real estate agent and see the signage is out of control Our competitors are now placing two to three signs outside a property. Directional signs are being placed even when no open home is in the area and its just pure marketing. Agents are placing large numbers of signs. Its no longer directional signs but rather branding besides everyone has Google Maps and there is zero need for directional signs in today's world.	
100	Annabel Reyes		Real estate signs	Strongly support	Strongly support	I am a real estate professional. We need to be able to advertise the property. This is what the vendor wants and they don't understand when we don't have signage out.	
101	LJ		Real estate signs	Neutral / unsure	Neutral / unsure	I think there also needs to be a size restriction for the proposed one real estate sign. Some agencies (Bower particularly) have really large signs that seem more about advertising the agency and the agent than the property for sale. We wouldn't allow other businesses to advertise like this. Recommend that as well as allowing only one sign that there are maximum dimensions for that sign.	Nope.
102	Miranda Horan		Real estate signs	Do not support	Do not support	When I am looking for an open home I rely on the directional signs to indicate where it is and its easier for me to find when they arent hidden away. I think the agents only have signs up on the open home day and they get taken away straight away afterwards so I dont understand why we are wasting time making a big deal of signs when they are fine the way they are running now. One open home sign is not enough.	Sometimes it is hard to see signs advertising property for sale especially if they have a big sign that is flat against the fence - in that case a smaller sign that is perpendicular to the road highlights that the property is on the market and is easier to see. It doesn't intrude or create any visual pollution and is helpful for those of us looking for homes in a particular area.
103	Dirk Merwe		Real estate signs	Strongly do not support	Strongly do not support	It's got nothing to do with agents and everything with me trying to sell my house. This is the biggest asset I have and when I am going through the stressful exercise I want to ensure I have maximum awareness and maximum exposure to the market. I do not want signs to impede the public but I want people to know I am For Sale	I feel like you are looking at something that doesn't need looking at. Focus on fixing the bigger issues
104	Rachel Dickson		Real estate signs	Do not support	Do not support	Depending on the location of the home, sometimes you have to put the large signboard on a fence, and you need the smaller auction / exclusive board facing the traffic flow so its more visible. Or we have had an instance where our vendor specifically asked us to put a secondary small exclusive signboard on the grass berm as due to the location it was difficult to see the large signboard unless you are parked outside. As for open homes, I think you should be allowed two outside the home and then agree with the other directionals.	

	Name:	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
105	Maree Duncanson		Real estate signs	Neutral / unsure	Strongly support		
106	Kyra Ormsby		Real estate signs	Support	Do not support	We always put 2 signs outside the front of the house either side of the driveway. Also it depends on where the property is located as sometimes more signs are required if there are a few smaller streets to turn down to get to the property.	I do believe that agents need to remove their open home directionals on the day of the open home and only put up the morning of. On the odd occasion I know agents put their signs out the night before but this possibly doesn't need to happen.
107	Hayden Duncan	Bower Real Estate Limited	Real estate signs	Strongly do not support	Neutral / unsure	<p>Submission: Real Estate Signboard Provisions</p> <p>We appreciate the opportunity to provide feedback on the proposed changes relating to real estate signboards.</p> <p>Visibility and Definition of a Single Signboard A property for sale signboard that is parallel to the street and displays only one face is often difficult for the public to see. Many signboards are constructed in a 90-degree configuration comprising two connected faces. Such a structure is common practice across New Zealand and should be recognised as one sign, rather than two independent boards. We respectfully request that the definition of what constitutes a single board be clarified to acknowledge this design.</p> <p>Number of Signboards and Competition We do not have significant concerns regarding the limitation of signboards to three agencies where a property is for sale. However, in commercial areas this rule may unintentionally restrict competition, as general agency arrangements are more prevalent. This could disadvantage property owners and create an uneven playing field. We recommend that commercial properties be considered separately, or that flexibility remain in these situations.</p> <p>Auction Signage An auction is simply a method of sale, in the same manner as pricing, negotiation or deadline sale. Therefore, we do not believe that auction signage should require a specific carve-out or separate treatment in the bylaws.</p> <p>Size Limits and Interpretation The proposal continues to lack clear size limits for advertising boards. Without size parameters, the interpretation of what constitutes one versus two boards remains unclear. This increases the likelihood of inconsistent enforcement and uncertainty for agents, property owners and compliance teams.</p> <p>Temporary Nature of Signboards It is important to note that real estate boards are temporary in nature. They do not create permanent visual clutter, and the current provisions have generally operated effectively without significant complaints or issues.</p> <p>Recommended Approach We support the following: Limiting signboards to one structure per property. Allowing the placement of an open home pointer and a flag at the property on the day of the open home. This is consistent with practice in most New Zealand markets and assists visitors, buyers and the public.</p> <p>Conclusion In summary, we believe: The current rules are largely functioning well. Minor clarification is needed regarding what constitutes a single signboard. Commercial properties require greater flexibility due to general agency arrangements. Auction signs should not be treated differently. Boards are temporary and provide an essential service to the public by identifying properties for sale. We appreciate the council's consideration of these points and are happy to participate further in the consultation process if required.</p>	
108	Dacey Zelman-Fahm		Real estate signs	Support	Strongly support	Signs are becoming a nuisance	None
109	Simon Tavey		Real estate signs	Neutral / unsure	Neutral / unsure	Doesn't really bother me as I don't see it as a big issue.	
110	Robyn Richards		Real estate signs	Strongly support	Strongly support	Distracting advertising	An eyesore realestate signs, just advertising, taking liberties.
111	Rainer Boesche		Real estate signs	Strongly support	Strongly support	It limits the amount. The potential buyers know the address anyway.	

	Name:	Are you responding on behalf of a business or organisation? - Yes - please tell us what business or organisation - Text	Please select which aspect of the bylaw you would like to provide feedback on?	Do you support the proposed rules for real estate signs?	Do you support these proposed rules for directional real estate signs?	And what is the reason for your answer?	Do you have any other thoughts or ideas on the bylaw? The Statement of Proposal includes all the proposed changes, so if there's something you'd like to comment on, we'd love to hear your views.
112	Kelly Ormsby	Self employed and contracted to Eves Realty Ltd as a Licensed Sales Person	Real estate signs	Do not support	Do not support	<p>1/ Agree 2/ Agree 3/ I generally place 2-3 directional signs in front of the property where able. They are between the footpath (where applicable) and the kerb so I believe it does not hinder any pedestrians at all. 4/ On some corners/intersections I may place two directional signs for added profile. They are usually one behind the other. Placement depends on the situation, how busy the street/intersection is, amount of vehicles passing by as sometimes that obscures directionals etc.</p> <p>Please note; we have a job to do and want to ensure the buyer can easily make their way to the home they want to view. I pick them up as I move from open home to open home and can sometimes conduct up to eight open homes on a Sunday! Once I have completed the last open home all of my signs are in my car.</p>	<p>I'd like to know what is driving this change. There was recently an election for BOP Regional Council and I live adjacent to Papamoa Beach Rd and the state of those signs was disgusting with many of them being attached to any old piece of timber whether fit for purpose or not and some of them had to be fixed a number of times. Made our part of Papamoa Bch Rd look very poorly.</p>

Submission Summary

Topic One: Mobile Shop Definition

Proposal: Change the definition of a mobile shop to include those offering services

Feedback from consultation survey: Include services in the definition of a mobile shop		
34 submitters commented		
	%	Number of responses
Strongly support	50%	17
Support	26%	9
Neutral/unsure	9%	3
Do not support	6%	2
Strongly do not support	9%	3

Table One: *Issues raised on the proposal to include services in the definition of a mobile shop*

Issue	Submission #
Support inclusion of services to boost entrepreneurship and vibrancy <i>'Let's include diversity and cheaper options for everyone.'</i> <i>'Support more small business in the area'</i> <i>'Brings vibrancy to the city'</i>	43, 44, 45, 47, 49, 51, 52, 57, 60, 61, 63, 68, 72, 74
Amenity value concerns <i>'Mobile shops create clutter in the town and they're gross'</i> <i>'..this looks like a disorder in Tauranga.'</i>	55, 62, 71, 73, 75
Unfair competition and concerns around suitability of providing services from a vehicle <i>'Sauna experiences; massage parlour experiences etc are not suitable to be provided from a vehicle.'</i> <i>'I believe the council should protect businesses like us against the mobile traders'</i>	48, 53, 62
Greater clarity, consistency and allows for better compliance <i>'One rule for All of them.'</i> <i>'Creates more clarity and allows for better compliance.'</i>	59, 64, 70, 73, 76
Other issues related to mobile shops <ul style="list-style-type: none"> • Should not be allowed to occupy car park spaces • Increase the cost of mobile shop licences • Limit the number of mobile shops • Should not be used for accommodation 	50, 62, 70

Topic Two: Street Dining and Commercial Display

Proposal: 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.

Feedback from consultation survey: Allowing businesses to use a 1.5 square metres of the footpath for street dining and commercial display		
73 Submissions		
	%	Number of responses
Strongly support	48%	35
Support	26%	19
Neutral/unsure	5%	4
Do not support	10%	7
Strongly do not support	11%	8

Table Two: *Issues on the proposal to allow businesses to use up to 1.5 square metres on the footpath for street dining and commercial displays*

Issue	Submission #
<p>Support for vibrancy and business growth</p> <p><i>'Brings life to the city'</i></p> <p><i>'More business is good growth for the city'</i></p> <p><i>'I think the atmosphere and liveliness of the City is improved.'</i></p>	1, 2, 4, 6, 8, 10, 14, 15, 17, 18, 21, 22, 24, 28, 29, 30, 31, 34, 35, 38, 49, 51, 52, 53, 56, 57, 58, 59, 60, 63, 69, 70, 74
<p>Pedestrian safety & accessibility</p> <p><i>'Unsafe for people with mobility issues.'</i></p> <p><i>'Having to dodge chairs, tables, dinners and signs on Mount main street is frustrating and adds a negative feeling to the overall street experience'</i></p> <p><i>'I support businesses being able to use 1.5m of footpath. I am against the sprawling use of the footpath for street dining'</i></p>	3, 5, 11, 13, 19, 20, 32, 33, 46, 55, 68, 70
<p>Opposition to fees/charges.</p> <p><i>'Don't charge for a few tables outside'</i></p> <p><i>'Charging for this is just money grabbing'</i></p>	1, 3, 6, 8, 18, 34
<p>Support for fees/charges</p> <p><i>'Businesses should be charged for using public spaces provided by the ratepayer, though it does make sense to cut red tape for businesses using only small areas.'</i></p>	64

Issue	Submission #
Size of allocated space (1.5 square metres) '1.5m ² is far too small' 'The area should be greater 3 sq m as a minimum before a permit is required'	9, 33, 36, 37, 41, 47, 55, 66

Topic Three: Real Estate Signs and Directional Real Estate Signs

Proposal one: A maximum one sign where a property is marketed by a sole agency, and a maximum of three signs where a property is marketed by multiple agencies, plus a maximum of one open home or auction sign.

One real estate sign where a property is marketed by a sole agency, and three where a property is marketed by multiple agencies. One home open or auction sign 40 submissions		
	%	Number of responses
Strongly support	35%	14
Support	23%	9
Neutral/unsure	15%	6
Do not support	13%	5
Strongly do not support	15%	6

Proposal two: A maximum of four directional real estate signs, with set conditions

A maximum of four directional real estate signs 40 submissions		
	%	Number of responses
Strongly support	40%	16
Support	18%	7
Neutral/unsure	13%	5
Do not support	13%	5
Strongly do not support	18%	7

Table Three: Issues raised on the proposed rules for real estate signs

Issue	Submission #
Negative impact on the amenity value and are a safety risk 'Signs are becoming a nuisance' 'Street junk. Distraction for drivers. Dangerous' 'They are clutter. Agents get into neighbour's gardens, block driveways and generally get in the way.'	39, 42, 56, 69, 70, 98, 99, 100, 105, 106, 108, 110, 111

Issue	Submission #
<p>Signage is essential for marketing properties.</p> <p><i>'This is the biggest asset I have and I want maximum awareness and maximum exposure to the market.'</i></p> <p><i>'When I am looking for an open home I rely on the directional signs to indicate where it is'</i></p> <p><i>'Pedestrians can take a few extra steps around a TEMPORARY sign'.</i></p>	40, 63, 102, 103, 104, 107, 112
<p>Number of signs</p> <p><i>'Don't need more than one sign to advertise a property as anyone wanting to purchase a property will look online.'</i></p> <p><i>'Four is too many, everyone has maps on their phones'</i></p> <p><i>'One open home sign is not enough'</i></p> <p><i>'As for open homes, I think you should be allowed two outside the home'</i></p>	38, 67, 69, 102, 104
<p>Dimensions</p> <p><i>'You may want to consider a maximum size for real estate signs as well as they can become a traffic hazard in some cases.'</i></p> <p><i>'1m is not very high'</i></p>	42, 64, 66, 101, 107
Ban directional signs	98
Signs advertising the company or agent not the property for sale	42, 99, 101
<p>Definition of a single board</p> <p><i>'Many signboards are constructed in a 90-degree configuration comprising two connected faces. Such a structure is common practice across New Zealand and should be recognised as one sign, rather than two independent boards.'</i></p>	107
Commercial properties be considered separately	107

Table Four: Other issues raised by submitters

Issue	Submission #
<p>Concerns about scooters, skateboards on footpaths</p> <p><i>'Ban scooters on footpaths'</i></p> <p><i>'What shouldn't be allowed is scooters and skateboards'</i></p>	11, 37, 77, 86, 89, 95
<p>Pedestrian way</p> <p><i>'As a senior citizen who is hearing impaired, I am concerned about the narrowing of the pedestrian corridor as electric scooters often use this space as well'</i></p>	77
<p>Homelessness & nuisance behaviour.</p> <p><i>'This needs addressing in order to make people feel safe and comfortable'</i></p>	35, 78, 85, 93
<p>Dogs in public places – issues with dogs off-leash, waste not being picked up and dogs chasing wildlife</p>	33, 79, 83

Issue	Submission #
Domestic cats – request roaming cats be kept on a leash and mandatory neck bells	48
Public Safety Patrols – proposal for 'safe city guardians or street patrols to deter nuisance behaviour and improve safety.	82
Fireworks – recommend restrictions on fireworks in public places	97
Community signs	66
More opportunities for entrepreneurship – allow more stands around Mount Main beach and Pilot Bay	63
Free parking in the city	63
Parking on the footpath in residential areas	91
Pedestrian only zone in Mount Maunganui	94

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)?
<p>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.</p> <p>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.</p> <p>A bylaw made under the Land Transport Act 1998 would also allow for infringement fees to help with compliance for road safety (including footpaths).</p> <p>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.</p>	<p>Proposed clauses 6.1, 6.3, 6.4, 9.1(e), 10.1, 10.2, 11.5, 12.2 and 18.1</p> <p>The interpretation section defines the pedestrian way.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>These proposed clauses are considered the most appropriate form for addressing the perceived problem.</p>	<p>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.</p>

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.

<p>Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?</p>	<p>Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw</p>	<p>Section 155 (2) (b) Any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA)?</p>
<p>A bylaw is the most appropriate way to regulate signs in public places to address both safety and nuisance issues.</p> <p>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.</p> <p>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.</p>	<p>Proposed clauses 11, 12, 13, 14, 15, 16 and 17</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Clause 14 specifies the requirements for real estate signs to ensure safety standards are maintained.</p> <p>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.</p>	<p>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.</p> <p>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.</p>

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.	<p>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.</p> <p>Clause 17 sets out the requirements for garage sale signs in public places.</p> <p>These proposed clauses are considered the most appropriate form for addressing the perceived problem.</p>	

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.	<p>Proposed clause 8.1</p> <p>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>.</p>	<p>Clauses 8.1</p> <p>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.</p> <p>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</p>

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)?
<p>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.</p> <p>A bylaw provides Council with the power to regulate and enforce these types of activities.</p> <p>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</p>	<p>Proposed clauses 6.2, 7.1, 7.2, 7.3 and 8.1,</p> <p>Clauses 7.1 protects people’s enjoyment of public safety in accordance with the sections 145 of the Local Government Act 2002.</p> <p>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.</p> <p>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</p>	<p>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.</p> <p>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.</p> <p>The purpose of requiring permission for these activities is to provide a means by which the</p>

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.	<p>Clauses 6.2, 7.2, 7.4 and 19.1</p> <p>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.</p> <p>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.</p>	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 or 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 - <i>Council has determined that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.</i>

Attachment 5: Other issues raised in the consultation

The table below presents other issues raised by submitters that, that fall outside the scope of bylaw review, were discounted after assessment (for example because they are low risk, impractical or not supported by the majority of submitters), or are more appropriately addressed through other bylaws or operational processes.

Issue raised	Response/next steps
<p>Concerns about scooters, skateboards and requests to prohibit them in certain locations.</p>	<p>Under the current bylaw, Council has the ability to make resolutions to prohibit scooters and skateboards from using footpaths in specific areas if issues arise. These restrictions are enforced by Police. At this stage, Police have not reported problems in other locations.</p> <p>If scooters or skateboards become a safety issue or community concern increases, Council can use this existing mechanism to introduce restrictions in the areas where problems are occurring.</p>
<p>Cycle lanes – how they fit in the bylaw.</p>	<p>Cycle lanes are covered under the Traffic and Parking Bylaw because the bylaw includes the Land Transport Rule definition of a cycle lane, meaning Council can regulate how they operate where needed.</p> <p>However, the bylaw does not determine where cycle lanes are built. The planning and delivery of cycling infrastructure is done through Council's wider transport programmes, which continue to expand and improve the city's cycling network.</p>
<p>Pedestrian way – concern about the narrowing of the pedestrian way.</p>	<p>Under current rules, electric scooters are allowed on shared paths, but they must travel with care and give way to pedestrians at all times. These issues are being considered through ongoing transport planning and pathway design improvements.</p>
<p>Dog related concerns – off leash behaviour, waste not being picked up</p>	<p>These submissions will be considered in the review of the Dog Management Bylaw and Policy.</p>
<p>Domestic cats - request roaming cats be kept on a lead and mandatory neck bells.</p>	<p>This submission will be considered in the review of the Keeping of Animals Bylaw.</p>
<p>Homelessness & nuisance behaviour concerns</p>	<p>The council works closely with community partners to support people experiencing homelessness and to address antisocial behaviour. We have a dedicated Community Advisor and two City Safety and Engagement Advisors who regularly engage with individuals in the city centre, connect them with social services, and liaise with organisations that can provide housing, health, and wellbeing support. Their focus is on</p>

Issue raised	Response/next steps
	<p>early intervention, building relationships, and helping people access the assistance they need.</p> <p>While the council does not have the authority to move people on solely because they are homeless, we continue to work with Police, social service providers, and city centre stakeholders to manage nuisance behaviour and improve safety for all users of the city centre</p>
<p>Opportunities for entrepreneurship – allow more stands around Mount Main Beach and Pilot Bay</p>	<p>Under the bylaw approval can be sought for commercial activities in a public place.</p> <p>Conditions for approval are set out in the Use of Council Land Policy, which is currently being reviewed. Public consultation will take place soon.</p>
<p>Limit the numbers of mobile shops</p>	<p>The Use of Council Land policy has provisions allowing Council to limit the number of mobile shops in outdoor spaces.</p>
<p>Increase mobile shop licence fees</p>	<p>Mobile shop licence fees are considered in Fees and Charges.</p>
<p>Mobile shops being used for accommodation</p>	<p>Mobile shops are not permitted to be used as accommodation.</p>
<p>Real estate signs advertising a company or agent not the property for sale</p>	<p>Under the proposed bylaw, a real estate sign is defined '<i>as a sign advertising the sale, lease, rental, or auction of all or part of a property or premises</i>'. Signs that only advertise a real estate company or agent—rather than a specific property—do not meet the definition of a real estate sign.</p>
<p>Community event signs</p>	<p>The current bylaw allows for community signs to 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.</p>
<p>Free parking in the city</p>	<p>This item has previously been discussed and addressed by Council.</p>
<p>No parking on the foot path in residential areas</p>	<p>This is not allowed through the LTA, enforcement does occur however is often reliant on the public making us aware of issues.</p>
<p>Pedestrian only zone in Mount Maunganui</p>	<p>This has previously been raised in different forms and best sits as an Long Term-Plan discussion due to the likely investment required.</p>
<p>Ban directional real estate signs</p>	<p>The majority of submitters supported the proposed rules for directional real estate signs.</p>

Issue raised	Response/next steps
<p>Real estate signs with two connected faces should be recognised as one sign.</p>	<p>The proposed amendment sets clear maximum dimensions for real estate signs, which in turn defines what is considered one sign. Under these parameters, a double-faced sign cannot be treated as a single sign if its dimensions are larger.</p>
<p>Commercial properties be considered separately</p>	<p>Commercial-property real estate signs are not considered separately because the bylaw aims to provide a consistent set of rules for all real estate signage, regardless of property type. Applying different standards to commercial properties would create unnecessary complexity and reduce the clarity of the bylaw.</p>

11.2 Draft Dog Management Bylaw and Policy and Keeping of Animals Bylaw for adoption for consultation.

File Number: A19522355

**Author: Vicky Grant-Ussher, Policy Analyst
Oscar Glossop, Team Leader: Animal Services**

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

PURPOSE OF THE REPORT

1. Provide further direction on certain issues and give approval to consult on the attached draft Dog Management Bylaw and Policy and Draft Keeping of Animals Bylaw.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Draft Dog Management Bylaw and Policy and Keeping of Animals Bylaw for adoption for consultation."
- (b) Agree to the following approaches to be included in the draft Bylaws, Policy and Statement of Proposal for public consultation:

(i)	Issue 1 - Waterfront Area	Option A - Limit the leash restricted area to 1 Dive Crescent (the northern waterfront park entrance) to the base of the Matapihi bridge.
(ii)	Issue 2 – Shark Alley boundaries	Option B - Add dog restrictions to Shark Alley and encompass the adjacent dunes, grassed area, boardwalk and greenspace up to the kerb of Marine Parade opposite 31 Marine Parade
(iii)	Issue 3 – areas fenced for accessibility and inclusion	Option C - Prohibit dogs from specified fenced public places – fenced area, as well as tailored rules for exit, entry and transit specific to each space.
(iv)	Issue 4 – beach accessways	Option A – Require dogs to be on leash through designated beach accessways.
(v)	Issue 5 – Bee Regulation	Option B - Remove the specific bee provision and instead use the new general powers clause where this is necessary to manage bee issues.

- (c) Agree to adopt for consultation the attached draft Dog Management Bylaw (Attachment 1) and Policy (Attachment 2) and draft Keeping of Animals Bylaw (Attachment 3) and Statement of Proposal (Attachment 4).
- (d) Resolves, in accordance with section 155 of the Local Government Act 2002 (Attachment 5) that the draft Dog Management Bylaw and draft Keeping of Animals Bylaw:
 - (i) are the most appropriate ways to minimise danger, distress, and nuisance to the community generally from dogs, and to protect public health and safety and

-
- minimise nuisance from the keeping of animals
- (ii) are the most appropriate forms of the bylaw
 - (iii) are 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.
- (e) Delegate to the General Manager: Regulatory and Community Services authority to make any amendments necessary to give effect to decisions in recommendation (b) and any minor or typographic changes required prior to public consultation.
-

EXECUTIVE SUMMARY

2. On 29 October 2025 Council gave direction on several issues and options as part of the review of the Dog Management Policy and Bylaw, and the Keeping of Animals Bylaw. Some matters require further consideration and are set out in this report. These include decisions on:
- the waterfront leash area
 - the Shark Alley dog prohibited area
 - the approach to fenced public places provided for accessibility and inclusion
 - rules to transit dogs through coastal dunes.
- The report also provides further information on the Waikareao Wildlife Refuge.
3. Following the 29 October Council meeting, a fatality related to roaming dogs in Northland has resulted in central government asking for urgent advice on dog control legislation. As yet no changes have been proposed, but council staff will continue to monitor the issue throughout the bylaw review process.
4. Whilst Tauranga City Council dog related incidents have been largely static over the period of the bylaw, several changes are proposed in the bylaw to reduce the risk of dog attacks. This includes changes to the number of dogs that may be kept on a property, and changes to dog rules to better protect the public in community spaces. As part of the review process Council also agreed to review the resourcing of education and enforcement in the upcoming Long-Term Plan.
5. Since the 29 October Council meeting, issues have also been raised about how bees are regulated under the bylaw given the enforcement challenges. Options are provided within this paper to either retain the current approach, or to remove the requirements and focus on education only.
6. A draft policy and draft bylaws have been prepared based on the recommendations in this paper but will be adjusted to reflect your decisions before public consultation, planned for Wednesday 1 June 2026 to Saturday 1 July 2026.
7. Public consultation will follow the Special Consultative Procedure and include notice of the review to every registered dog owner in the district to meet legislative requirements. This will be timing to coincide with dog registration notifications. Social media and print ads will also be used to raise awareness of the bylaw review.

BACKGROUND

8. The current Dog Management Policy and Bylaw and Keeping of Animals Bylaw were last reviewed in 2018. This review is an action from the Nature and Biodiversity Action and Investment Plan to update the Dog Management Bylaw for Tauranga City. It includes reviewing existing dog-prohibited areas and adding new ones to protect threatened species.

9. On 29 October 2025, council staff provided Council with issues and options for the review which included feedback from a community survey, the Department of Conservation, community stakeholders, and the Te Rangapū policy subcommittee. Council gave direction, which has been incorporated into the draft policy and bylaws attached to this report. Attachment 6 outlines the decisions made on 29 October 2025 and how they have been incorporated into the draft bylaws and policy.
10. Since the 29 October Council meeting, a fatality in Northland has prompted central government scrutiny of dog control legislation with the Local Government Minister asking for urgent advice from officials on options to address the issue. Under the Dog Control Act 1996 dogs must be kept under control at all times however there are issues enforcing this requirement. This death was one of three in the last four years in Northland with groups of roaming dogs identified as a key concern. In Western Bay of Plenty District in 2025 a young boy was also the victim of a fatal dog attack involving three dogs. As yet council staff do not have an indication of what the proposed central government changes may involve but will continue to monitor the issue throughout the bylaw review process.
11. Whilst dog incident statistics have been relatively static in Tauranga (see Attachment 7), through the bylaw review three options were approved to reduce the risk of dog attacks this includes:
 - reviewing the resourcing of education and enforcement through the upcoming long-term plan
 - proposed changes to limit the number of dogs that may be kept on a property⁵
 - changes to better manage dogs certain in community spaces (for example, shared paths, city spaces, spaces fenced for accessibility and inclusion reasons and active recreation areas).

STATUTORY CONTEXT

12. The Dog Management Bylaw and Dog Management Policy are made under the Dog Control Act 1996, and any amendments require the use of a Special Consultative Procedure which includes the requirement to prepare a Statement of Proposal (Attachment 4) and give notice of the draft policy to every person who is, according to its register, the owner of a dog. The Keeping of Animals Bylaw is made under the Local Government Act 2002.
13. Under Section 155 of the Local Government Act 2002 Council needs to assess whether the bylaw and its proposed form is the most appropriate way to address the issues raised and is not inconsistent with the New Zealand Bill of Rights Act 1990.

STRATEGIC ALIGNMENT

14. 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 that is easy to move around	<input type="checkbox"/>
We are a city that supports business and education	<input type="checkbox"/>
We are a vibrant city that embraces events	<input type="checkbox"/>

⁵ Previously this was a per dog owner limit which could result in a higher number of dogs being kept on a property.

15. 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.
16. 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 to protect threatened species. The Tauranga Reserves Management Plan management statements for the Kōpūrerua Valley notes to “consider excluding dogs from significant habitat value areas in the valley”.

OPTIONS ANALYSIS

Issue 1: Waterfront area

17. Council staff proposed requiring dogs to be on leash on the waterfront. At the 29 October Council meeting, staff were directed to limit the on-leash area to allow for off leash options in other parts of the waterfront.
18. Table One: Waterfront area requiring leashing

Option	Advantages	Disadvantages
<p>Option A</p> <p>Limit the leash restricted area to 1 Dive Crescent (the northern waterfront park entrance) to the base of the Matapihi bridge.</p> <p>(map in attachment 1 page 9)</p> <p>Recommended</p>	<ul style="list-style-type: none"> • Ensures dogs are on leash in busier waterfront areas likely to be popular with young children. • Provides an off-leash access to the water north and south of the main waterfront section. 	<ul style="list-style-type: none"> • Restricts the area where dogs may be off leash relative to option C.
<p>Option B</p> <p>Require dogs to be on leash in all public waterfront areas.</p>	<ul style="list-style-type: none"> • Consistent with footpaths and other urban parks. • Ensures dogs are on leash in busier areas that are likely to be popular with young children. 	<ul style="list-style-type: none"> • Restricts off leash areas more than option A and C. • Reduced option for off-leash water access for dogs.
<p>Option C</p> <p>Limit the area where dogs need to be on leash to the green space north of the waterfront playground.</p>	<ul style="list-style-type: none"> • Provides an off-leash option for dogs to enter the water at the tidal steps. • Less restrictive for dogs relative to option A and B. 	<ul style="list-style-type: none"> • Dogs will not be on leash on the tidal steps which can be busy and likely to be popular with young children.

Issue 2: Shark Alley

19. Council agreed to extend dog restrictions to Shark Alley to better protect wildlife including seals, diving petrel and kororā (little blue penguin). Currently, seasonal restrictions are in place for the beach area only. The proposed option introduces a permanent prohibition on dogs in this area. Two potential boundary options for this prohibition are proposed in Table Two for consideration.

20. Table Two: Shark Alley boundaries

Option	Advantages	Disadvantages
<p>Option A</p> <p>Use the current Shark Alley area limits but extend the prohibition on dogs to year round.</p>	<ul style="list-style-type: none"> • Maintains the same boundaries as the current seasonal restriction and leash area. 	<ul style="list-style-type: none"> • Does not provide a buffer for wildlife that live in the coastal dunes. • Less clear boundary for enforcement.
<p>Option B</p> <p>Prohibit dogs year round in Shark Alley and include the adjacent dunes, grassed area, boardwalk and greenspace up to the kerb of Marine Parade opposite 31 Marine Parade (map Attachment 1, page 11)</p> <p>Recommended</p>	<ul style="list-style-type: none"> • Provides a greater buffer for wildlife that frequent the coastal dunes. • Provides a clear boundary for enforcement. 	<ul style="list-style-type: none"> • Area differs from the current seasonal restriction and leash area which may cause confusion.

Issue 3: Specified fenced public places

21. A few parks and reserves are being investigated for fencing to make them more accessible and inclusive, with a particular focus on creating safe spaces for the unhindered exploration and enjoyment for young children and disabled people. It is expected that three or four of these spaces will be developed in the near-term.
22. Council staff propose prohibiting dogs within these fenced spaces specified for this purpose. When fencing is designed for each space council staff will assess the appropriate dog requirements for each space. The intention is to ensure dog-free access to the fenced area but, where appropriate, allow dogs elsewhere in the park. The delegation to approve dog requirements for each space would sit with the Team Leader: Animal Services consistent with the other delegations within the bylaw⁶. Each space will be listed in an attachment to the bylaw as a 'specified fenced public place'. This approach avoids capturing other parks, reserves or public places that are fenced for other reasons, like traffic safety.
23. Further direction is needed on dog rules for the area surrounding the fenced area with options outlined in Table Three.
24. Table Three: Specified fenced public places

Option	Advantages	Disadvantages
<p>Option A</p> <p>Prohibit dogs from the specified fenced public places – fenced area only.</p>	<ul style="list-style-type: none"> • Provides a consistent approach. • Limits area dogs are restricted. 	<ul style="list-style-type: none"> • Does not manage dogs outside the fenced areas, which may still cause conflicts between vulnerable users and dogs.

⁶ The Team Leader: Animal Services has delegation to approve temporary dog on leash areas or dog prohibited areas for leisure and cultural events in parks, reserves, and other public places; or to protect threatened or "at risk" wildlife or Special Ecological Areas vulnerable to dogs.

<p>Option B</p> <p>Prohibit dogs from the specified fenced public places – whole park, reserve or place is dog prohibited.</p>	<ul style="list-style-type: none"> • Reduces conflicts between vulnerable users and dogs. 	<ul style="list-style-type: none"> • Would limit the area dogs have access to more than may be required to ensure the safety of users.
<p>Option C</p> <p>Prohibit dogs from specified fenced public places – fenced area, as well as tailored rules for exit, entry and transit specific to each space.</p> <p>Recommended</p>	<ul style="list-style-type: none"> • Allows restrictions to be tailored to the space to minimise restrictions whilst still ensuring the safety of users. • Would reduce conflicts between vulnerable users and dogs. 	<ul style="list-style-type: none"> • Approach would not be consistent across spaces (but signs would convey rules).

Issue 4: Beach accessways

- 25. The Council agreed to consult on prohibiting dogs within the vegetated dune area. Further direction is required on the rules for dogs transiting through coastal dunes.
- 26. Table Four: Beach accessways

Option	Advantages	Disadvantages
<p>Option A</p> <p>Allow off-leash transit through designated beach accessways.</p>	<ul style="list-style-type: none"> • Least possible restrictions. • Minimal change in rules for those already using the beach accessways to transit their dogs. 	<ul style="list-style-type: none"> • Dogs may not stick to the accessway area which may result in disturbance to dunes or wildlife or other beach users. • Inconsistent with Papamoa Dune area rules, which require leashing through dunes.
<p>Option B</p> <p>Allow on-leash transit through designated beach accessways.</p> <p>Recommended</p>	<ul style="list-style-type: none"> • Ensures dogs stick to accessways reducing disturbance to dune or wildlife or other beach users. • Consistent with Papamoa Dune area rules which require leashing through dunes. 	<ul style="list-style-type: none"> • Change in rules for those already using the beach accessways to transit their dogs. • Greater restrictions relative to Option A.

Issue 5: Bee Regulation

- 27. Urban beekeeping can support food security, and support biodiversity outcomes. Issues periodically arise in relation to bee excrement on neighbouring properties or potential bee stings. Currently the Keeping of Animals Bylaw allows bees to be kept on private property unless, in the opinion of an authorised officer, the bees are causing a public safety or nuisance issue.
- 28. Whilst the ability to remove beehives causing issues is appropriate in principle, the existing test based on “in the opinion of the authorised officer”, can result in council staff being pulled

into subjective neighbour-to-neighbour disputes. A recent case before the Enforcement Decision Group (EDG) at Tauranga City Council highlighted the difficulties in the current subjective assessment. Given these difficulties the EDG requested that staff consider the impact bee regulation was having on resourcing.

- 29. Council staff have investigated and in the last two years 38 complaints have been lodged about bees of which 34 are around nuisance from bee excrement, 3 are about stings and 1 about an allergy. These complaints resulted in a total of 163 hours of staff time to follow up.
- 30. Council staff propose amending the bee provisions to remove the current assessment and instead use the new general powers clause (clause 13), which allows an authorised officer to issue reasonable written instructions where this is necessary to:
 - Ensure compliance with the bylaw;
 - Protect public health and safety;
 - Prevent or mitigate nuisance.
 1. This is intended to give authorised officers a more defensible basis to act with a more proportionate response⁷ and avoid getting drawn into nuisance level complaints.
 - 2.
- 31. Table Five: Bee Regulation

Option	Advantages	Disadvantages
<p>Option A</p> <p>Continue with current bylaw provision that allows bees to be removed if in the opinion of the authorised officer they are causing a public safety or nuisance issue.</p>	<ul style="list-style-type: none"> • Gives residents an avenue to request bee safety and nuisance issues be followed up. 	<ul style="list-style-type: none"> • Enforcement action is unlikely to be successful if decisions are challenged due to the subjective nature of the test and difficulty proving that bee nuisances are caused by neighbouring beehives as opposed to wild bees. • Resource required to investigate and respond to issues.
<p>Option B</p> <p>Remove the specific bee provision and instead use the new general powers clause (clause 13), which allows an authorised officer to issue reasonable instructions where this is necessary</p> <p>Recommended</p>	<ul style="list-style-type: none"> • Reduces the expectation of enforcement that may not be possible. • Reduces resource required to investigate and respond to nuisance issues. • Retains an ability to issue a written direction where this is reasonable (for example where health and safety concerns exist). 	<ul style="list-style-type: none"> • May help manage expectations from residents that bee issues, particularly nuisance issues such as bee droppings be followed up with enforcement. • No specific provision to remove bee hives causing a public safety or nuisance issue, however an instruction could be given in writing where this is reasonable (for example where health and safety concerns exist).

⁷ Provided that directions are necessary, proportionate to the risk, and the least restrictive option.

Drafting clarifications and updates

32. In addition to the issues raised, changes have been made to the bylaws and policy to improve the drafting and are marked up in the attached bylaws and policies. These changes include:
- updating definitions for consistency with other bylaws and policies
 - replacing current subjective decision making with more specific powers (refer Issue 5 for more information)
 - removing redundant sections, improving phrasing or provide greater clarity.

Waikareao Wildlife Refuge Update

33. At the Council meeting, the Department of Conservation raised issues about the wildlife refuge status of the Waikareao Estuary. Council staff were instructed to investigate this issue further.
34. Newspaper clippings from the time suggest the purpose of the status was to reduce the impact of game hunting on wildlife. The clippings note the return of ducks and birds to the area following the decree. Council staff provided DOC with these findings and DOC indicated an openness to work on updating the status to allow dogs if safeguards were in place (likely leash restrictions).
35. Given that the Waikareao Estuary was not assessed as the highest priority area for dog restrictions, no changes are proposed to the draft bylaw at this stage, however this information could support future reviews of the bylaw.

FINANCIAL CONSIDERATIONS

36. Timing the consultation to coincide with dog registration will help reduce costs by utilising registration letters to notify dog owners of the proposed changes. Digital and print ads will raise awareness of the consultation and are expected to cost approximately \$1500.
37. Responding to submission enquires and analysing submissions is expected to take 2-3 weeks of a policy staff member's time, depending on the level of response to the survey. The pre-engagement survey in June 2025 had 1671 responses.

LEGAL IMPLICATIONS / RISKS

38. The proposed consultation approach is consistent with the Dog Control Act 1996 and the Local Government Act 2002. A section 155 analysis has been prepared to ensure that the proposed changes are the most appropriate way to address the issues raised and do not unjustifiably limit rights under the Bill of Rights Act 1990 (Attachment 5).

TE AO MĀORI APPROACH

39. The Te Rangapū policy subcommittee provided input into the review issues and options considered on 29 October 2025. The subcommittee supported the proposed changes to better protect wildlife and manage community spaces. Te Rangapū will be notified that the review is open for formal consultation.

CLIMATE IMPACT

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

SIGNIFICANCE

41. 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.

42. 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.
43. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue is of high significance. However, the decision to adopt the draft bylaws and policies for consultation is of low significance as this flows from previous decisions made by Council.

ENGAGEMENT

44. Noting the assessment, that the issues are 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. The draft Keeping of Animals Bylaw will be included in this consultation for expediency.
45. Consultation is proposed to run from 1 June 2026 to 1 July 2026. In addition to notification to registered dog owners, council staff will use social media, print media and signage (at sites where changes are proposed) to raise awareness of the review. Interested stakeholders will be notified of the consultation.

NEXT STEPS

46. Council staff will make any amendments necessary to give effect to decisions in recommendation (b) and prepare consultation material for launch in June 2026. Emails and letters will be sent to registered dog owners alongside the dog registration process.
47. Print ads and social media will run during the consultation period.

ATTACHMENTS

1. **Draft Dog Management Bylaw - A19766595**  
2. **Draft Dog Mangement Policy - A19766596**  
3. **Draft Keeping of Animals Bylaw - A19766597**  
4. **Draft Statement of Proposal - A19762680**  
5. **Section 155 Analysis - A19762683**  
6. **Previous Council Decisions - A19673031**  
7. **Research and Statistics on Dog Related Incidents - A19132631**  

DRAFT DOG MANAGEMENT BYLAW 2026



First adopted	November 2004	Minute reference	M04/105.2
Revisions/Amendments	April 2008 11 December 2018	Minute reference	M08/32.11 M18/108.10
Review date	2036		
Engagement required	Special Consultative Procedure		
Associated documents	Dog Management Policy 2018		
Relevant Legislation	This bylaw is made under the Local Government Act 2002 and section 20 of the Dog Control Act 1996.		

1. TITLE

- 1.1. This bylaw is the Dog Management Bylaw 2026.

2. COMMENCEMENT

- 2.1. This bylaw comes into force on ~~1 April 2019~~ TBC.

3. APPLICATION

- 3.1. This bylaw applies to Tauranga City. **In any instances of ambiguity about an area described in the bylaw the map boundaries illustrating the area will prevail.**

4. PURPOSE

- 4.1. The purpose of this bylaw is to provide adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their owners while minimising any danger, distress, or nuisance caused by dogs.
- 4.2. The bylaw provides for dogs to be exercised off-leash in public places, including parks and reserves, except in areas identified in this bylaw as prohibited or leash control.
- 4.3. This bylaw gives **Tauranga City Council** legal powers to implement the Dog Management Policy 2026.

5. DEFINITIONS

5.1. For the purposes of this bylaw the following definitions shall apply:

Term	Definition
Active Recreation Area	means an area with equipment provided for the purpose of active recreation, for example basketball courts, pétanque, skate parks or pump tracks and older age gyms, but does not include public play equipment.
Authorised Officer	means an employee or contractor of Tauranga City Council who carries out duties under this bylaw as part of their role and includes any person who has been formally delegated authority to exercise powers under this bylaw.
Beach	<p>means any land adjacent to any seacoast or lakeside capable of being used for recreational purposes which for the time being is vested in or under the control of council and is contiguous to the foreshore and used in connection therewith, and, where the control of the foreshore and dunes is vested in council, includes the foreshore and dunes (where any legislation removes council's authority regarding foreshore and dunes, this definition will be amended accordingly)</p> <p>any land in Tauranga adjacent to any seacoast or lakeside which is part of the foreshore, or is land contiguous to and used in connection with the foreshore, and to which the public has a right of access. For the purposes of this bylaw, the beach includes the foreshore which is the parts of the bed, shore or banks of tidal water between mean high water springs and mean low water springs.</p>
Bylaw	refers to the Tauranga City Council Dog Management Bylaw 2018
Disability Assist Dog	has the meaning as defined in the Dog Control Act 1996
Dune	<p>means a raised sand formation adjacent to the foreshore and above the line of mean high water spring tides</p> <p>areas of undulating contour above mean high water springs, where there is a marked change in landform from a gently sloping beach to rolling sand hills or where a line of vegetation cover starts. The area can be considered 'wild and undeveloped'. The landward extent of sand dunes can be characterised at a point where the soil type changes and sand dune vegetation is less dominant.</p>
Foreshore	has the meaning as defined under the Resource Management Act 1991.
Impound dog	means to impound any dog in accordance with the provisions of the Dog Control Act 1996, in a public pound or any vehicle used to transport dogs to a public pound.
Leash	may include a fixed or retractable restraint provided that in the instances when a dog is required to be on a leash, the leash must not exceed 2 metres in length and be held by a person physically capable of restraining the dog.

Term	Definition
Owner	has the meaning as defined in the Dog Control Act 1996.
Public place	has the meaning as defined in the Dog Control Act 1996.
Road zone	has the meaning as defined in the Tauranga City Plan.
Rural zoned	as defined in the Tauranga City Plan.
Special Ecological Areas	has the meaning as defined in the Tauranga City Plan.
Specified agency	has the meaning as defined in the Dog Control Act 1996.
Specified fenced public places	areas of a public place that is fenced for the purpose of enhancing accessibility and inclusion, with a particular focus on creating safe spaces for the unhindered exploration and enjoyment of young children and disabled people. Specified fenced public places subject to this bylaw will be determined by Tauranga City Council in any particular instance and listed in the attachment to this bylaw.
Summer season	is defined as the period from 15 December to 15 February between the hours of 10am and 5pm.
Waikorire (Pilot Bay), Mount Maunganui, Shark Alley and Mauao Dog Prohibited Area	refers to: <ul style="list-style-type: none"> • Waikorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the Mall • All of Mauao including the holiday park and campground, adjacent beach, foreshore, tracks, walkways, and grassed or bush areas • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade • All of Moturiki including the adjacent beach and foreshore • That part of Mt Maunganui beach extending 225m south of Moturiki towards Papamoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade.
Under effective control	to manage, influence or determine the activities of all dogs in a person's possession, whether by voice commands, hand signals, whistles or other effective means, so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.
Tauranga City Council	means 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
Unless otherwise provided, words and phrases in these bylaws that are defined in the Dog Control Act 1996 shall have the same meanings.	

6. LEASH CONTROL

- 6.1. Where a dog is causing or likely to cause danger, distress or nuisance it must be kept on a leash and under effective control of the owner.
- 6.2. Dogs must be under leash control:
- (i) When on any footpath adjacent to a road zone or within a road reserve or state highway.
 - ~~(ii) On the Pāpāmoa Dune Wilderness Area (being the area of dune from Papāmoa Domain to Taylor Reserve as shown on the map at Schedule one).~~
 - (iii) The Matua Salt Marsh (being the area of land covered by the Matua Salt Marsh Management Plan) as shown on the map at Schedule One.
 - ~~(iv) That part of Mt Maunganui beach for 255m south of Moturiki. Dogs on leash may access the beach from the access way near the Mt Maunganui war memorial cenotaph.~~
 - (v) The carparks adjacent to and surrounding the Pāpāmoa and Ōmanu surf lifesaving clubs.
 - (vi) During the summer season on that part of Pāpāmoa Beach immediately in front of Motiti Reserve, and including Motiti Reserve.
 - (vii) **Within Red Square, Masonic Park, and the waterfront area extending from 1 Dive Crescent to the base of the Matapihi rail bridge as shown on the map at schedule One.**
 - (viii) **The Marine Parade Coastal Path, the Papāmoa Shared Pathway and the Beach Road Walkway, where not otherwise in a prohibited area as shown on the map at Schedule One.**
 - (ix) **Heritage Reserves as defined in the Tauranga Reserve Management Plan except where otherwise prohibited. Dogs are prohibited in cemeteries and burial grounds as set out in clause 7.1 (ix).**
- 6.3. ~~For the purposes~~ **As per section 52(2)** of the Dog Control Act 1996, a dog shall be deemed to be not under effective control if it is found in contravention of clauses 6.1 or 6.2 of this bylaw.
- 6.4. As per section 54A of the Dog Control Act 1996, all dog owners are required to carry a leash at all times regardless of the provisions of this bylaw.

7. DOG PROHIBITED AREAS

- 7.1. Dogs are prohibited from the following areas:
- (i) The Waikorire (Pilot Bay), Mount Maunganui, **Shark Alley**, and Mauao Dog Prohibited Area, as shown on the map at Schedule Two.
 - (ii) That area of the foreshore in the vicinity of the Ōmanu surf lifesaving club buildings between the Ocean Beach Road beach access marker 0003 and the Ocean Beach Road beach access maker 0004 located at Ōmanu beach and as shown on the map at Schedule Two.
 - (iii) That area of foreshore and dunes at Pāpāmoa beach in the vicinity of the surf lifesaving club buildings between the car park at the north-western end of Pāpāmoa Domain and the car park at the south-eastern end of Pāpāmoa Domain, as shown on the map at Schedule Two.

- (iv) Flagged lifeguard areas, including any temporary lifeguard area being that area of the beach between the outer most flags which mark the lifeguard area and delineated on each outer boundary by a straight line drawn from the mean low water through the flagged area to the mean high water. Where a dog is on an area of beach when lifeguards establish a flagged area, the dog must be removed from that area immediately.
 - (v) The area of vegetated dunes extending from Mauao south to Te Tumu.
 - (vi) Any land within 10 metres from any public play equipment.
 - (vii) Otumoetai Pā Historic Reserve.
 - (viii) An active recreation area.
 - (ix) Cemeteries and burial grounds.
 - (x) Specified fenced public places and surrounding area as outlined in clause 7.8.
- 7.2. Clause 7.1(ii), 7.1(iii), and 7.1(iv) do not prohibit a dog transiting through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal.
- 7.3. Clause 7.1 (v) does not prohibit a dog transiting on leash through these areas through designated beach access points.
- 7.4. Clause 7.1(vi) does not prohibit a dog transiting past a playground where there is a formed path so long as the dog remains on the path and is controlled on a leash and does not cause nuisance or danger to any person or animal.
- 7.5. Dogs are prohibited from libraries and Tauranga City Council service centres, community centres and indoor sports facilities, except to participate in a recognised dog training programme or dog agility club or library programme involving dogs.
- 7.6. Disability assist dogs, and any dogs belonging to a specified agency pursuant to section 2 of the Dog Control Act 1996, are exempt from the prohibitions.
- 7.7. Clause 7.1(ix) does not prohibit a dog visiting a cemetery or burial ground on leash where prior approval has been sought from an authorised officer.
- 7.8. Tauranga City Council may determine the entrance, exit, or transit rules for specified fenced public places having regard to practical considerations and subject to the display of appropriate signage.

8. TEMPORARY DOG PROHIBITED AREAS

- 8.1. Tauranga City Council may create temporary dog on leash areas or dog prohibited areas for the following purposes:
- leisure and cultural events in parks, reserves, and other public places; or
 - to protect threatened or “at risk” wildlife or Special Ecological Areas vulnerable to dogs.
- 8.2. In making any temporary changes to dog access provisions, Tauranga City Council must:
- have regard to clause 4.1 of the Tauranga City Council Dog Management Policy.

- ensure that the area subject to the temporary change is clearly indicated by one or more clearly legible notices affixed in one or more conspicuous places on, or adjacent to, the place where the notice relates, unless it is impractical to do so.

9. ACCOMMODATION

- 9.1. Where a dog kennel or place of confinement for any dog is closer than two metres from the boundary of any land and is causing a nuisance, **Tauranga City Council** may require a relocation of the dog kennel or place of confinement.
- 9.2. Clause 9.1 does not apply to dog day cares or commercial kennels.

10. LIMIT ON NUMBER OF DOGS

- 10.1. No premises, other than in areas zoned Rural, shall have more than two dogs over the age of three months residing there at any one time, regardless of the number of occupants. This limit applies unless the occupant(s) apply for, and are granted, a licence from **Tauranga City Council** to have more. This clause does not apply to dog day cares or commercial kennels.
- 10.2. Upon written application **Tauranga City Council** may grant such licence subject to such terms, conditions and restrictions as **Tauranga City Council** considers necessary or desirable in any particular case. This clause does not apply to dog day cares or commercial kennels.
- 10.3. No person may exercise more than two dogs off leash in a public place or reserve at any one time, and all dogs must be under effective control of the owner at all times.
- 10.4. No person may exercise more than four dogs on leash at any time in a public place or reserve, and all dogs must be under effective control of the owner at all times.
- 10.5. Upon written application **Tauranga City Council** may grant a licence to exercise more dogs at one time in a public place or reserve than the limits set out in Clause 10.3 and 10.4. This licence is subject to such terms, conditions and restrictions as **Tauranga City Council** considers necessary or desirable in any particular case including the payment of any fee as set out in the **Tauranga City Council User Fees and Charges**.

11. DOG FOULING

- 11.1. The owner of a dog that defecates in any public place, private way, land or premise other than that occupied by the owner must remove the faeces forthwith immediately and dispose of it in a hygienic manner.

12. BITCH IN SEASON

- 12.1. The owner of every bitch in season must keep it confined but adequately exercised whilst in that condition.

13. IMPOUNDING

- 13.1. Any person warranted under the Dog Control Act 1996, or authorised pursuant to the Local Government Act 2002, to enforce this bylaw may impound a dog found at large or in breach of any of the provisions in this bylaw, whether or not it is wearing a collar with the proper registration label.

- 13.2. **Tauranga City Council** may require dogs impounded on more than three occasions within a continuous period of 24 months to be neutered at the owner's expense (whether or not the owner of the dog has been convicted of an offence against sections 52A or 53 of the Dog Control Act 1996).

14. MENACING DOGS

- 14.1. All dogs classified as menacing under section 33A and 33C of the Dog Control Act 1996 must be neutered.
- 14.2. All dogs classified as menacing and transferred to **Tauranga City Council** must be neutered.
- 14.3. Any dog where the authorised officer has reasonable grounds to believe the dog belongs wholly or predominantly to one or more breeds of types listed in schedule four of the Dog Control Act 1996 must be classified as menacing.
- 14.4. ~~Council may require dogs impounded on more than three occasions within a continuous period of 24 months to be neutered at the owner's expense (whether or not the owner of the dog has been convicted of an offence against sections 52A or 53 of the Dog Control Act 1996).~~ *This clause has been moved to 13.2*

15. OFFENCES AND PENALTIES

- 15.1. Every person who breaches or fails to comply with the terms of this bylaw commits an offence.

And further, every person commits a breach under this bylaw who fails, refuses or neglects to comply with any notice duly given to that person under this bylaw.

- 15.2. ~~Subject to any provision to the contrary, any person guilty of an offence against this bylaw shall be subject to the penalties set out in Section 242(4) of the Local Government Act 2002 and section 65 of the Dog Control Act 1996, and is liable on summary conviction to a fine not exceeding \$20,000.~~
- 15.3. ~~Under section 163 of the Local Government Act 2002, **Tauranga City Council** or an authorised agent appointed by it, may remove or alter any work or thing that is or has been constructed in breach of this bylaw.~~
- 15.4. ~~**Tauranga City Council** may recover the costs of removing or altering the work or thing that is in breach of this bylaw from the person who committed the breach. This does not relieve that person of liability for the breach.~~
- 15.5. ~~Under section 162 of the Local Government Act 2002, **Tauranga City Council** may apply to the District Court to grant an injunction restraining a person from committing a breach of this bylaw.~~
- 15.6. ~~**Tauranga City Council** may seize and impound property materially involved in the commission of an offence, under and in accordance with sections 164 and 165 of the Local Government Act 2002.~~
- 15.7. ~~**Tauranga City Council** will return and may dispose of property seized and impounded in accordance with sections 167 and 168 of the Local Government Act 2002.~~

16. FEES

- 16.1. **Tauranga City 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 **Tauranga City Council** under this bylaw.

17. NOTICES

- 17.1. **Tauranga City 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.

18. DISPENSING POWERS

- 18.1. **Tauranga City Council** may waive full or partial compliance with any provision of this bylaw in a case where **Tauranga City 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. **Tauranga City Council** may in its discretion impose conditions of any such waiver.

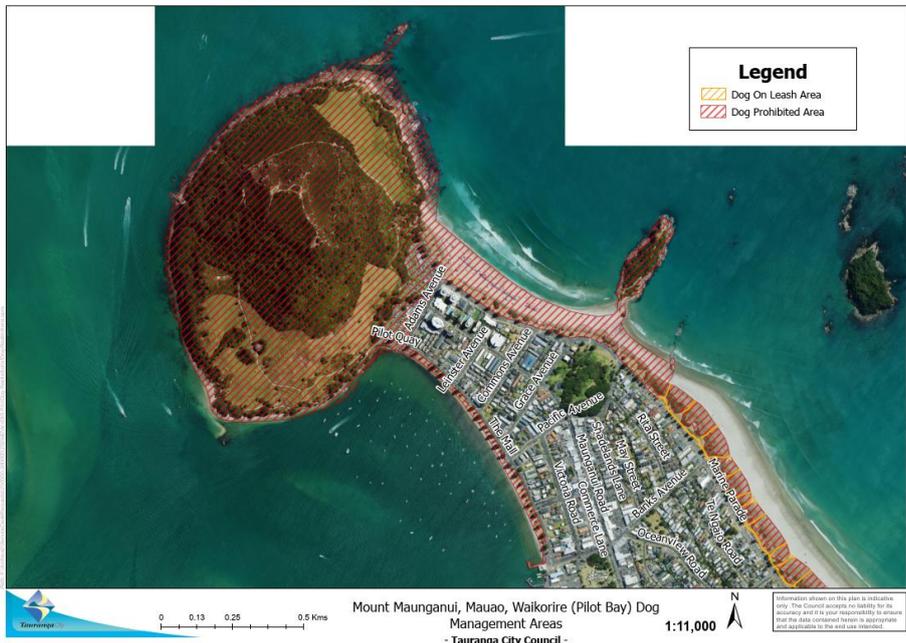
SCHEDULES

SCHEDULE ONE – DOGS ON LEASH





SCHEDULE TWO – DOG PROHIBITED AREAS





DRAFT

DRAFT DOG MANAGEMENT POLICY 2026



Policy type	City		
Authorised by	Council		
First adopted	29 April 2008	Minute reference	M08/32.11
Revisions/Amendments	11 December 2018	Minute reference	M18/108.10
Review date	A review is required every ten years to align with the review of the Dog Management Bylaw 2018 TBC.		

1. PURPOSE

- 1.1 The purpose of the Dog Management Policy is to provide adequate opportunities to fulfil the exercise and recreational needs of dogs and their owners while minimising any potential danger, distress, or nuisance from, or caused by, dogs.
- 1.2 The Dog Control Act 1996 requires Tauranga City Council to adopt a policy on dog control for the district.

2. SCOPE

- 2.1 A dog control policy requires councils to identify:
 - public places where dogs are prohibited or required to be on a leash
 - dog exercise areas
 - the approach to dogs classified as menacing
 - fees and the issuing of infringement notices
 - classification and disqualification of owners
 - dog obedience programmes and other education programmes.
- 2.2 The Dog Management Policy sets out Council's general approach to managing dogs. The Dog Management Bylaw gives effect to the policy, except in relation to dog owner and community education programmes.

3. DEFINITIONS

Term	Definition
Active Recreation Area	means an area with equipment provided for the purpose of active recreation, for example, basketball courts, pétanque, skate parks or pump tracks and older age gyms.
Authorised Officer	means any officer of Tauranga City Council or any other person authorised under the Local Government Act 2002 and authorised by Tauranga City Council to administer and enforce its Bylaws or policies.
Beach	any land in Tauranga adjacent to any seacoast or lakeside which is part of the foreshore, or is land contiguous to and used in connection with the foreshore, and to which the public has a right of access. For the purposes of this bylaw, the beach includes the foreshore which is the parts of the bed, shore or banks of tidal water between mean high water springs and mean low water springs.
Council	refers to the elected member body representing Tauranga City.
District	refers to the area governed by Tauranga City Council.
Dune	means a raised sand formation adjacent to the foreshore and above the line of mean high water spring tides.
Leash	may include a fixed or retractable restraint provided that in the instances where a dog is required to be on a leash, the leash must not exceed two metres in length and be held by a person physically capable of restraining the dog.
Owner	has the meaning as defined under the Dog Control Act 1996.
Public place	has the meaning as defined under the Dog Control Act 1996.
Road reserve	means the land between property boundaries, including footpaths, road, and grass verges.
Road zone	has the meaning as defined in the Tauranga City Plan.
Special Ecological Areas	has the meaning as defined in the Tauranga City Plan.
Specified fenced public places	area of a public place that is provided for the purpose of creating safe spaces for the unhindered exploration and enjoyment of young children and disabled people to enhance accessibility and inclusion. Specified fenced public places subject to this bylaw will be determined by Tauranga City Council in any particular instance and listed in the attachment to the Dog Management Bylaw.

Under Effective Control	to manage, influence or determine the activities of all dogs in a person's possession, whether by voice commands, hand signals, whistles or other effective means, so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.
Tauranga City Council	means 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.
Unless otherwise provided, words and phrases in this policy that are defined in the Dog Control Act 1996 shall have the same meanings	

4. PRINCIPLES

4.1 The principles of the Dog Management Policy are:

- dogs should be able to be exercised in all public places except where required to protect public safety and wildlife
- dog safe communities
- responsible dog ownership
- all dogs must be registered.

5. POLICY STATEMENT

5.1 Dogs in public places

Dogs need the ability to exercise unrestrained and socialise with other dogs. Therefore, Tauranga City Council does not restrict dogs to dog exercise areas and considers it appropriate that dogs are able to be exercised unleashed in public places with some limited exceptions, so long as when circumstances require, the dog can be leashed.

5.1.1 Dogs can be exercised unleashed in public places except in those areas included in Schedule One of this policy and the Dog Management Bylaw 2018.

5.1.2 Dogs must be under leash control on all footpaths adjacent to the road zone and in the road reserve.

5.2 Dog safe communities, including education programmes

Tauranga City Council encourages dog owners to access advice on how to manage their dog.

5.2.1 Tauranga City Council will provide education and safety advice to minimise or prevent any potential harm from dogs.

5.2.2 Tauranga City Council will ensure all complaints of dog aggression are investigated and will respond appropriately.

5.3 Responsible dog ownership, including dog obedience, fees and infringements, and menacing dogs.

Dog owners are required to act responsibly, evaluate the circumstances and to take all reasonable steps to ensure that dogs do not cause a nuisance or danger.

- 5.3.1 **Tauranga City Council** encourages dog owners to attend dog obedience courses to assist in the training and socialising of dogs.
- 5.3.2 Uncontrolled dogs will be impounded where appropriate. Dogs impounded on more than three occasions within a continuous period of 24 months are required to be neutered.
- 5.3.3 Owners of uncontrolled dogs may be issued infringement notices as per schedule two of the Dog Control Act 1996.
- 5.3.4 All dogs classified as menacing under sections 33A or 33C of the Dog Control Act 1996 by Tauranga City Council, or any dog classified as menacing which is transferring to Tauranga City Council, are required to be neutered.
- 5.3.5 All dogs adopted from Tauranga City Council managed facilities must be neutered.
- 5.3.6 Tauranga City Council is required, under section 25 of the Dog Control Act 1996, to disqualify a person from being an owner of a dog under certain circumstances, or to classify the person as a probationary owner.
- 5.3.7 Tauranga City Council may classify a person as a probationary dog owner if a person commits three or more infringement offences within a continuous period of 24 months, as per section 21 of the Dog Control Act 1996.
- 5.3.8 All persons disqualified from owning a dog or classified as a probationary owner have the right to object to the classification and to be heard in support of their objection.
- 5.3.9 Infringement fees are as per schedule one of the Dog Control Act 1996.

5.4 Dog registration

Tauranga City Council places a high priority on ensuring dogs within the city boundaries are registered.

- 5.4.1 Dog registration fees are set in accordance with the Revenue and Financing Policy and consulted on through annual plan or long-term plan processes.

6. RELEVANT DELEGATIONS

- 6.1 The Chief Executive has delegated authority and the authority to sub-delegate in respect to all other provisions within this policy.
- 6.2 ~~The Team Leader: Animal Services has delegated authority to waive an infringement notice where there are circumstances.~~ **Infringement notices may be withdrawn per the Dog Control Act 1996 and Council Delegations Manual where appropriate.**

7. REFERENCES AND RELEVANT LEGISLATION

- 7.1 Dog Control Act 1996
Local Government Act 2002
Dog Management Bylaw 2018

8. SCHEDULES ONE – DOG ACCESS RULES

Dog access type	Area
Prohibited	<ul style="list-style-type: none"> • Waikorire (Pilot Bay), Mauao, Shark Alley and Mount Maunganui Dog Prohibited Area. • Wakorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the mall. • All of Mauao including the adjacent beach, foreshore, tracks, walkways, and grassed or bush areas. • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade. • All of Moturiki (Leisure Island) including the adjacent beach and foreshore. • The park of Mount Maunganui beach extending 225m south of Moturiki towards Papamoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade. • The area of the foreshore between the Ocean Beach Road beach access markers 0003 and 0004 located at Ōmanu beach and in the vicinity of the Ōmanu Surf Lifesaving Club premises. • The area of foreshore and dunes at Pāpāmoa beach between the car parks at the north-western end and south-eastern end of Pāpāmoa Domain. • Inside any children’s playground delineated by a fence • Any land within 10 metres from any public play or exercise equipment, not delineated by a perimeter fence • Otumoetai Pā Reserve. • Any flagged lifeguard area on the beach not specifically listed above. • The area of vegetated dunes extending from Mauao south to Te Tumu (however dogs may transit through the dunes on leash through designated beach accessways). • An active recreation area. • Cemeteries and burial grounds (except with prior authorisation from an Authorised Officer). • Specified fenced public places.
On leash	<ul style="list-style-type: none"> • On footpaths and within the road reserve. • Papamoa Dune Wilderness Area (being the area of dune from Papamoa Domain to Taylor Road). • Matua Salt Marsh. • The beach immediately in front of Motiti Reserve and including Motiti Reserve from 15 December to 15 February between the hours of 10am and 5pm. • The car parks adjacent to the Pāpāmoa and Omanu Surf Lifesaving club buildings.

	<ul style="list-style-type: none"> • That part of the beach and foreshore approximately 255 m south of Moturiki to allow dogs to access the beach near the Mt Maunganui war memorial cenotaph • Within Red Square, Masonic Park, and the waterfront area extending from 1 Dive Crescent to the base of the Matapihi Rail Bridge. • The Marine Parade Coastal Path, the Papamoa Shared Pathway and the Beach Road Walkway, where not otherwise in a prohibited area. • Heritage Reserves, except where otherwise prohibited. Dogs are prohibited in cemeteries and burial grounds as set out in above.
Temporary	<ul style="list-style-type: none"> • Parks and reserves for the purposes of hosting an event where there is a risk to public safety from uncontrolled dogs. • For the purposes of protecting wildlife or ecosystems vulnerable to dogs.

DRAFT

DRAFT KEEPING OF ANIMALS BYLAW 2026



First adopted	November 2004	Minute reference	M04/105.3
Revisions/Amendments	1 October 2008	Minute reference	M08/86.10
	18 December 2018		M18/108.9
Review date	2036		
Engagement required	Special Consultative Procedure		
Associated documents	Beaches Bylaw 2018		
Relevant Legislation	Local Government Act 2002		

1. TITLE

1.1 This bylaw is the Keeping of Animals Bylaw 2018~~26~~.

2. COMMENCEMENT

2.1 This bylaw comes into force on TBC.

3. APPLICATION

3.1 This bylaw applies to Tauranga City.

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

4. PURPOSE

4.1 To allow for the keeping of animals and poultry in a manner which has minimal impact on, or causes minimal nuisance to, the wider community.

5. DEFINITIONS

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

Term	Definition
Animal	means any mammal, other than a human being, and includes any bird, reptile, amphibian, fish or invertebrate organism of any kind.
Approved	means accepted in writing by an Authorised Officer.
Authorised Officer	means an employee or contractor of Tauranga City Council who carries out duties under this bylaw as part of their role and includes any person who has been formally delegated authority to exercise powers under this bylaw.
Bylaw	means the Tauranga City Council Keeping of Animals Bylaw.
Council	refers to Tauranga City Council, the elected member body representing Tauranga
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, because the information may be subject to change and need to be updated before the bylaw itself has to be updated.
Level 1 or 2 Road	as defined in the Tauranga City Council – Local Road Categories.
Licence	includes a permit or other written approval or permission from Tauranga City Council.
Occupier	means the inhabitant occupier of any property and in any case where any building, house or tenement or premises is unoccupied, shall be deemed to include the owner.
Owner	means the person entitled to receive the rent of property, land, building or premises, and includes an agent acting on behalf of the owner.
Poultry	includes any domestic fowl (including roosters), turkey, geese, ducks, ostrich, pigeon or emu.
Residential zone	as defined in the Tauranga City Plan.
Road	has the same meaning as in the Land Transport (Road User) Rule 2004, or subsequent amendments.
Rural zone	as defined in the Tauranga City Plan.
Stock	includes any cattle, horse, deer, ass, mule, sheep, goat, pig or camelid (alpaca and llama).
Stock Proof Fence	being a wire fence, having seven or eight wires properly strained, the posts to be of durable timber, metal, or reinforced concrete, and not more than five metres apart, and securely rammed and, in hollows or where subject to lifting through the strain of the wire, to be securely footed, or stayed with wire; the battens (droppers) to be affixed to the wires and of durable timber, metal or plastic, evenly spaced, and not fewer than three

	between posts; the wires to be galvanised and of 2.5mm high tensile steel or 4mm steel or its equivalent; the bottom wire to be not more than 125mm from the ground, the next three wires to be not more than 125mm apart; and the top wire or rail to be not less than one metre from the ground.
Tauranga City Council	means 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.

6. PIGS AND GOATS

6.1 Pigs and goats are only permitted to be kept in areas zoned Rural in the Tauranga City Plan.

7. BEES

7.1 Bees may be kept on private property. ~~unless, in the opinion of the Authorised Officer, the keeping of bees is causing a public safety or nuisance issue.~~ *This clause is now covered by Section 13 General Powers.*

7.2 Tauranga City Council encourages beekeepers to engage with their local beekeeping clubs to access advice and expertise to manage bees.

8. POULTRY

8.1 Poultry can be kept in Rural and Residential zones so long as they are confined to the property occupied by the poultry owner.

8.2 Rules for poultry houses and runs are as follows;

- (a) any poultry house or run is constructed at least five metres from any neighbouring dwelling or workplace; and
- (b) the poultry house and run are maintained at all times in good repair, clean and free from any offensive smell, rats, vermin or overflow there from.

Note: that animal welfare concerns are dealt with under Section 10 of the Animal Welfare Act not this bylaw.

8.3 Limits on poultry are as follows:

Rural zone

- (a) No person shall keep more than 12 heads of poultry in an area zoned Rural except with a licence from Tauranga City Council.
- (b) ~~Roosters may be kept in the rural zone~~ ~~No person shall keep any rooster in the Rural zone if, in the opinion of the authorised officer, the keeping of such rooster is causing a nuisance to any other person.~~ *This clause regarding nuisance is now covered by Section 13 General Powers.*

Residential zone

- (c) ~~No person shall keep more than 6 chickens in an area zoned Residential except with a licence from Tauranga City Council.~~
- (d) No person shall keep a rooster in an area zoned Residential.
- (e) ~~No person shall keep poultry other than chickens in an area zoned Residential except with a licence from Tauranga City Council.~~

- 8.4 Nothing in **clause 8.3** shall prevent any person keeping poultry in any auction room for not more than 48 hours for the purpose of sale, keeping poultry consumption on their premises in an approved type of coop for immediate consumption, or from keeping poultry in a bird shop for the purpose of sale.

Note: Any buildings will need to be compliant with relevant rules in the Tauranga City Plan.

9. STOCK

- 9.1 No person shall ride, drive or lead stock on roads at any time except **with** a licence from **Tauranga City Council**, **or as set out in paragraph 9.2**.
- 9.2 Stock may be driven along any street or road (except a street or road designated as a Level 1 or Level 2 Road) from one paddock or farm to another, if both paddocks or farms are the property of one owner, or in the course of routine farming procedure. If stock is driven on the road, consideration must be given to the timing of the move to minimise impact on normal road users, and the stock owner or person in charge may be required to complete a Site Specific Traffic Management Plan **when directed to by Tauranga City Council**.
- 9.3 Horses may be ridden on the beach as per the Beaches Bylaw 2018. No other stock can be driven on or along the beach.
- 9.4 Horse or cattle must be kept at least five metres from any dwelling, shop, warehouse, factory, workshop, church or school.
- 9.5 No owner or occupier of any land, stock owner, or person in charge of stock, shall permit any stock to be kept or grazed thereon, unless such land is enclosed on all sides by a proper and adequate Stock Proof Fence.

10. OFFENCES AND PENALTIES

- 10.1 Every person who breaches the terms of this Bylaw commits an offence. Further, every person commits a breach under this Bylaw who:
- (a) fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw;
 - (b) obstructs or hinders any authorised officer of the **Tauranga City Council** or other **Tauranga City Council** appointed person in performing any duty or in exercising any power under this Bylaw.
- 10.2 ~~Subject to any provision to the contrary, any person guilty of an offence against this Bylaw shall be subject to the penalties set out in Section 242(4) of the Local Government Act 2002, and is liable on summary conviction to a fine not exceeding \$20,000.~~

11. LICENCES

- 11.1 The form of any application for and grant of any licence required under this Bylaw will be determined by **Tauranga City Council**.
- 11.2 **Tauranga City Council** may attach to any licence any terms or conditions as it thinks fit.
- 11.3 No application for a licence from **Tauranga City 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.

11.4 Suspending or Revoking Licences

- (a) ~~The Tauranga City~~ 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; or
 - ii. is unfit in any way to hold such a licence.
- (b) ~~The Tauranga City~~ Council may require the licence holder to attend a hearing to explain why the licence should not be revoked or suspended. ~~Tauranga City Council~~ may revoke or suspend the licence at its discretion. If either;
 - i. the licence holder does not attend the hearing; or
 - ii. if after the hearing ~~the Tauranga City~~ Council is satisfied the licence holder has been in breach of the licence or is unfit to hold the licence.
- (c) ~~The Tauranga City~~ 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. ~~The Tauranga City~~ 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.

12. DISPENSING POWERS

- 12.1 ~~Tauranga City~~ Council may waive full compliance with any provision of this Bylaw in a case where ~~Tauranga City~~ 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. ~~Tauranga City~~ Council may, in its discretion, impose conditions of any such waiver.

13. GENERAL POWERS

- 13.1 ~~An authorised officer may give reasonable instruction for the purpose of ensuring compliance with this Bylaw, protecting public health and safety, or preventing or mitigating nuisance. Any instruction must be necessary, proportionate to the risk, and the least restrictive measure available.~~
- 13.2 ~~An instruction may be given orally or in writing. Where the instruction requires ongoing compliance or significant action, it must be confirmed in writing.~~

Statement of Proposal – review of the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw**Dog management in Tauranga**

Dogs and animals are a much-loved part of life in Tauranga with one dog for every ten residents. Well managed dogs and animals provide companionship and increased wellbeing. Issues with dogs and animals can however affect safety, impact wildlife, and reduce people's enjoyment of their homes or public places.

We're reviewing the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw

The Dog Management Policy and Bylaw set the rules for dog management in Tauranga to ensure public safety and enjoyment and protect wildlife from dogs and animals.

We're reviewing these bylaws to check that the rules are still appropriate and we would like to hear your views on the issues identified during the review, including:

- Restrictions on dogs in wildlife areas.
- Management of dogs in public places including shared paths, heritage reserves, cemetery and burial grounds and urban spaces.
- Licencing rules for walking or owning multiple dogs and keeping poultry rules in residential areas
- Not regulating cats and changing our approach to regulating bees due to difficulties enforcing rules under current legislation.

Council considers a bylaw to be the most appropriate way to manage issues arising from dogs and animals to protect wildlife and the community. The proposed draft bylaws target specific issues, while maintaining a dog-welcome approach to public places in general. The proposed amendments are consistent with the New Zealand Bill of Rights Act 1990.

What we're proposing and why?

We are proposing to retain most of the existing rules in the current bylaws and policy while also proposing some targeted changes to address issues that have been raised. In developing these changes we considered complaints data, reports of incidents affecting wildlife, feedback from the community through pre-engagement surveys, input from relevant council staff, input from mana whenua groups and feedback from community groups.

The key proposed changes are outlined below:

What we are proposing....	.. and why?
<p>Increased protection of wildlife and natural habitats from dogs</p> <p>Extending current seasonal dog restrictions in Shark Alley (August-January) to be year-round and prohibiting dogs in coastal dunes (except if on leash using a beach accessway).</p>	<p>These changes aim to reduce harm to native wildlife such as the NZ dotterel, native skinks, diving petrel and kororā.</p> <p>The proposed changes also simplify the rules, making them easier for dog owners to understand and follow, and easier to enforce.</p>
<p>Leashing dogs on popular shared paths, heritage reserves and urban parks</p> <p>Requiring dogs to be on leash in the following spaces:</p> <ul style="list-style-type: none"> - Marine Parade Coastal Path - Papamoa Shared Path - Beach Road Pathway - Heritage Reserves - Masonic Park - Red Square - The Waterfront from the Cargo Shed to the base of the Matapihi bridge. 	<p>Dogs are required to be on leash on footpaths but not on paths in parks and reserves or urban space. Some of these paths and urban spaces can be very busy and requiring dogs to be on leash will help manage these spaces for the wellbeing of the community.</p> <p>This will also help protect the heritage values of these spaces.</p>
<p>Prohibiting dogs in some public places</p> <ul style="list-style-type: none"> - cemeteries and burial grounds - on active recreation equipment - fenced play spaces designed for young children or disabled people 	<p>Dogs in cemeteries and burial grounds can be offensive to some people and there have been issues with dogs fouling. Dogs would be allowed to visit with prior authorisation from the Cemetery Manager.</p> <p>Active recreation equipment is often used by children and prohibiting dogs can help reduce the risk to children from dogs.</p> <p>Certain parks have fenced play spaces designed to provide a safe play space for young children or disabled people so parents and caregivers can supervise more easily. Prohibiting dogs would help keep these spaces working as intended.</p>
<p>Changes to dog and animal licensing</p> <ul style="list-style-type: none"> - require a licence to have more than 2 dogs on a property (in addition to the existing two dogs per owner rule) - create the ability for those wanting to walk more than 4 dogs at a time to apply for a licence to do so 	<p>These changes help limit the nuisance of dogs and animals for the community.</p> <p>Provides options to apply for a licence for those that would like to keep or walk more dogs and animals, subject to any relevant conditions, for example a property check.</p>

<ul style="list-style-type: none"> - require a licence to keep more than 6 chickens in a residential zone - require a licence to keep poultry other than chickens in a residential zone - creating a general enforcement provision. 	
<p>No new rules for cats</p> <p>The proposed bylaw does not include any new provisions for cats.</p>	<p>While managing cats would help reduce their impact on wildlife, the current legislation makes enforcement difficult. The costs to implement any changes are not expected to provide any additional benefits to community education and awareness.</p>
<p>Changing the bee related provision in the bylaw in favour of a more proportional approach</p>	<p>Whilst in principle the ability to remove beehives causing issues is appropriate, there are difficulties in proving issues are caused by neighbouring beehives rather than by wild bees. This means that enforcing a requirement to remove a beehive is rarely successful and uses enforcement resource.</p> <p>We are proposing to change the ways bees are managed by using the proposed general enforcement provision which will allow for more proportionate response to bee issues.</p>

Have your say:

We want to know what you think about the proposed draft bylaws and policy. From 1 June 2026 to 1 July 2026 we are asking for feedback on the proposed changes to the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw.

You can give your feedback:

- Entering your feedback online at <https://letstalk.tauranga.govt.nz/projects/dog-management-policy-and-bylaw-and-keeping-of-animals-bylaw-review>
- Emailing it to policy@tauranga.govt.nz
- Filling in the form attached to this statement of proposal

Section 155 Determinations for the proposed draft Dog Management Bylaw and Keeping of Animals 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 (NZBoRA).

Identified problem 1: The impact of dogs on wildlife in public places

There is evidence that the presence of dogs in areas of high wildlife value can impact the wellbeing of native wildlife. As part of the bylaw review community wildlife groups and the Department of Conservation requested changes to the bylaw to prohibit dogs in certain public places, in particular Shark Alley and Coastal Dunes, to better protect threatened species.

<p>Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?</p>	<p>Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw</p>	<p>Section 155 (2) (b) Any implications under the NZBoRA?</p>
<p>Through a bylaw Tauranga City Council can prohibit dogs from an area and issue fines to those not adhering to the restrictions.</p> <p>Without the bylaw staff rely on an educative approach, however, feedback from community groups monitoring the beach suggest that an educative approach alone is not sufficient to address the issues. A bylaw is necessary to provide enforceable controls.</p>	<p><u>Dog Management Bylaw</u></p> <p>The definitions have been amended to include Shark Alley in the current definition of the Waikorire (Pilot Bay), Mount Maunganui, and Mauao Dog Prohibited Area and Clause 7.1 (i) uses this new definition.</p> <p>Clause 7.1 (v) prohibits dogs in the vegetated dunes extending from Mauao south to Te Tumu, with Clause 7.3 providing an exemption for dogs transiting through a dog accessway on leash.</p> <p>The bylaw is clear, certain and not broader than necessary. Maps are used for clarity.</p>	<p>The proposed bylaw restricts dog access only where necessary to protect public safety, amenity or wildlife. These restrictions are targeted, proportionate and provide exemptions (such as for disability assist dogs and transiting) to ensure freedom of movement. The bylaw does not give rise to any implications under the NZBoRA.</p>

Identified problem 2: Dog management in public places

Tauranga generally allows for dogs to be exercised freely in parks and reserves except where there is reason to leash or restrict dogs. Through the review, issues have been raised with dogs in certain public places, and the proposed bylaw includes leash or dog restrictions in these spaces.

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 NZBoRA?
<p>Through a bylaw Tauranga City Council can prohibit dogs from an area or require leashing, and issue fines to those not adhering to the restrictions. Alternative approaches, such as educational messages to ‘share with care’ on paths, and to not bring dogs into cemeteries without permission, have not been effective.</p> <p>The areas proposed to include leash or dog restrictions are those where issues with dogs have occurred, new fenced play spaces, and new urban spaces where issues can reasonably be expected to occur. Leashing dogs in Heritage Reserves protects heritage values. A bylaw is necessary to provide enforceable controls.</p> <p>For cemeteries and burial grounds, dogs would be allowed to visit with prior authorisation from the Cemetery Manager.</p> <p>The draft bylaw also proposes restrictions for certain public places frequented by young children and youth to reduce the inherent danger in allowing dogs to have uncontrolled access to them.</p>	<p><u>Dog Management Bylaw</u></p> <p>The definition section includes a definition of Active Recreation Activity and Clause 7.1 (viii) references this definition as an area where dogs are prohibited.</p> <p>Clause 7.1 (ix) prohibits dogs in cemeteries and burial grounds with Clause 7.6 providing an exemption for those with prior authorisation.</p> <p>Clause 6.2 (vii) requires dogs to be leashed in urban areas.</p> <p>Clause 6.2 (viii) requires dogs to be leashed on specified shared pathways.</p> <p>Clause 6.2 (ix) requires dogs to be leashed in Heritage Reserves where not otherwise prohibited.</p>	<p>The proposed bylaw restricts dog access only where necessary to protect public safety, amenity or wildlife. These restrictions are targeted, proportionate and provide exemptions (such as for disability assist dogs and transiting) to ensure freedom of movement. The bylaw does not give rise to any implications under the NZBoRA.</p>

Identified problem 3: Licencing rules

Several changes are proposed to update licencing rules for dogs and animals to reflect the more urban nature of Tauranga, while still providing options for those that would like to keep or walk more dogs and animals to apply for a licence, subject to any relevant conditions, for example a property check or relevant training check.

<p>Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?</p>	<p>Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw</p>	<p>Section 155 (2) (b) Any implications under the NZBoRA?</p>
<p>Through a bylaw Tauranga City Council can require animal owners to apply for a licence for activities that are otherwise beyond what is permitted. Without a bylaw there would be no way to ensure compliance with this requirement.</p> <p>The proposed Keeping of Animals Bylaw includes a general requirement to follow the instruction of an authorised officer. Alternative options such as using an educative approach were considered, however a bylaw was deemed necessary to provide enforceable controls.</p> <p>The bylaws both provide options for those that would like to keep or walk more dogs and animals than the maximums stated to apply for a licence, subject to any relevant conditions, for example a property check. This option is a less restrictive approach than prohibiting outright the ability to exceed the maximums.</p> <p>The proposed Keeping of Animals Bylaw removes the discretionary ability of an authorised officer to remove bees that are kept on private property due to the inherent difficulty in establishing the cause of nuisances from bees. Instead the new proposed general provision will allow for a more proportionate response to bee issues.</p>	<p><u>Dog Management Bylaw</u></p> <p>Clause 10.1 limits the number of dogs that can be kept without a licence on a premise to a maximum of two.</p> <p>Clause 10.5 provides an ability for Tauranga City Council to grant a licence to walk more than 4 dogs at one time in a public place.</p> <p><u>Keeping of Animals Bylaw:</u></p> <p>Amended Clause 7.1 to remove the discretionary ability of an authorised officer to remove bees that are kept on private property.</p> <p>Amended Clause 8.2 and 8.3 to reduce the number of chickens that can be kept in a Residential zone to 6, and to require a licence to keep poultry other than chickens in a Residential zone.</p> <p>Clause 13.1 provides a general power for an authorised officer to give reasonable instructions, however this power is limited to the purpose of the bylaw i.e. protection of public health and safety and preventing or mitigating a nuisance.</p> <p>Clause 13.2 requires an instruction to be confirmed in writing if it requires ongoing compliance or significant action.</p>	<p>The proposed bylaws limit the keeping of animals only where necessary to protect public safety, amenity and wildlife, or to prevent or mitigate nuisance. These restrictions are targeted, proportionate and provide for the exemptions (such as licences).</p> <p>Additionally, the general power is confined to the purpose of the bylaw and is exercised in a proportionate manner. These restrictions are the least restrictive means to achieve the intended purpose.</p> <p>The proposed bylaw does not give rise to any implications under the NZBoRA.</p>

Previous decisions on dog management bylaw and policy and keeping of animals policy**RESOLUTION CO/25/26/3**

Moved: Cr Marten Rozeboom

Seconded: Cr Steve Morris

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 LTP (**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) do not include bylaw provisions to address issues with cats (**Issue 4: Option B**)
 - (ix) add a maximum number of dogs per property (in addition to the current per person limit) (**Issue 4: Option C**)
 - (x) 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**)
 - (xi) reduce the number of poultry that can be kept in the residential zone without a licence to 6. (**Issue 4: Option F**)
 - (xii) require a licence to keep poultry other than chickens in the residential zone. (**Issue 4: Option G**)
 - (xiii) 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.

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>

11.3 Elected Members' Expenses and Resources policy - home security allowance

File Number: A19379584

Author: Jeremy Boase, Head of Strategy, Governance & Climate Resilience
Jane Barnett, Policy Analyst

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

PURPOSE OF THE REPORT

1. To seek Council approval for adding wording to the Elected Members' Expenses and Resources Policy. This wording will provide for a home security allowance.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Elected Members' Expenses and Resources policy - home security allowance".
- (b) Adopt the draft revised Elected Members' Expenses and Resources policy, incorporating the addition of the home security section. (**Attachment 1**).
- (c) Approves retrospective reimbursement of any home security eligible under the Elected Members Expenses and Resources Policy which was installed from 1 July 2025, being the date the Local Government Elected Members (2025/26) Determination 2025 came into force, where all requirements of the Policy have been met except for a security threat and risk assessment being authorised prior to the installation. The security threat and risk assessment must still be completed and conclude that a security system is needed for reimbursement to occur.

EXECUTIVE SUMMARY

2. On 18 November 2025 Council agreed to amend the Elected Members' Expenses and Resources Policy (the 'policy') to include a home security allowance. The resolution set out eligibility criteria, security threat and risk assessment requirements, maximum allowance limits and conditions that apply when a member moves house, or their position becomes vacant
3. This report responds to that resolution by presenting a proposed new 'Home Security' section within the policy. The section includes the eligibility criteria and conditions that apply when an elected member changes their primary residence or when their position becomes vacant, including cases of non-re-election (see **Attachment 1**).
4. There is no specific budget allocation for this allowance. The financial impact will depend on uptake, and any costs will be met from existing governance budgets.

BACKGROUND

5. The Local Government Elected Members (2025/26) Determination 2025 ("the Determination") issued by the Remuneration Authority includes provision for a new home security allowance to be available for elected members. On 18 November 2025 Council decided to make this allowance available to all elected members and that:

- the required security threat and risk assessment would be prepared in house
 - the maximum allowances will be in accordance with the current Determination⁸
 - if an elected member changes their primary residence a new application (supported by a new risk assessment) may be made for the new residence
 - if an elected member's position becomes vacant all allowances (including installation) scaled back proportional to the period of the financial year that the member was in position
 - approvals for the allowance will be made by the mayor and chief executive, with mayoral claims approved by the deputy mayor and one other councillor.
6. The Determination 2025 came into force on 1 July 2025.
 7. These changes have been incorporated into the Elected Members' Expenses and Resources Policy 2025. The amendments are shown in red on page 5 of the revised draft policy (**Attachment 1**).
 8. As required, the draft policy was submitted to the Remuneration Authority for consideration. On 21 November 2025, the Authority approved the draft policy as submitted.
 9. Staff have also prepared a security threat and risk assessment form to determine eligibility for reimbursement of home security expenses.

STATUTORY CONTEXT

10. The Local Government Act 2002 (the Act) empowers the Authority to determine the allowances and expenses for elected members and approve rules proposed by councils for reimbursing expenses.
11. The Local Government Elected Members (2025/26) Determination 2025 allows for reimbursement for up to \$4,500 for installing a home security system and up to \$1,000 per annum for monitoring, call outs and repairs based on a safety risk assessment.

STRATEGIC ALIGNMENT

12. 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	<input type="checkbox"/>
We are a well-planned city that is easy to move around	<input type="checkbox"/>
We are a city that supports business and education	<input type="checkbox"/>
We are a vibrant city that embraces events	<input type="checkbox"/>

13. The addition of the home security allowance promotes wellbeing by supporting the safety of elected members.

OPTIONS ANALYSIS

14. The table below outlines the advantages and disadvantages of adopting or not adopting the Elected Members' Expenses and Resources Policy with the inclusion of a home security allowance section.

⁸ In preparing the draft updated policy, we have proposed that the maximum allowances should be tagged to the limits in the Determination that applies when approval is sought. This future-proofs the policy so that amendments aren't required as and when a future Determination changes the limits.

3. Option	4. Advantages	5. Disadvantages
6. Option A: Adopt the Elected Members' Expenses and Resources policy, incorporating the addition of the home security section.	<ul style="list-style-type: none"> • Enhanced safety for elected members where there is an identified risk. • Sets clear eligibility and conditions to ensure consistent application. • Aligns with Remuneration Authority Guidance. 	<ul style="list-style-type: none"> • No specific budget allocation and uptake could create costs. • Requires processes for risk assessments and approvals.
8. Option B: Do not adopt the Elected Members' Expenses and Resources policy, incorporating the addition of the home security section.	<ul style="list-style-type: none"> • Avoids financial impact of allocating home security allowance. • Eliminates the need for new processes such as security threat and risk assessment. 	<ul style="list-style-type: none"> • No financial support for security measures when there is an identified threat. • Council has already resolved to include these provisions so not adopting could create reputational issues.

FINANCIAL CONSIDERATIONS

15. The financial impact of the proposed changes to the Elected Members' Expenses and Resources Policy will depend on the uptake of the home security allowances. The maximum potential impact is likely to be 10 elected members x \$4,500 for installation plus \$1,000 per annum for monitoring, call-outs and repairs i.e. \$55,000 in total. There is no separate budget provision for the allowance. Any expenditure will be managed within the current governance budget.
16. As noted in paragraph 6 the Determination came into force on 1 July 2025. The Council could choose to retrospectively apply the policy to any home security installed since 1 July 2025 if it complies with the policy adopted.

LEGAL IMPLICATIONS / RISKS

17. Personal information collected via a security system owned and operated by an individual solely for personal or domestic purposes, is generally not subject to the Privacy Act 2020, unless considered highly offensive. Guidance will be provided to elected members on the appropriate operation of a home security system that collects personal information.
18. In addition, there are governance and financial risks if approval processes and audit trails are not robust, and reputational risks if the allowance is perceived as inequitable or lacks transparency. These risks are mitigated by defining eligibility criteria, referencing the limits set in the Local Government Members Determinations and specifying conditions for when an elected member moves house or vacates their position.

TE AO MĀORI APPROACH

19. The principle of Manaakitanga meaning, *Ahurutanga/haumarutanga* – a strong duty of care and safety for our people – underpins the provision of a home security allowance, which is based on a security threat and risk assessment.

CLIMATE IMPACT

20. Decisions on the provision of a home security allowance do not directly relate to climate change impact.

SIGNIFICANCE

21. 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.
22. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 10. (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 11. (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 12. (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
23. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

24. 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

25. If Council adopts the revised policy, it will take effect from the date of adoption.

ATTACHMENTS

1. **Draft revised Elected Members Expenses and Resources policy - A19382785**  

DRAFT ELECTED MEMBERS' EXPENSES AND RESOURCES POLICY 2025



Policy type	City		
Authorised by	Council		
First adopted	20 December 2010	Minute reference	M10/84.2
Revisions/amendments	23 August 2011 30 October 2012 2 September 2013 9 May 2016 11 February 2020 15 August 2024 7 October 2025 18 November 2025	Minute references	M11/62.4 M12/71.3 M13/56.4 M16/25.7 P03/20/4 CO16/24/6 CO25/25/8
Review date	Following the local election or as required by the Local Government Members Determination.		

1. PURPOSE

- 1.1 The purpose of this policy is to:
- Identify elected members' allowances and entitlements.
 - Set out the approval process for reimbursement of expenses incurred by elected members whilst undertaking their duties.

2. SCOPE

- 2.1 This policy applies to all Elected Members of Tauranga City Council.

3. DEFINITIONS

Term	Definition
Absence without leave	A period of time when an elected member is not fulfilling their responsibilities as an elected member and is doing so without formal approval from the mayor.
Actual	Means as evidenced by the original receipt attached to the claim form.
Council business	Formal Council, committee meetings, workshops, seminars, statutory hearings, training courses, conferences, site visits, meetings with staff, meetings with community groups, meetings with members of the public and social activities where a member attends as a Council representative.

Term	Definition
Determination	The most recent Local Government Members Determination issued by the Remuneration Authority.
Expenses	Personal money spent by elected members whilst going about their official duties as elected members and includes mileage claims.
Expense rules	The type of expenses that are able to be claimed because they have been approved by the Remuneration Authority.
Hearings	As defined in the most recent Local Government Members Determination issued by the Remuneration Authority.
Leave of absence	A period of time for which an elected member is on leave from the duties of being an elected member. This means not participating in council business at all i.e. not attending meetings or workshops, dealing with constituent queries, speaking publicly or representing any issues.
Personal communications	Any communication that does not represent the official view of Tauranga City Council.
Reasonable	Within the amount specified by the policy or as deemed reasonable by the mayor and chief executive
Remuneration Authority	Independent body established under the Local Government Act 2002, part of whose responsibilities are to determine remuneration and expense rules for local authority members.
Resources	Goods and services normally used by council to support its business, that are provided to elected members for their personal use to assist them in fulfilling their responsibilities as elected members.
Travel time allowance	The current definition and rate determined by the Remuneration Authority
Vehicle mileage allowance	The current definition and rate determined by the Remuneration Authority.

4. PRINCIPLES

- 4.1 Elected members should be reimbursed for actual and reasonable expenses they incur in carrying out their official duties.
- 4.2 Reasonable resources should be made available to elected members to enable them to more efficiently carry out their responsibilities.
- 4.3 Reimbursement of expenses and use of resources apply only to elected members personally and only while they are acting in their official capacity as elected members.
- 4.4 Elected members' expense expenditure must have a justifiable business purpose, be moderate and conservative having regard to the circumstances, be made transparently and is appropriate in all respects.

4.5 Transparency and accountability guide the reimbursement of elected members' expenses.

5. POLICY STATEMENT

5.1 What Expenses May be Claimed?

Travel

5.1.1 Travel expenditure and travel-related expenditure should be economical and efficient, having regard to purpose, distance, time, urgency, and consider the environment and safety and wellbeing of those travelling. All travel and related expenditure must have a clear business purpose.

5.1.2 The table below outlines the air travel and accommodation and meal expenses elected members may claim while carrying out their official roles and duties.

Expense type	Description
Air Travel	Where practical, air travel should be booked well ahead of the actual travel, so that expenditure is the most cost-effective possible. The lowest practically priced airfare is to be used for all journeys (domestic and other) unless there is at least five hours or more of uninterrupted flight duration, a heavy work schedule on arrival, or personal health, known health conditions, safety, or security reasons, where premium economy may be used.
	International air travel paid for by council must be authorised by resolution of Council.
	Membership of any airline club is restricted to the mayor.
Accommodation and meals	<p>When it is necessary to stay away from home overnight on Council business, the actual and reasonable costs of accommodation, meals and parking (if not provided free by the accommodation provider) are paid for by Council.</p> <p>If an elected member chooses to stay at private accommodation, a maximum allowance of \$100.00 can be paid to the person who provided the accommodation.</p> <p>Accommodation, meals and incidental expenditure must have a clear business purpose, be cost-effective, and take into consideration the following:</p> <ul style="list-style-type: none"> • The geographic location of the accommodation relative to where the elected member(s)' business is. • The standard of accommodation. • Safety and security considerations. • That additional mileage or taxi expenses are not usually required. <p>When meals do not form part of a 'package', they may be claimed on presentation of an actual and itemised receipt (not a credit card statement or photocopy). The following maximum limits for meals apply:</p> <ul style="list-style-type: none"> • Breakfast - \$25.00 (GST inclusive) per elected member per meal. Any costs over this limit are the responsibility of the individual.

Expense type	Description
	<ul style="list-style-type: none"> • Lunch - \$25.00 (GST inclusive) per elected member per meal. Any costs over this limit are the responsibility of the individual. • Dinner– \$50.00 (GST inclusive) per elected member per meal. Any costs over this limit are the responsibility of the individual. <p>When meals are provided as part of a ‘package’, additional meal expenses cannot be claimed.</p> <p>In accordance with section 5.2.1 alcohol cannot be claimed as part of a meal expense.</p> <p>An elected member’s ability to claim any daily or overnight accommodation expenses ends at the conclusion of the conference/forum or when the elected member leaves the conference/forum.</p> <p>Where the conference/forum ends at a time that does not allow the elected member to catch the last flight back to Tauranga, the ability to claim daily or overnight accommodation expenses ends at the time of the first flight to Tauranga on the following day.</p>

Use of Private Vehicle

- 5.1.3 Elected members may only claim for mileage when using their own vehicle to travel outside of the Tauranga City Council area to undertake council business. All claims for mileage must also meet the criteria for eligible travel as defined in the determination.
- 5.1.4 The council will not pay for travel by private motor vehicle where travel by other means is more practical and cost-effective.

Public Transport Travel

- 5.1.5 To promote alternative modes of transport apart from private vehicle use, elected members using public transport, including micro mobility vehicles (such as ebikes and escooters), when travelling for council business, will be reimbursed for actual and reasonable costs on presentation of receipts or evidence satisfactory to the head of strategy, governance & climate resilience.
- 5.1.6 Elected members may be issued pre-paid public transport cards for example, Bay of Plenty Regional Council ‘Bee Card’ or other such cards. These pre-paid public transport cards can only be used:
 - By the elected member it has been issued to; and
 - For travel to and from council business.

Pre-paid travel cards remain the property of council and must be return at the completion of the term.

- 5.1.7 End of trip facilities for elected members using alternative modes of transport, such as biking to work, will be provided at council’s administration building.

Use of taxis and ridesharing services

- 5.1.8 Taxis or ridesharing services may be used for council business, instead of private vehicle or public transport, for the following reasons:

- Work is past a reasonable hour.
- Safety reasons.
- When outside Tauranga on council business if a taxi or ridesharing service is the most appropriate form of transport.

5.1.9 Costs must be paid for by the individual and will be reimbursed on presentation of actual receipts.

Other travel allowances

5.1.10 Elected members cannot claim a travel time allowance as travel time is considered to be a component of the remuneration for elected members.

5.1.11 Private travel before, during or at the end of travel paid for by council is the responsibility of the individual and at no additional cost to council. The cost of any stopover paid for by council must have a clear business purpose and be pre-approved by the mayor (or deputy mayor in the case of the mayor) and chief executive.

5.1.12 The Remuneration Authority's rules on the mayoral car are to apply.

Childcare

5.1.13 An Elected Member is entitled to claim a childcare allowance on an annual basis, as per the determination rules, as a contribution towards expenses incurred by the member for childcare provided while the member is on council business. The claim must set out the actual costs incurred and paid by the member and must include a receipt or other appropriate record of payment of the annual amount paid for the childcare services provided.

Hearings

5.1.14 An elected member who acts as a chairperson or a member who is sitting as part of a hearing is entitled to be paid a fee per hour of hearing time related to the hearing as per the relevant Local Government Members Determination.

5.1.15 Hearings fees as additional payment to remuneration are not available to the mayor or acting mayor.

Home Security System

Eligibility

5.1.16 An elected member who meets the eligibility criteria set out below may claim reimbursement for a home security system up to the maximum amounts set in the relevant Local Government Members Determination for installation and annual monitoring.

5.1.17 The allowance is available only where:

- A security threat and risk assessment authorised by the Chief Executive or delegated officer confirms the need for a home security system.
- The elected members primary residence is located within the Tauranga City Council jurisdiction.

Change of Residence

- 5.1.18 If an elected member relocates their primary residence within the Tauranga City Council jurisdiction, they may apply for a new home security allowance. This application must be supported by a new security risk assessment approved by the Chief Executive or delegated officer.

Vacancy or Non-Re-election

- 5.1.20 If an elected member's position becomes vacant, including through non re-election, any allowances provided under this policy (including installation costs) during that financial year will be adjusted on a pro-rata basis to reflect the portion of the financial year during which the member held office.
- Any overpayment will be recovered by the council.
 - Monitoring or ongoing service payments will cease from the date the member vacates office.

5.2 What Expenses May Not be Claimed?

- 5.2.1 The following expenses are the responsibility of individual Elected Members and cannot be claimed:

- Medical insurance.
- Staff discounts.
- Life insurance.
- Accident insurance.
- Income replacement insurance.
- Travel, meals, and all entertainment incurred by the Elected Member's spouse or partner.
- Alcohol, including as part of meals and entertainment costs, and mini bars.
- Tips.
- Any fines (parking or traffic offences).

5.3 When Expenses May and May Not be Claimed

- 5.3.1 For the purpose of clarity, elected members may claim expenses approved by the Remuneration Authority, while carrying out council business, except those that:

- Are incurred before they are sworn in as members of Council, or after they officially leave office.
- Are incurred while not acting in their official capacity.
- Are incurred on a trip outside of the sub-region without specific approval from the mayor or a standing committee prior to the travel.
- Are incurred while on leave of absence.
- Are incurred while absent without leave.
- Are incurred while holding office illegally.
- Are related to activities that are incidental to and not the main reason for a trip or event.

5.4 When Expenses Are Paid

- 5.4.1 Expenses claimed are to be paid monthly, to coincide with a payment of the elected member's salary, provided an elected members' Expenses Claim Form with receipts attached is received in sufficient time to be included in the normal process.
- 5.4.2 All claims must be made within 60 days of expenditure occurring with the aim to keep expenditure within the year in which it occurs and is budgeted for.
- 5.4.3 All expense claims, receipt of personal gifts, and mayoral credit card expenses are published on council's website.

5.5 Use of Resources

- 5.5.1 The equipment requirements for elected members are deemed to be:
- A mobile phone.
 - A laptop.
 - A personal internet service.
 - A compatible scanner and printer
- 5.5.2 Elected members are provided with a laptop and mobile phone for all council-related work.
- 5.5.3 Elected members cannot claim an allowance for personal computer or personal mobile phone use.
- 5.5.3 Councillors may choose to be reimbursed for use of personal internet services and printer as per the current determination.
- 5.5.4 Elected members are provided with the New Zealand Herald premium media subscription service.
- 5.5.6 Elected members may use the following internal services to a reasonable level as determined by the chief executive:
- Word processing and secretarial services.
 - Postage and external courier.
 - GIS products.
 - Property files.
 - Photocopying.
 - Information technology advice and assistance.
 - Meeting rooms.
- 5.5.7 The above services, equipment or consumables are provided at no cost to elected members, to assist them in carrying out their official responsibilities and are available only:
- When holding office.
 - When not on leave of absence.
 - When not absent without leave.

- 5.5.8 None of the above is to be used by elected members for non-council business, electioneering purposes, personal communications to or through any communications medium or any communications associated with council-run referenda.

5.6 Authorisation for Conferences or professional development - New Zealand and Overseas

- 5.6.1 Attendance by elected members at conferences or professional development training in New Zealand or overseas, at council's cost, is to be approved by the mayor or chief executive. Attendance by the mayor at conferences or professional development trainings will be approved by the deputy mayor or the chief executive.
- 5.6.2 Following attendance at a conference, elected Members must provide a monitoring report back to the relevant Council committee, including costs and a synopsis of the conference.

5.7 Car Parking

- 5.7.1 Allocated car parking is provided free of charge for elected members to use while on council business at council buildings.

5.8 Receipt of Gifts

- 5.8.1 In accordance with the Local Government Act a description of each gift (including hospitality and donations in cash or kind but excluding any donation to cover expenses in an electoral campaign) received by the elected member must be recorded in the elected member's pecuniary interest register if:

- The gift has an estimated value of \$500; or
- The combined value of all gifts from the donor is more than \$500.

5.9 Leave of Absence

5.9.1 Standing Orders include provisions for elected members' leave of absence.

Criteria to consider

5.9.2 The following criteria will be considered when making decisions on leave of absence and deciding on whether this leave is to be paid or not:

- impact on the capacity of the council to conduct its business
- other members' leave of absence applied for or granted
- length of service
- whether main income source for family
- degree of certainty member will return to full participation
- risk of precedent setting
- reputational risk
 - whether a By-election cannot be held (twelve months out from a triennial election)
- alignment with Code of Conduct principles
- any unusual circumstances that could not be predicted.

5.9.3 During a leave of absence elected members are not entitled to receive any allowances or be reimbursed for expenses.

5.10 Exceptions

5.9.1 There may be exceptional circumstances, or disputes, regarding elected members expenses and resources which need to be dealt with on a case by case basis. Such cases will be dealt with by the mayor and chief executive, and any exceptions be reported back to Council. If the case concerns the mayor, the case will be dealt with by the deputy mayor and chief executive.

6. RELEVANT DELEGATIONS

6.1 The chief executive has delegated authority to implement this policy and to sub delegate their authority.

6.2 All claims made under this policy are to be made using the appropriate form and authorised by the mayor and chief executive for the head of strategy, governance & climate resilience to administer.

6.3 All claims made under this policy by the mayor are to be made using the appropriate form and authorised by the deputy mayor and one other elected member for the head of strategy, governance & climate resilience to administer.

7. REFERENCES AND RELEVANT LEGISLATION

7.1 The following are the relevant references and legislation:

- The most current Local Government Elected Members Determination.
- Local Government Act 2002, Section 54 and Schedule 7, Section 6.
- Controlling Sensitive Expenditure – Guidelines for Public Entities (Controller And Auditor General).

11.4 Status update on actions from prior Council meetings

File Number: A19660802
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 11.4 - Status update on actions from prior Council meetings - Attachment 2 - Actions requested from Council as at 19 February - public excluded	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

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** is to remain in the public excluded section to maintain the privacy of natural persons (as per s7(2)(a) of the Local Government Official Information and Meetings Act 1987).

BACKGROUND

1. This is a recurring report provided to every second Council meeting. The next report will be to the 21 April 2026 meeting.
2. The attached update includes all open actions and actions completed since the last report on 16 December 2025.
3. Once reported, completed actions are archived and made available to Elected Members in their Stellar library.⁹

DISCUSSION

4. A summary of outstanding and recently closed actions, as at 19 February 2026, is provided in the table on the following page:

⁹ 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 the public excluded agenda</i>)	10
Pending (waiting on something)	5
In progress	5
To be actioned	1
Total actions included in this report	21

5. 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 requested from Council as at 19 February 2026 - A19786413**  
2. **Actions requested from Council as at 19 February - public excluded - A19786167 - Public Excluded**

Council				Actions status update as at: 19 February 2026			
Meeting Date	Agenda Ref.	Report Name	Action required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
10 Feb 2026	11.2	Submission on Planning Bill & Natural Environment	That staff receive feedback from Te Rangapu on their views on the submission	Te Rangapu were provided an overview of the new resource management system and the high level key submission points. Once the detailed submission points were drafted they were also provided to Te Rangapu. Feedback from Te Pou Takawaenga is that there was robust discussion on the submission, but no feedback was provided back to staff. Te Rangapu have been assisted to prepare their own submission	Closed	19 Feb 2026	Christine Jones
10 Feb 2026	11.3	Draft Submission on Simplifying Local Government Proposal	That staff engage with te Rangapu & iwi chairs on the submission on Simplifying Local Government	Feedback sought from the Rangapu. They were generally happy with the submission, and as a result of their feedback the following sencece was added to the submission: "The Council also acknowledges the view of the Te Rangapū Mana Whenua o Tauranga Moana iwi/hapu representative partnership that Māori representation on council is critical to successful local governance in the region, now and in the future."	Closed	17 Feb 2026	Christine Jones
10 Feb 2026	11.1 Supplementary Agenda	Draft Annual Plan 26/27	That Staff look at OPEX savings before any levels of service changes		In progress		Craig Rice
10 Feb 2026	11.5	User Fees & Charges	That staff provide options regarding the crematorium fees for the 24 March Council meeting. That staff, for future reports leave the Te Ao section in add a statement.	Working on pricing options which will be finalised by 27 Feb for presentation	In progress		Reneke van Soest
10 Feb 2026	11.7 Supplementary agenda	Miro st Parking improvements report	That staff provide a regular report on which transport projects might be uplifted for additional savings	Reporting to the next City Delivery Committee	In progress		Reneke van Soest
16 Dec 2025	11.8	Organisational Reset - Update of Delegations	Provide elected members with a copy of the staff delegations manual and include the delegated financial		To be actioned		Craig Rice

Meeting Date	Agenda Ref.	Report Name	Action required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
29 Oct 2025	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. The Legal Team have fully updated the delegations manual and this has been signed off by Marty A couple of delegations that can only be approved by Council will need to go to the Audit & Risk meeting in the new year (2026).	Pending		Craig Rice
16 Dec 2025	11.5	Memorial Park Aquatic Centre Steering Group & timeline	Publish a list of working groups and steering groups and name the elected members on each group		Pending		Christine Jones
16 Dec 2025	11.9	Status update on actions from Council meetings	That staff highlight current updates for pending/longer term actions in red font (adding the update date) for future reports	Email sent by Governance team to staff advising of this change in process.	Closed	23 Dec 2025	Christine Jones
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.	Report considered by Council at the 10 February and 3 March 2026 Council meetings to make decisions on CCO director / Trustee appointments	Closed	19 Feb 2026	Christine Jones

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. Email received from Cr Scoular on 3 November. This information has been circulated to staff.	Closed	6 Nov 2025	Christine Jones
16 Dec 2025	11.2	Annual Plan - Options for Rates increases	That staff provide a 1 page document noting the systems Council uses for asset registers, revaluations, depreciation and planning and options to adequately resource the systems needed. An option for February 2026 If Council does not increase employee costs by 8% and what makes up the increase of \$8million; and a high level summary of potential savings by 20 January 2026.	Email sent to Elected Members requests 24 Feb by Kathryn Sharplin	Closed	24 Feb 2026	Craig Rice

Meeting Date	Agenda Ref.	Report Name	Action required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
18 Nov 2025	11.1	Wairākei Pump Station - Funding Risk	Staff to talk to The Treasury regarding discount rates	Email sent Kathryn Sharplin to Elected Members 22 December 2025, 9.44am, providing further information about the NPV calculation.	Closed	22 Dec 2025	Kathryn Sharplin
16 Sept 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.	On hold - Awaiting first 2026 meeting of Joint Transport Committee.(20 February 2026)	Pending		Reneke van Soest
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.	Detailed design and cost management underway. Report back to City Delivery Committee in Apr/May 2026.	In progress		Reneke van Soest
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 on 16 December with draft agreements. Drafting of agreements being finalised based on verbal agreement between SRL, BVL and TCC	Closed	16 Dec 2025	Reneke van Soest
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.	Due to a challenging funding landscape a further iteration on Option 3: Do Something is being worked on to return to council. The submitter has been engaged with. It transpired that he was offering volunteer labour for a low cost solution rather than expertise or machinery to deliver it	Closed	5 Feb 2026	Reneke van Soest

Meeting Date	Agenda Ref.	Report Name	Action required	Status Update (incl anticipated / actual completion date)	Status Summary	Date Closed	GM / CE Responsible
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. The Leasing team are awaiting the outcome of this workshop before deciding the appropriate course of action in relation to Haumarū Courts Leases. Where ownership of the asset sits will determine if Leases are required (if TCC Owned) or Not Required (if BVL Owned) If TCC owned then we will either need to have a new Lease drawn up with BVL or add this asset to the pre agreed BVL Asset Management Agreement. If the asset is owned by BVL then we do not need to have a lease drawn up as they will self manage the property – they however would need to have a lease drawn up with the Emergency Management Centre for use of the Mezzanine. At this stage I understand that ownership of the property currently sits with TCC.	Pending		Craig Rice
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	16 October workshop was postponed, just waiting on a reschedule date.	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
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 contracted Socialink to undertake a Community and Social Services Needs Assessment for Pāpāmoa East. This report was received on the 5th of December 2025. This report will be shared with representatives of the Wairakei Community Centre Trust.	In progress		Sarah Omundsen

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 - CCO Board appointments - Bay Venues Limited and Te Manawataki o Te Papa Limited	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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
13.2 - University of Waikato MoU and Student Accommodation	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
13.3 - Special litigation report	s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons 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)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment s7(2)(g) - The withholding of the	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

	<p>information is necessary to maintain legal professional privilege</p> <p>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)</p>	
<p>Confidential Attachment 2 - 11.4 - Status update on actions from prior Council meetings</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>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</p>

14 CLOSING KARAKIA