

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Community Committee will be held on:

Date: Tuesday 10 September 2024

Time: 9:30 am

Meeting Room: Council Chamber and Audio-Visual Link
Venue: Municipal Building, Garden Place, Hamilton

Lance Vervoort Chief Executive

Community and Natural Environment Committee Te Roopuu Haapori me te oranga o te Taiao OPEN AGENDA

Membership

Chairperson

Cr Kesh Naidoo-Rauf

Heamana

Deputy Chairperson

Heamana Tuarua

Cr Anna Casey-Cox

Members Mayor Paula Southgate

Deputy Mayor Angela O'Leary
Cr Maxine van Oosten
Cr Moko Tauariki
Cr Sarah Thomson
Cr Ewan Wilson
Cr Mark Donovan
Maangai Olly Te Ua
Cr Andrew Bydder
Cr Geoff Taylor
Cr Sarah Thomson
Cr Emma Pike
Cr Maria Huata
Cr Tim Macindoe

Cr Louise Hutt

Quorum: Two monthly

Meeting Frequency: Six weekly

Amy Viggers Mana Whakahaere Governance Lead

30 August 2024

Telephone: 07 838 6699 Amy.Viggers@hcc.govt.nz www.hamilton.govt.nz

Purpose

The Community and Natural Environment Committee is responsible for:

- 1. Guiding and monitoring the provision of strategic community infrastructure and services to meet the current and future needs of the city and the enhanced wellbeing of its communities.
- 2. Governance of recreational, community facilities, amenities, and events.
- 3. Facilitating community and stakeholder involvement and discussion on community infrastructure, community safety, and community wellbeing matters.
- 4. Ensuring Hamilton is performing to the highest standard in the area of civil defence and emergency management.
- 5. The execution of Council's infrastructure and operational plans and strategies across Community asset classes.
- 6. Funding to benefit the social, cultural, physical, and arts wellbeing of communities in Hamilton.
- 7. Governance of strategies, policies and plans relating to the wellbeing, protection, enhancement, and sustainability of Hamilton's natural environment as identified in this terms of reference.

In addition to the common delegations on page 10, the Community and Natural Environment Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

- 8. To provide direction on strategic priorities and resourcing for community infrastructure aligned to city's overall development and oversight of strategic projects associated with those activities.
- 9. To develop policy, approve community-related strategies and plans, and monitor their implementation.
- 10. To receive and consider presentations and reports from stakeholders, government departments, organisations, and interest groups on community development and wellbeing issues and opportunities.
- 11. To monitor Hamilton's social demographics and social climate to assess current and future impacts on the Council and Hamilton communities.
- 12. To monitor the performance of Hamilton's civil defence and emergency management response against Council's requirements under the Civil Defence Emergency Management Act including:
 - a) implementation of Government requirements;
 - b) contractual service delivery arrangements with the Waikato Regional Group Emergency Management Office
- 13. To determine the funding priorities for the Community Grants Allocation Committees, in line with the Community Assistance Policy, Long Term Plan and Annual Plan.
- 14. To determine the priority of Council projects suitable for contestable and philanthropic funding, excluding NZTA funding.
- 15. To coordinate and make decisions on proposals, applications for external funding, and the distribution of Council funding and funding provided to Council for public art, recreational and community facilities, and amenity.

- 16. To develop policy, approve, and monitor implementation of plans and strategies in relation to the performance of Council's investments in the Domain Endowment Fund and strategic property.
- 17. To develop policy, approve strategies and plans for the sustainable use of Hamilton's natural resources, and to monitor their implementation as identified in this terms of reference.
- 18. To develop policy, approve strategies and plans for Council's corporate environmental sustainability, and to monitor their implementation.
- 19. To develop policy, approve strategies and plans for Council's biodiversity, and to monitor their implementation.

Special Notes:

• The Committee may request expert external advice through the Chief Executive as necessary.

The Committee is delegated the following powers to act:

- Approval of Reserve Management Plans.
- Performing the Council's functions, powers, and duties (excluding those matters reserved to the Council by law, by resolution of the Council or as otherwise delegated by Council) under the Burial and Cremation Act 1964 and the Reserves Act 1977.
- Approval of purchase or disposal of land for parks and reserves required for designated works or other purposes within the Committee's area of responsibility which exceeds the Chief Executive's delegations and is in accordance with the Annual Plan or Long Term Plan.
- Approval of applications for Council projects suitable for contestable and philanthropic funding.
- Approval of funding for recreational and community facilities and amenities in accordance with the Long Term Plan.
- Approval of public art proposals put forward by the community and/or Council in accordance with the Public Art Development Process and approved budget.
- Approval of the Heritage Fund grant allocation in line with the Heritage Plan.
- Approval of matters determined by the Committee within its Terms of Reference.
- Approval of acquisition or sale or lease of properties owned by the Domain Endowment Fund
 consistent with the Domain Endowment Fund Investment Policy, for any endowment properties.
 Note that if the Mayor and Chair consider that a final decision is more appropriately made by
 Council due to it's significance, they may direct that and decision remains recommendatory,
 requiring ratification by Council.

The Committee is delegated the following recommendatory powers:

- The Committee may make recommendations to Council.
- The Committee may make recommendations to other Committees.

Recommendatory Oversight of Strategies:

- Nature in the City
- Open Spaces Strategy
- Play Strategy
- Arts and Culture Strategy
- Age Friendly Plan
- He Rautaki Whakawhanake Hapori Community & Social Development

Recommendatory Oversight of Policies and Bylaws:

Alcohol Control Bylaw

- Animal Nuisance Bylaw
- Citizens Initiated Referenda Policy
- City Honours Policy
- Class 4 Gambling Venue Policy
- Community Assistance Policy
- Community Occupancy Policy
- Cemeteries and Crematorium Bylaw
- Cultural and Recreational Facilities Bylaw
- Disability Policy
- Dog Control Bylaw
- Dog Control Policy
- Domain Endowment Fund Policy
- External Funding Applications Policy
- Monuments and Memorials Policy
- Naming of Roads, Open Spaces and Council Facilities Policy
- Open Space Provision Policy
- Parks, Domains and Reserves Bylaw
- Permanent Public Art Policy
- Provisional Local Alcohol Policy (if developed)
- Psychoactive Substances (Local Approved Products) Policy
- Prostitution Bylaw
- Public Places Bylaw
- Trading in Public Places Policy
- Safety in Public Places Bylaw
- Smokefree and Vapefree Outdoor Areas Policy
- TAB Board Venue Policy

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1 Apologies – Tono aroha

2 Confirmation of Agenda – Whakatau raarangi take

The Committee to confirm the agenda.

3 Declaration of Interest – Tauaakii whaipaanga

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum – Aatea koorero

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Chair.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Council Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6699.

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: James Winston II **Authoriser:** Michelle Hawthorne

Position: Governance Advisor **Position:** Governance and Assurance

Manager

Report Name: Confirmation of the Open Community and Natural Environment

Committee Minutes - 11 June 2024

Report Status Open

Staff Recommendation - Tuutohu-aa-kaimahi

That the Community and Natural Environment Committee confirm the Open Minutes of the Community Committee Meeting held on 11 June 2024 as a true and correct record.

Attachments - Ngaa taapirihanga

Attachment 1 - Confirmation of Community and Natural Environment Committee Open Minutes 11

June 2024



Community and Natural Environment Committee Te Komiti Haapori me te Oranga o te Taiao OPEN MINUTES

Minutes of a meeting of the Community and Natural Environment Committee held in the Council Chamber and via Audio-Visual Link, Municipal Building, Garden Place, Hamilton on Tuesday 11 June 2024 at 9:30am.

PRESENT

Chairperson Cr Kesh Naidoo-Rauf

Heamana

Deputy Chairperson Cr Anna Casey-Cox (via audio-visual)

Heamana Tuarua

Members Mayor Paula Southgate

Cr Andrew Bydder (via audio-visual)

Cr Mark Donovan Cr Louise Hutt Cr Tim Macindoe

Cr Maxine van Oosten (via audio-visual)

Cr Emma Pike (via audio-visual)

Cr Sarah Thomson Cr Ewan Wilson Maangai Olly Te Ua

M Noor of the Waikato Muslim Association opened the meeting with a prayer.

1. Apologies – Tono aroha

Resolved: (Cr Naidoo-Rauf/Cr Hutt)

That the apologies for absence from Deputy Mayor O'Leary, Cr Taylor and Cr Tauariki; for partial attendance from Cr Hutt and Cr Casey-Cox and lateness from Mayor Southgate are accepted.

2. Confirmation of Agenda – Whakatau raarangi take

Resolved: (Cr Naidoo-Rauf/Cr Hutt)

That the agenda is confirmed noting that the late report Item 11 (West Town Belt Development Project Update) is accepted. This report is unable to wait until a future meeting of the committee as there are works that require additional budget allocation to safely resolve in a timely manner.

3. Declarations of Interest – Tauaakii whaipaanga

Councillor Hutt declared an interest in Item 8 (Papa Ahuareka O Kirikiriroa Hamilton Open Spaces Strategy Update). She noted that she was not conflicted and would take part in the discussion and vote on the matter.

4. Public Forum – Aatea koorero

No members of public wished to speak in the Public Forum.

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Confirmation of the Open Community and Natural Environment Committee Open Minutes - 9 April 2024

Resolved: (Cr Naidoo-Rauf/Cr Hutt)

That the Community and Natural Environment Committee confirm the Open Minutes of the Community Committee Meeting held on 9 April 2024 as a true and correct record.

6. Civil Defence Emergency Management (CDEM) Quarterly Report

The Safety and Resilience Unit Director spoke to the report introducing the new Hamilton Civil Defence Emergency Management Local Controller. Staff responded to questions from Members concerning key natural hazards, earthquake risk, community engagement, new legislation, flood depression areas and preparedness, mana whenua in Civil Defence, Climate Risk Assessment and mitigation for extreme weather events.

Staff Action: Staff undertook inform Committee Members of known of key areas in Hamilton identified for high autumn leaf fall and the mitigation for extreme weather events.

Staff Action: Staff undertook to organise an opportunity for Members to discuss Civil Defence Emergency Management resourcing and the education of residents for preparedness for an extreme weather event.

Resolved: (Maangai Te Ua /Cr Pike)

That the Community and Natural Environment Committee:

- a) receives the report; and
- b) formally endorses the appointment of Claire Toko as a Hamilton Civil Defence Emergency Management Local Controller.

Mayor Southgate joined the meeting (9.48am) during the discussion of the above item. She was present when the matter was voted on.

7. Aquatics Strategy and River Safety Update

The Aquatics Director highlighted aspects of the report including the increased aquatic users, events and river safety. Staff responded to questions from Members concerning personal rescue equipment, river safety education, women's only swimming, funding for water safety, removal of river jetties, maintenance of facilities, swimming lessons affected by events, external partnerships opportunities and the economic benefit of Swimming New Zealand events.

Staff Action: Staff undertook to provide the Members with information on the number of Harbour Masters on the Waikato River between Cambridge and Ngaruawahia.

Resolved: (Cr Naidoo-Rauf/Cr Donovan)

That the Community and Natural Environment Committee:

- a) receives the report; and
- notes that the next annual report on the progress of the Hamilton City Council Aquatics Strategy will be presented to the Committee in early 2025.

8. Papa Ahuareka O Kirikiriroa Hamilton Open Spaces Strategy Update

The Parks and Recreation Manager took the report as read. Staff responded to questions from Members concerning programmes to improve water quality at Lake Rotoroa, mapping of open spaces and funding from NZTA for walking/cycling pathways and the future of no mow areas.

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Community and Natural Environment Committee 11 JUNE 2024 - OPEN

Staff Action: Staff undertook to provide Members with further information the behaviour of water fowl on and off Lake Rotoroa.

Resolved: (Mayor Southgate/Cr Naidoo-Rauf)

That the Community and Natural Environment Committee receives the report.

9. He Rautaki Whakawhanaki Hapori (Community and Social Development Strategy) Annual Update/Welcoming Plan Update/Age Friendly Plan Update

The Community Advisor and Grants Manager highlighted projects over the year in the report. Staff responded to questions from Members concerning the value of the plans developed around the strategies.

Resolved: (Cr Naidoo-Rauf/Cr Casey-Cox)

That the Community and Natural Environment Committee receives the report.

The meeting was adjourned at the conclusion of the above Item from 11.14am to 12.06pm.

Councillor Hutt retired from the meeting during the above adjournment.

10. Disability Action Plan Annual Update

The Disability Advisor spoke to the report and highlighted barrier free accessibility audits, uptake of New Zealand Sign Language training and uptake of accessibility advice at the start of projects.

Resolved: (Cr Thomson/Maangai Te Ua)

That the Community and Natural Environment Committee receives the report.

11. West Town Belt Park Development Project Update

The Parks and Recreation Unit Director introduced the report and outlined the financial aspects of the report. Staff responded to questions from the Members concerning the demolition projection in particular the unknown indication of asbestos in the Founders' Theatre building and due diligence of the initial survey, redevelopment of the site, and alternative funding to develop the green space.

Staff Action: Staff undertook to investigate opportunities for revenue generation in terms of commercial partnerships and philanthropic donations to develop Stage 2 of the project.

Resolved: (Cr Naidoo-Rauf/Cr Donovan)

That the Community Committee

- a) receives the report;
- approves the Project Budget increase for Stage one works to \$3,654,380 which includes an increased new contract sum \$2,757,709 for CON0001592-2022 Demolition of Founders Theatre; and
- notes that any balance of funding from the \$4,165,000 West Town Belt Development Project funding will be directed to complete basic development of Boyes Park.

The meeting was declared closed at 1.02pm.

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Council Report

Committee: Community and Natural

Environment Committee

Governance Lead

Authoriser: Michelle Hawthorne

10 September 2024

Date:

Author: Amy Viggers

Position: Governance and Assurance

Manager

Report Name: Chair's report

Position:

| Report Status | Open |
|---------------|------|
|---------------|------|

Recommendation – Tuutohu

That the Community and Natural Environment Committee receives the report.

Attachments - Ngaa taapirihanga

Attachment 1 - Chair's Report



Chair's Report

Our city has been buzzing with events and community initiatives! Cr Anna and I have been actively engaging with as many groups as possible and attending numerous events. We're also excited for Welcoming Week in September and encourage all elected members to participate in as many activities as they can. A big thank you to the many groups hosting events during Welcoming Week 2024.

I'd also like to recognize Cr Louise and DM Angela for their valuable work in this portfolio. They've provided brief updates on their efforts, which are included at the end of this report.

Out and about

Deputy Chair Anna and I recently had the pleasure of meeting with our Visitor Destination and Library teams as we prepared for the LTP. We wanted to hear directly from the staff about the challenges and opportunities they are facing. Our Visitor Destinations have seen strong growth in recent times, as highlighted in the reports to the Economic Development Committee. It's clear that these community-funded facilities are highly valued by Hamiltonians. Cr Anna and I extend our thanks to the VD and Library teams and their passionate leaders for taking the time to meet with us and, most importantly, for their dedication to keeping these cherished destinations thriving.

Here are some gems we discovered during our visits! (Prizes for EMs who can decipher the Election results from 1878!)

Waikato Museum with director Liz Cotton:









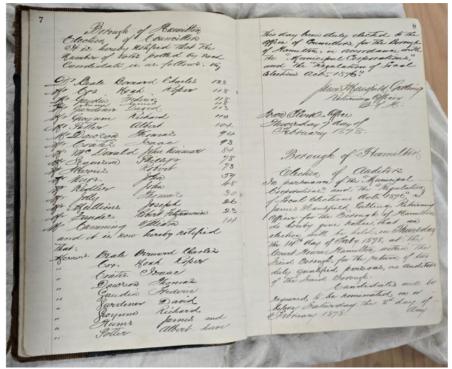
Hamilton Gardens with Lucy Ryan (April 2024):





Central Library archives:





An update from newly appointed Creative Ambassador Deputy Mayor Angela:

Since being appointed as Hamilton's Creative Ambassador by Council, I've had the privilege of spending the past several months immersing myself in our city's vibrant creative sector.

This journey will eventually take me to over 50 groups and organisations, and I'm now a little over halfway through these visits.

Already, some interesting challenges and common themes have emerged. It's no surprise that funding remains the top concern for everyone I've met with - an issue familiar to all elected members. However, it's not just the amount of funding that's challenging; it's also the relentless cycle of applying year after year. This process is particularly tough for organisations that rely heavily on volunteers. I believe we must continue to explore ways to improve how we support the creative sector in our city.

The motions I proposed through the Long-Term Plan were shaped by some of these early conversations, and I'm grateful for the Council's support. Yet there's still much work to be done in this space.

In my meetings with the theatres, I was heartened by the optimism from the Meteor and Clarence theatres about the upcoming opening of the Waikato Regional Theatre. This enthusiasm was shared by the regional theatre manager Gus Sharp, and I'm confident that our theatres will collaborate to create an even stronger theatre scene in Hamilton.

Other issues that have been raised with me include a lack of exhibition gallery space and a shortage of music and dance rehearsal spaces in the city. I'd like to plant the seed that addressing these needs could greatly benefit our community in the future. A community arts hub, in particular, Could be a significant driver and valuable addition to Hamilton's creative landscape. It would also go some way to helping solve the lack of "community space" for this sector.

An update on the disability and aged-friendly spaces from Cr Lousie

Disability:

It's been a fairly brutal and distressing few months to be a disabled person in Aotearoa. Our community is facing abrupt and punitive changes to supports and frameworks at a national level, thanks to government direction at Whaikaha (Ministry of Disabled People) and Ministry of Social Development. While local government has no influence over these areas, I'm grateful to our staff and their continued commitment to inclusivity and breaking down barriers to access across many areas of Council.

One example is the recent loading zone installed on Memorial Drive, after requests from an elderly user of the Memorial & Parana Park. They highlighted the difficulties for rest home drivers and mobility vans who are unloading passengers, staff worked with them to understand the issue, and the most recent Traffic Panel approved the changes. It's small, thoughtful things like making sure everyone in our city can enjoy our beautiful parks by knowing they can get to them safely.

I also recently attended a para-table tennis night at the Waikato Table Tennis Association in Edgecombe Park. It's a collaboration between eight organisations, including Paralympics New Zealand and Table Tennis New Zealand. They've seen record numbers of participants and have re-run the 8 week programme due to demand. It's open to all ages and abilities, and they've custom-built

tables to accommodate different disabilities. Certainly with the Olympics and Paralympics in Paris, there are many athletes to look up to and more people inspired to give sports a go. Matthew Britz, New Zealand Paralympic table tennis player, was competing at the Waikato Table Tennis stadium in August, before flying out to Paris. Council completed an upgrade of the Edgecombe Park carpark not too long ago and, at the request of the club, doubled the amount of mobility parking spaces available due to inclusive events like these.

Age Friendly:

The Age-Friendly Steering Group continues to meet regularly and is currently reviewing the Age-Friendly Plan and its terms of reference. It's been meaningful to acknowledge work completed and jobs ticked off, while still continuing to discuss ongoing issues and concerns for older people in our city.

I attended the Age Concern Waikato strategy day earlier in the year, and one key theme that I'm frequently seeing is access to technology, impact of climate change, and the intersection of staying informed and safe during a national disaster. We particularly talked through heat waves and their impact on older people, as well as their increased likelihood in Kirikiriroa Hamilton. It was useful to network with other invited guests and better understand the critical work Age Concern Waikato is doing in this space.

Housing also continues to be an area of interest for the steering group - and there have been recent articles in the Listener about the realities facing many older women in particular; "This is the face of female poverty in retirement: cheap food, rationed, in a cold rental house. The Massey University retirement income calculations talk of "no frills" options, and like Maria, for many women "no frills" would be better described as "threadbare"". While the retirement village industry seems to be booming, it's important to keep in mind that not everyone can afford that lifestyle and ensure that the wellbeing of older renters doesn't fall through the gaps in our planning and decision-making.

Recommendation

That the Community and Natural Environment Committee receives the report.

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Karen Kwok **Authoriser:** Helen Paki

Position: Recreation and Community **Position:** General Manager Customer

Facilities Senior Advisor and Community

Report Name: Community Occupancy Applications Report - Hamilton Marist Rugby

Football Club, Shinjokai Karate-Do Associaion and Waikato Chinese

Association

| Describ Challer | |
|-----------------|------|
| Report Status | Open |

Purpose - Take

- 1. To seek approval from the Community and Natural Environment Committee to add land area of 3,000m² to the Hamilton Marist Rugby Football Club Incorporated draft lease agreement, to enable development of a junior artificial turf.
- 2. To seek approval from the Community and Natural Environment Committee to grant two new community occupancy leases; to Shinjokai Karate-Do Incorporated for Frankton Railway Institute Hall at Frankton Railway Park, and The NZ Chinese Association (Waikato Branch) Incorporated at Glenview Park.

Staff Recommendation - Tuutohu-aa-kaimahi

- 3. That the Community and Natural Environment Committee:
 - a) receives the report,
 - b) approves the addition of 3,000m² of land (junior artificial turf) to Hamilton Marist Rugby Football Club Incorporated draft community occupancy lease agreement, under section 54(1)(b) of the Reserves Act 1977, making the new total land area for artificial turfs at Marist Park, 13,958m². The additional land being Section 8 SO 462723, as shown in Attachment 3;
 - c) notes that final approval of the community occupancy agreement for the artificial turf and floodlights was delegated to the General Manager Customer and Community at the 26 October 2023, Community and Natural Environment Committee Meeting;
 - d) approval to grant a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to *Shinjokai Karate-Do Incorporated* for Frankton Railway Institute Hall, being 307m² on Frankton Railway Park, as shown on Attachment 4, being part of lot 1 DPS 37471, subject to the following terms and conditions:
 - i. Term 10 years;
 - ii. Rent \$1,535 plus GST per annum
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines; and

- e) approval to grant a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to *The NZ Chinese Association Incorporated Waikato Branch* for land area of 346m² at Glenview Park, as shown in Attachment 5, being Part Lot 72 DPS 9791, subject to the following terms and conditions:
 - i. Term 10 years;
 - ii. Rent \$261.19 plus GST per annum, in accordance with the Community Occupancy Policy; and
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.

Executive Summary - Whakaraapopototanga matua

- 4. Hamilton Marist Rugby Football Club Incorporated (Marist) have secured funds to develop a junior artificial turf with lights adjacent to the recently completed full-sized rugby artificial turf at Marist Park. The club is seeking approval to extend the leased land area to enable the build. There is no financial cost to Council for this project.
- 5. Shinjokai Karate-Do Incorporated (Shinjokai) and The NZ Chinese Association Incorporated Waikato Branch (WCA have applied for a new community occupancy lease. The community groups are eligible for community occupancy and have been assessed in accordance with the Community Occupancy Policy (Policy) and Guidelines.
- 6. Staff recommend approval of the two 10-year community occupancy leases and the proposed additional land area as outlined in the recommendation.
- 7. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background - Koorero whaimaarama

Hamilton Marist Rugby Football Club Incorporated (Marist)

- 8. In preparation for the Long-Term Plan, Sport Waikato commissioned Visitor Solutions to complete an 'Artificial turf needs and demand analysis report' on behalf of Hamilton City and Waipa District Council. The report recommended three artificial turfs (1 rugby and 2 football) within Hamilton to help meet field network demand shortfalls, mitigate climatic conditions impacting field condition and utilisation, and due to water supply availability constraints. Marist Park was identified as a suitable location recommended for a 1.5 size artificial turf.
- 9. On the <u>26 October 2023</u>, the Community and Natural Environment Committee approved a 25-year lease to Marist for the land footprint of the clubhouse and cricket nets, and approved inprincipal the inclusion of land area to enable development of a full-sized rugby artificial turf and floodlights at Marist Park within a Community Occupancy Agreement. The resolution delegated final approval of the community occupancy agreement to the General Manager Customer and Community.
- 10. Marist met the terms and conditions of the in-principal approval outlined in the resolution and constructed the artificial turf with floodlights in early 2024, with the opening on Saturday 25 May (Attachment 1).
- 11. Since opening the artificial turf has had an average of 35-40 hours of use per week, an increase from the 8 hours per week soil use. Primarily it has been used for the rugby winter season including juniors through to presidents club rugby. Spring and Summer bookings include Gaelic football, lacrosse, touch rugby, football and gridiron. Tournament use by various sports is also being considered.

12. Marist is now seeking approval to add a junior half size artificial turf, adjacent to existing full-size rugby artificial turf. With fundraising now complete, the addition of a smaller turf helps maximise junior use, provides a warm-up surface and enables more tournament style events to be accommodated at Marist Park. It also protects the main artificial surface by avoiding mud and grass being taken onto the competition playing surface.

Shinjokai Karate-Do Incorporated (Shinjokai)

- 13. Shinjokai have leased the Council owned building, Frankton Railway Hall at Frankton Railway Park since 2013.
- 14. Shinjokai was first established in 2002 and were incorporated in February 2014 (Reg: 2597122).
- 15. Their current three-year lease expired on 31 December 2022, and they have been on a rolling monthly agreement since then.

The NZ Chinese Association Incorporated - Waikato Branch – (WCA)

- 16. WCA (CC24723) have been located at Glenview Park since 1991.
- 17. WCA was established in 1934, and in 1991 they purchased the Glenview Community Centre Hall.
- 18. Their current 20-year land only lease from Council expires on the 31 December 2024.

Discussion - Matapaki

Hamilton Marist Rugby Football Club Incorporated (Marist)

- 19. Following approval of a community lease for the Marist clubhouse and cricket nets and inprincipal approval of land area via a community occupancy agreement to enable the rugby artificial turf development, Marist have been provided with two *draft* 25-year land lease agreements as per below;
 - i. Marist clubhouse and cricket nets; and
 - ii. Artificial turf (including floodlights and concrete bleachers) including an operating agreement in the Appendix.
- 20. The reason for the separate leases is to enable the artificial turf lease to be easily assigned to a Trust governance model, should a governance model eventuate in future with any additional artificial turf developments in Hamilton City.

Facility Development Proposal – junior artificial turf

- 21. Marist are seeking approval of additional land area to enable a junior artificial turf with lights to be constructed adjacent to the existing full-sized rugby artificial turf, **Attachment 2** for concept) of this report. The club is proposing to start construction in October 2024 and finish March 2025.
- 22. The artificial turf product would be the same as the existing turf, a fourth-generation cork-infill system. The turf would have LED lighting suitable for training and junior game standards and include multi-sport line markings for touch, ripper rugby and futsal.
- 23. Marist have secured the full \$650,000 build cost from Trust Waikato and other private funders.
- 24. Marist have obtained resource consent and applied for building consent on the 24 July 2024.
- 25. The original Committee resolution approved approximately 10,000m² of land required to enable the artificial turf and floodlights. Staff recommend the Committee approve an additional land area of 3,000m² to allow for the development of the additional junior turf field. The new total land lease area will be 13,958m², as shown in **Attachment 3.**
- 26. The proposed rent is \$2,412.48 plus GST per annum, based on land area of 13,958m², calculated in accordance with the Policy.

- 27. Staff recommend approval of the additional land area, if approved this area would be added to leased area in the draft artificial turf lease agreement.
- 28. The final approval of the community occupancy agreement for the artificial turf and floodlights was delegated to the General Manager Customer and Community at the 26 October 2023, Community and Natural Environment Committee Meeting.

Shinjokai Karate-Do Incorporated (Shinjokai) – Frankton Railway Institute Hall

- 29. Shinjokai purpose is to provides marital arts and self-defence activities and programmes.
- 30. Shinjokai has a monthly membership system that has ranged from 37-51 members during 2024 and 15 volunteers. Membership has been stable over the last 5 years.
- 31. Frankton Railway Hall is used four nights a week and on Saturday morning and Sunday afternoon. Shinjokai hire the hall to Norris Academy martial arts (2 nights per week) and Mau Rakau traditional Māori martial art (2 times a week), in addition to other casual use.
- 32. The leased area (Lot 1 DPS 37471) is reserve land classified for the purpose of recreation reserve under the Reserves Act 1977. Shinjokai's lease is in conformity with the Operative Sports Park Management Plan 2009, and on this basis public notification is not required.
- 33. The proposed leased area is shown in **Attachment 4**, includes the ground floor and a small upstairs area.
- 34. The proposed rent is \$1,535 plus GST per annum, based on a building category 4 and building area of 307m², calculated in accordance with the Policy.
- 35. Staff recommend granting a community group lease to Shinjokai for a term of ten years which is the maximum term for a Council owned building under the Policy.

The New Zealand Chinese Association (Waikato Chinese Association - WCA)

- 36. WCA have applied for a 15-year land lease. WCA is one of 14 branches of the New Zealand Chinese Association. Their purpose is to provide Chinese residents with a connection for their social, recreational, cultural and education wellbeing.
- 37. WCA have a committee of ten volunteers and a casual membership system of around 75. Membership numbers fluctuate and are hard to quantify because 'a membership' could be for a family or an individual and typically people pay to attend their events.
- 38. WCA gather 6-8 times per year for cultural events such as Chinese New Year and the Dragon Boat Festival. Cultural celebrations include food and activities, playing games such as table tennis and pickle ball. They also host sport days for the other branches of the New Zealand Chinese Association.
- 39. The WCA committee manages the facility as a bookable community space, the building is made up of recreation hall with a stage, meeting/social room and two kitchens. WCA hire the hall to the following regular users:
 - i. Wind in the Willows care for children at Glenview Primary School before and after school care Monday to Fridays, and school holiday programmes
 - ii. Premble Mount Christian Group Sunday mornings
 - iii. Kung Fu Tuesday and Thursday evenings
 - iv. Other less regular users include dance groups, a school group and birthday parties.
- 40. The lease is on land classified for the purpose of recreation reserve under the Reserves Act. WCA lease is in conformity with the Sports Parks Management Plan 2009, and on this basis public notification is not required. WCA activities are permitted under the Operative District Plan.
- 41. The proposed land lease area is shown in **Attachment 5**, comprising the WCA owned building, Council owned changing rooms and a playground sit adjacent to the centre.

- 42. The proposed rent is \$261.19 plus GST per annum, based on a land area of 346m², calculated in accordance with the Policy.
- 43. Staff recommend granting a lease for a term of 10 years, due to some sustainability concerns with membership numbers, low facility usage by WCA and reliance on the current volunteer committee members to run the facility.
- 44. In support of a new lease, WCA own the building and are providing a bookable community facility. The activities support a culturally rich and vibrant community. A 10-year term is 5 years less than the maximum term for a community group owned building on Council owned land, under the Policy.

Options

- 45. There are three options available to the Committee to consider:
 - **Option 1** is to approve the community occupancy agreements and additional land area within Marist draft lease, covered in this report as per recommendations.
 - **Option 2** is to approve the community occupancy agreements and additional land area within Marist draft lease covered in this report but amend terms or add conditions.
 - **Option 3** is to not approve one or more of the recommendations covered in this report.
- 46. Staff recommend **Option 1** to provide security of tenure and continued operation of community activities and to enable Marist to construct a junior artificial turf. If the agreements in this report are not approved, the community groups will be unable to continue to operate from the leased sites and Marist will be unable to construct the junior artificial turf.

Financial Considerations - Whaiwhakaaro Puutea

47. In accordance with the Policy, the annual rental is calculated by first determining the market rate and then applying the applicable rental subsidy, as per below:

| Lease | Market rental | Subsidy | Annual rental rate | |
|-----------|---------------|---------|--------------------|--|
| | | | (plus GST) | |
| Marist | \$19,299.80 | 87.5% | \$2,412.48 | |
| Shinjokai | \$12,280 | 87.5% | \$1,535 | |
| WCA | \$2,089.50 | 87.5% | \$261.19 | |

- 48. All community groups in this report meet the parameters to receive the standard rental subsidy of 87.5%, as per the Policy.
- 49. WCA as building owners are responsible for all building maintenance, utilities, operational costs and rates.
- 50. Shinjokai are in a Council owned building. Responsibility for building renewals and insurance rest with Council, whilst the club are responsible for day-to-day repairs, utilities, operational costs and rates.
- 51. Marist are proposing to fully fund the junior artificial turf and hence there is no proposed financial cost to Council for this facility development project.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

52. Staff confirm that all groups are eligible for community occupancy and have been assessed in accordance with the Policy and Guidelines. Granting of the leases are in accordance with the Policy.

53. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

Climate Change Impact Statement

- 54. Staff have assessed the lease recommendations for WCA and Shinjokai, against the Climate Change Policy for both emissions and climate change adaptation. There are no direct emissions and climate change adaptations associated with the WCA and Shinjokai lease recommendations.
- 55. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation.
- 56. A high-level adaptation assessment was undertaken as part of the full-sized rugby artificial turf and floodlights proposal. The artificial turf(s) help to reduce some of the climate change challenges with Marist Park soil fields, being field closures and poor condition due to wet the winter climate and water supply availability issues in summer climate.
- 57. A high-level emissions assessment has been undertaken, and whilst the production of the turf would create some emissions, advancements in turf product technology have reduced the environmental impact. The fourth-generation turf product Marist are proposing uses an organic cork infill system, which can be recycled and contains heat reducing properties. The main benefit of an artificial turf over soil is that it enables a higher level of service to the community, by providing four times the usage capacity than of a soil field.
- 58. The floodlights will be LED thereby reducing the energy usage.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 59. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 60. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below. The recommendations set out in this report are consistent with that purpose.

Social

61. Approval of the staff recommendations supports community groups to expand programmes and services, strengthens the community connection with Council, encourages a sense of belonging and social wellbeing.

Economic

62. Approval of the staff recommendations supports community groups to provide services and activities that increase vibrancy in the city and supports families to live here.

Environmental

- 63. Approval of the staff recommendations supports community groups to utilise parks and open spaces in a way that ensures green spaces in the city are used and treasured by the community.
- 64. The rationale for Council consideration of artificial turf fields is largely linked to environmental challenges, being climatic conditions impacting soil field condition and water supply availability. The environmental performance of artificial turf options has been a key consideration in selecting the preferred turf product type.

Cultural

65. Approval of the staff recommendations support the opportunity for individuals and communities to participate in recreational, cultural and social wellbeing activities.

Risks - Tuuraru

66. There is low risk to the Council in granting the community occupancy agreements recommended in this report.

Significance & Engagement Policy - Kaupapa here whakahira/anganui

- 67. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.
- 68. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - Ngaa taapirihanga

- Attachment 1 Hamilton Marist Existing rugby artificial turf
- Attachment 2 Hamilton Marist proposed junior artificial turf
- Attachment 3 Hamilton Marist additional land area to include in lease
- Attachment 4 Shinjokai Karate-Do leased area map
- Attachment 5 The NZ Chinese Association (Waikato Branch) leased area map

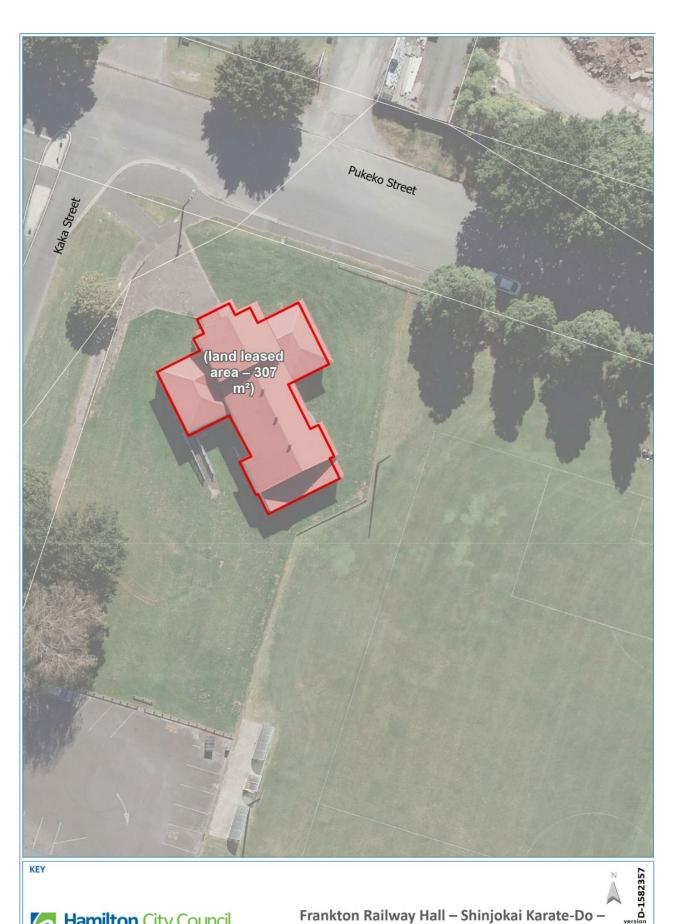
Hamilton Marist Rugby Football Club – Rugby artificial turf – Marist Park





Hamilton Marist Rugby Football Club – Proposed junior artificial turf – Marist Park

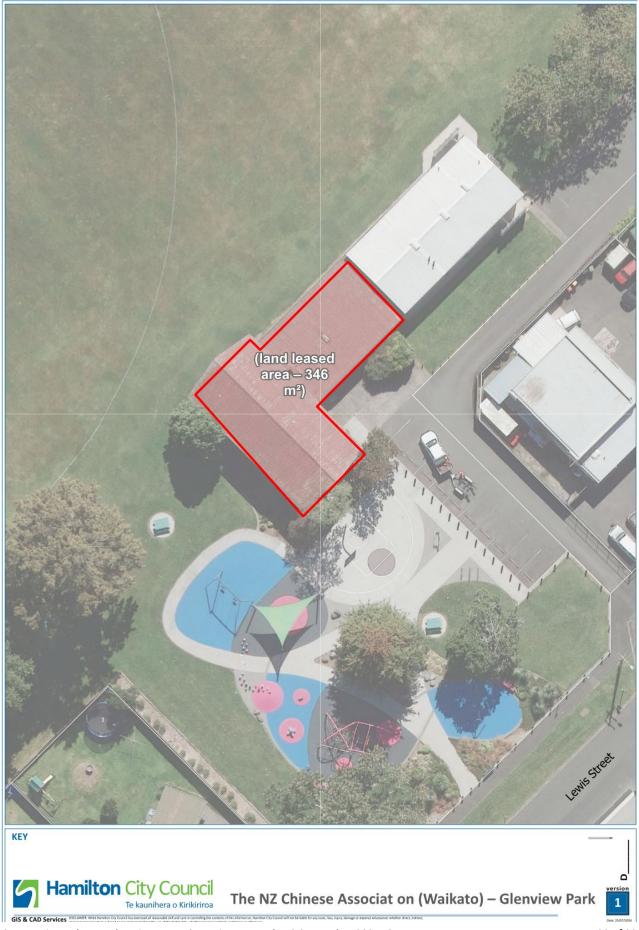




Hamilton City Council

Frankton Railway Hall – Shinjokai Karate-Do –

Frankton Railway Park



Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Helen Paki **Authoriser:** Helen Paki

Position: General Manager Customer **Position:** General Manager Customer

and Community

Report Name: General Managers Report

and Community

| Report Status | Open |
|---------------|------|
|---------------|------|

Purpose - Take

1. To inform the Community and Natural Environment Committee on topical issues, areas of concern, and items which need to be brought to the Committee Member's attention, but which do not necessitate a separate report or decision.

Staff Recommendation - Tuutohu-aa-kaimahi

- 2. That the Community and Natural Environment Committee:
 - a) receives the report; and
 - b) notes the deferral of the Art in Infrastructure Policy briefing to a future meeting in early 2025.

Executive Summary - Whakaraapopototanga matua

- 3. This report provides an update to the Community and Natural Environment Committee from K'aute Pasifika Trust on the Village Hub development staging and timeframes for completion along with the early learning centre and Fale operations since opening at Hinemoa Park.
- 4. The report also outlines advise elected members of the intention to bring the Art in Infrastructure Policy back to a future meeting in 2025.
- 5. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Background - Koorero whaimaarama

K'aute Pasifika Trust

- 6. K'aute Pasifika Trust (K'aute) were the preferred applicant following an expression of interest process in 2017 for the former Stadium Bowling Club site located on Hinemoa park, when the club folded.
- 7. K'aute proposal was to develop a \$10.6 million Pan Pasifika Hub that provides a range of health and wellbeing, education, cultural, recreation and social support services with a focus on the Pacific community.

- 8. Staff undertook a reclassification process to change part of the park from Recreation reserve to local purpose (community facilities), to enable Council to grant a lease to K'aute.
- 9. At the 17 September 2020 Council meeting, staff sought approval to transfer the ownership of the former bowling clubhouse and to grant a new 30-year community occupancy land lease to K'aute Pasifika Trust, to enable the K'aute Village Hub development. Refer to <u>full report</u> for further information.
- 10. The Council resolved the following which can also be located this <u>these minutes</u>:
 - a) approves a new community group lease, under section 61(2A)(a) of the Reserves Act 1977, to K'aute Pasifika Trust for land (8,386m2) at Hinemoa Park, being part of Section 1 SO 57622, as shown in Attachment 6, subject to the following terms and conditions:
 - i. Term thirty (30) years, with a 3 year review clause;
 - ii. Rent \$1,853.35 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. Special conditions relating to Pan Pasifika Hub facility development: all relevant consents obtained;
 - full funding for each facility obtained before beginning construction;
 - final detailed design being to the satisfaction of staff and in alignment with the Hamilton West Town Belt Masterplan;
 - The lease shall be subject to a 3-year review, to review whether the 2 stage facility development programme has been achieved as per plans received by Council, noting Council may adjust the lease accordingly at Council's sole discretion as a result of the review.
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines;
 - b) approves the transfer of ownership of the former bowling clubhouse building and shed at Hinemoa Park to K'aute Pasifika Trust, as is and where is, without liability to Council once all stage 1 funding is in place; noting that the asset and any improvements would revert to Council upon termination of the lease;
 - c) notes that K'aute Pasifika Trust is proposing to assign the lease and building ownership to a limited partnership joint venture and that the sub-leases will be limited partnership joint ventures that will come back to Council for approval, with the lease rental being reviewed accordingly;
 - d) notes that K'aute Pasifika Trust's proposal includes sub-leasing the new education and learning centre building and part of the existing administration building at commercial lease rates for the purposes of servicing the bank debt which enables the Pan Pasifika Hub build. With this being approved only for the period of which it services the bank loan repayment; and
 - e) notes that Orchestra Central currently have an alternate venue to operate from that may be a permanent option. K'aute Pasifika Trust are still open to their use of the Pan Pasifika Hub.
- 11. During 2021-22, K'aute constructed a Fale, amenities building and Early Learning Centre. With the official opening of these buildings taking place early 2023. Since then, K'aute have modified plans to fit within available funding, recently completing the refurbishment of the bowling clubrooms for office administration, and a health and wellbeing centre.
- 12. In **Attachment 1** K'aute provides a:
 - i. Facility Development staging update
 - ii. Fale and Early Learning Centre services and programmes
- 13. K'aute are in the process of finalising their governance structure for the Hub. The proposed assignment of lease, sub-leases and commercial rental will be reported back to Council for approval at a future Community and Natural Environment Committee meeting.

Art in Infrastructure Policy

- 14. As part of Long-Term Plan decisions, the Council resolved that Creative Waikato work with staff on a number of arts related topics, including an Integration of Art in Infrastructure Policy. The Council resolved the following which can also be located this via this page:
 - a) requests Creative Waikato, as the strategic delivery agency for creative arts in the Waikato, develop with staff an Integration of Art in Infrastructure Policy;
 - b) notes the proposed policy must include the following principles:
 - i. Proactive integration start early and work with artists
 - ii. Budget for art budget specifically set aside for arts integration
 - iii. Durability and maintenance iv. Safety and accessibility
 - c) requests staff present a draft policy to Elected Member at an information session by the end of 2024;
 - d) adopts the Creative Waikato Arts Navigator (WAN) prepared by Creative Waikato as the Regional Arts Strategy; e) adopts the Waikato Performing Arts Strategy (WPAS), prepared by Creative Waikato, as a supporting strategic framework;
 - f) requests staff work together with Creative Waikato to develop a draft Hamilton Arts Action Plan, outlining outcomes of both the WAN and WPAS, and Council's Long-Term Plan 2024 2034 Five Priorities;
 - g) notes it's willingness to make it easier for the creative sector and event organisers to establish and run events in the city, particularly the Central City;
 - h) requests staff work with the arts and event stakeholders that will include Creative Waikato and Hamilton Central Business Association to understand exactly what the barriers are;
 - i) requests staff develop a draft policy that reduces red tape and enables arts and events to happen easier; j) requests staff report back to Elected Member at a information session by the end of 2024 with the results and feedback from stakeholders, and suggested principles for a new policy; and
 - k) notes that stakeholders are to be invited to participate in the elected member information session referenced in j) above.
- 15. Whilst staff have been working to achieve the resolution and facilitate an information session by the end of 2024, staff resource limits has meant that this was unlikely to be achieved. However, as part of the work to date, staff identified that the Permanent Public Art Policy is due for review in November 2024 which creates an opportunity to widen the scope to include the proposed Art in Infrastructure Policy.
- 16. Staff have discussed this proposal with Creative Waikato who have agreed with this approach. The additional section(s) would include principles and guidance and staff would work closely with Creative Waikato to ensure good outcomes and wide engagement with the arts community.
- 17. Work on the Hamilton Arts Action Plan will occur concurrently, and staff will bring a report to the Committee or arrange for an information session in early 2025.

Financial Considerations - Whaiwhakaaro Puutea

18. There are no financial implications for the Committee to consider.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

20. Staff confirm that the recommendation complies with the Council's legal and policy requirements

Climate Change Impact Statement

21. Staff have assessed this recommendation and determined no adaptation or emissions assessment is required.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 22. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 23. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below. The recommendations set out in this report are consistent with that purpose.
- 24. There are no Social, Economic, Environmental or Cultural wellbeing's that the Committee need to consider.

Risks - Tuuraru

25. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy - Kaupapa here whakahira/anganui

- 26. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.
- 27. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - Ngaa taapirihanga

Attachment 1 - K'aute Village Hub Update

Kaute Pasifika Trust - Update on capital project development - Village Hub

The original proposal for the development of the Pan Pacific Hub (now "K'aute Pasifika Village") was to undertake the project in a phased approach (see Table 2). Due to the economic climate (costs escalation off the back of Covid) and limited resources, it was agreed that a more prudent approach was to change the order of build for the development and the project was phased as follows:

Table 1

| Staging | Pan Pasifika Hub development – Actual timeline |
|-----------------------------------|--|
| Stage 1 Dec 2020 – Feb 2023 | New build of fale community centre including external covered deck and steps surrounding fale. Amenities toilet block New build of education and learning centre including external decking area |
| Stage 2 Oct 2023 – July 2024 | Existing bowling clubrooms converted into office administration for K'aute and health and wellbeing centre. Internal reconfigure and refurbishment and external façade treatment. |
| Stage 3 (TBC) | Covered canopy walkway from amenities block |

During 2021/22 the major construction work on the new builds of the Fale, Amenities building and Early Learning Centre was undertaken with the official opening of these buildings taking place early 2023. This approach allowed for confirmation of remaining funding resource available prior to embarking on the final project, being the refurbishment of the bowling clubrooms which our team are moving into early August 2024.

Over this time period there has been significant cost pressures in the building industry. We have been fortunate from our supportive funders and stakeholders to have now successfully completed the project with the exception of the covered walkway which will be part of ongoing constant improvement of the site.

Table 2

Pan Pacific Hub - Proposed Development timeline – August 2020 – as presented to HCC

| Staging | Pan Pasifika Hub development | Building area footprint | Estimated cost (million) |
|------------------------------------|---|-------------------------------|--------------------------|
| Stage 1 Dec 2020 - Aug 2021 | Existing bowling clubrooms converted into office administration for K'aute and health and wellbeing centre. Major internal reconfigure and refurbishment and external façade treatment. | 748m2 | \$2.7m |
| Dec 2020 - Dec 2021 | New build of education and learning centre (457m2), including external decking area (149m2) | 606m2 | \$3.1m |
| Stage 2 (TBC) Sept 2021 - Aug 2022 | New build of fale community centre (555m2), including external covered deck and steps surrounding fale (460m2) | 1015m2 | \$4.8m |
| | Amenities toilet block under covered canopy walkway 1015m2 70m2 \$4.8 | 70m2 | |

Completed Buildings

While the official opening of the Village was held on 17 Jan 2023, the CPU had only just been received for the Early Learning Centre and Fale buildings. The final fitout of the buildings was still on going to enable full use of these facilities.

The Early Learning Centre opened its doors to families on 26 April 2023. We started with 5 children and over the past 15 months have grown to 58 children attending the Centre and this continues to grow month by month. We are on track to having the Centre at near capacity by November 2024. Our biggest challenge has been employing registered teachers. There is a significant workforce shortage in this area. We also recognised the level of fees we started with were a barrier for some of our families, as such these were reviewed early on and adjusted accordingly. The Centre fees are now some of the lowest in the market and we are managing the financial sustainability of this.

The Fale has been growing in use over the past 12 months. Until very recently, the space has not been proactively promoted as an Events space pending the installation of kitchen facilities in the Amenities block. Twice weekly we hold our Community Day Programme in the facility. For each Pacific Language week during the year the Fale has been used for the celebration days. All workshops for delivery of our programs are held within the Fale-

these include Ready to Rent programmes, Employment seminars, HPV screening education, Diabetes workshops, Antenatal workshops. The Pacific Arts Fono was held in the Fale along with the Waikato Pacific Business Network Annual awards dinner and the Chiefs Rugby Annual awards. This is just an example of many of the occasions that have taken place over the past 12 months – a mixture of community and private use. With the final construction of the Village near completion and all staff being onsite daily, moving forward the Fale will be in use on most days of the week. The installation of the kitchen in the Amenities block will then enable more proactive marketing of the Fale as an Events space for all.

Item 9

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Paula Murdoch **Authoriser:** Helen Paki

Position: Libraries Director/Te Manutaki **Position:** General Manager Customer

Tuhi Rau and Community

Report Name: Libraries Strategy Update

| Report Status | Open |
|---------------|------|
|---------------|------|

Purpose - Take

1. To update the Community and Natural Environment Committee on progress made on implementation of Kia oho te mauri o Kirikiriroa Hamilton City Libraries' Strategy 2023-2033 during the 2023-2024 financial year.

Staff Recommendation - Tuutohu-aa-kaimahi

2. That the Community and Natural Environment Committee receives the report.

Executive Summary - Whakaraapopototanga matua

- 3. The Kia oho te mauri o Kirikiriroa Hamilton City Libraries' Strategy 2023-2033 (the Strategy) was adopted by the Community & Natural Environment Committee on 10 August 2023. The Strategy has four outcome areas (Literacy and learning; Culture and community; Digital inclusion; Engaging spaces) which guide the work of staff to achieve the vision of Hamilton City Libraries playing an integral role in shaping a city where people and communities thrive and prosper.
- 4. This report outlines progress against these outcomes for Year 1 (2023/24) of the Strategy. There has been a focus on establishing and renewing relationships within the community to understand how library services might better meet diverse community needs.
- 5. In the last year indicators show that there has been an increase in online and in-person visitation, in lending of print and digital resources; number of and attendance at programmes and use of Wi-Fi and internet services.
- 6. Year 2 will build on the work already begun and planning towards delivering community hub models at more sites.
- 7. Key highlights from Year 1 include:
 - i. **Increase in visitation** 69.35% increase in physical visits (928,552) and 19.13% increase in virtual visits (1,685,540) on previous financial year.
 - ii. **Increase in issues** 6.33% increase in physical issues (1,094,502) and 22.99% increase in e-issues (193,539) on previous financial year
 - iii. **Increase in programming** 44.76% increase in programmes and events (1,698) on previous financial year

- iv. **Increase in numbers attending programming** 32.48% increase in attendance at programmes and events (43,686) on previous financial year
- v. Increase in use of internet/computing devices (APNK) 55.63% increase in Wi-Fi sessions (292,750) and 22.84% increase in use of computing devices (52,391 APNK Chromebook sessions) on previous financial year
- vi. **High customer satisfaction** 92% customer satisfaction rating
- 8. Staff consider the matters in this report have low significance and that the recommendations comply with Council's legal requirements.

Background - Koorero whaimaarama

- 9. Libraries operate at seven sites across Hamilton over six or seven days provide an online 24/7 service and deliver services in the community through engagement/outreach activities.
- 10. The Libraries Strategy was adopted by the Community & Natural Environment Committee on 10 August 2023. It provides strategic direction for Hamilton City Libraries to deliver collections, services, programmes and events to support the wellbeing of people and community.
- 11. The Strategy has four outcome areas:
 - i. **Outcome Area 1 Literacy & Learning:** Hamilton City Libraries promote lasting literacy skills and empowers Hamiltonians to be active learners and citizens.
 - ii. **Outcome Area 2 Culture & Community**: Hamilton City Libraries is a key part of the growing city, providing programmes, collections and events that reflect diverse cultures and communities.
 - iii. **Outcome Area 3 Digital Inclusion:** Hamilton City Libraries promote equitable access to digital technologies and use innovative approaches to improve user experience.
 - Outcome Area 4 Engaging Spaces: Hamilton City Libraries provide welcoming destinations that people want to visit.

Discussion - Matapaki

- 12. Progress on each outcome area has been measured through a series of indicators (see Libraries' Strategy Action Plan, **Attachment 1**.
- 13. Outcome Area 1: Ko te reo matatini me te ako Literacy & learning: Libraries promote lasting literacy skills and empower Hamiltonians to be active learners and citizens

| Performance measure | 2022/23 | 2023/24 | Change |
|-----------------------------------|-----------|-----------|---------|
| Number of physical issues | 1,029,314 | 1,094,502 | +6.33% |
| Number of e-issues | 157,360 | 193,539 | +22.99% |
| Number of events | 1,136 | 1,329 | +16.99% |
| Number of programmes | 37 | 369 | +897.3% |
| Attendance at programmes & events | 32,976 | 43,686 | +32.48% |

- 14. Increases in the Outcome Area 1 table were attributable to the opening of Te Kete Aronui in July 2023, an increased awareness of library service offerings, a return to pre-covid use of public spaces, and an increased demand for free or low-cost services.
- 15. With a focus on outcomes from the Strategy (especially related to literacy and learning and culture and community) there was an increase in the number of programmes and the number attending in Year 1.

- 16. An example of an enhanced service which has increased engagement with libraries by a new sector of the community is the establishment of the Poipoi Mahara Memory Care Collection at the Glenview and St Andrews Libraries that provides resources for those affected by dementia and their families. These sites now have Dementia-friendly status which encompasses the collection, the physical environment, staff training and programmes that meet the needs of those living with dementia.
- 17. Year 2 will see a continuation of literacy and learning related work with key community groups and organisations with a specific focus on older persons; new migrants; disability, equity, and inclusion; schools or groups working with rangatahi and tamariki; and high needs communities.
- 18. Outcome Area 2: Ko te ahurea me te hapori Culture & Community: Libraries are a key part of the growing city, providing programmes, collections, and events that reflect our diverse cultures and communities

| Performance measure | 2022/23 | 2023/24 | Change |
|--|------------------|-----------|---------|
| % residents who are active library | 22% | 21.97% | -0.03% |
| members | | | |
| % customers satisfied with their overall | 93% | 92% | -1% |
| experience | | | |
| Number of physical visits | 548,296 | 928,552 | +69.35% |
| Number of online visits | 1,414,867 | 1,685,540 | +19.13% |
| New accessibility or inclusivity initiatives | New measure – No | 5 | |
| implemented | previous data | | |

- 19. The Outcome Area 2 Table shows significant increases in the number of digital and in-person visits to the Libraries. Online visitation has been increasing in recent years, in-person visitor numbers were higher in 2023/24 than they have been for more than five years.
- 20. There has been a strong focus on establishing and maintaining relationships with new and previously hard-to-reach audiences. With an increase in visitor numbers would suggests that this work has indeed raised awareness of library services and increased visitation may be one result.
- 21. Accessibility and inclusivity initiatives included a range of upgrades including; public toilets to being made gender neutral and family friendly, mobility accessible furniture and equipment renewals and programming that welcomes the inclusion of diverse interest groups, cultural and ethnic communities.
- 22. Year 2 priorities include strengthening relationships within local communities and establishing libraries as hubs by offering Council services such as, rates payments; dog registrations; and more. Extending Council's presence into communities.
- 23. Outcome Area 3: Ko te whakaurunga matihiko Digital inclusion: Libraries promote equitable access to digital technologies and use innovative approaches to improve user experience

| Performance measure | 2022/23 | 2023/24 | Change |
|----------------------|--------------------|---------|---------|
| APNK Wi-Fi session | 188,227 | 292,750 | +55.63% |
| APNK device sessions | 42,649 | 52,391 | +22.84% |
| Print jobs | Data not available | 71,577 | |
| Print pages | Data not available | 259,954 | |

24. Free internet and Wi-Fi have been delivered as part of the Aotearoa People's Network Kaharoa (APNK) at Hamilton City Libraries as a core service for many years. APNK is a partnership with the National Library of NZ within the Department of Internal Affairs.

- 25. In 2023/24 the number of Wi-Fi sessions across all libraries rose by over 55%, and device sessions increased more than 22%. The number of Wi-Fi sessions has grown each year and is now beyond Pre-Covid use. Use of APNK varies widely across library sites with different sites having varied uptake of Wi-Fi or device use.
- 26. Libraries also support digital inclusion through collections and programming. Examples are Skinny Jump modems for in-home use (in partnership with the Digital Inclusion Alliance Aotearoa), programming targeting digital literacy, and offering hands-on experience with technology in the Auaha Makerspaces.
- 27. The Special Collections and Archives in the Central Library are a source of information telling Hamilton's stories through images and archives held in these collections. These resources are progressively being digitised and made available to the community via the library website.

| Performance measure | 2022/23 | 2023/24 | Change |
|------------------------------|---------|---------|------------------|
| Number of digitised Special | 6,524 | 1,497* | 74.85% of target |
| Collections & Archives items | | | figure |
| made available to access | | | |

^{*(}from 23/24 onwards this number includes multi-part records. Target is 2,000)

Outcome Area 4: Ko ngaa waahi whakahohe – Engaging spaces: Libraries provide welcoming destinations that people want to visit

- 28. Te Kete Aronui opened in July 2023 as an inclusive, accessible, purpose-built space with contemporary library use at the heart of its design. Te Kete Aronui offers library services and programmes, Auaha Makerspace, meeting rooms, exhibition space and a café and in its first year of operation has proved to be a very popular destination for families, young and older alike. It had over 365,000 visitors (39% of all library visits) in 2023/24— without a major adverse impact on other libraries.
- 29. In recent months Libraries have experienced an increase in antisocial behaviour across some of sites.
- 30. Staff have worked in collaboration with the Community and Social Development and City Safe teams, senior staff local high schools and other community organisations to take a coordinated response to the management of these issues.
- 31. Year 2 priorities for this outcome area will include development of sensory spaces, as well as looking at ways to make library spaces even more fun and welcoming.

Financial Considerations - Whaiwhakaaro Puutea

32. This is a regular operating activity funded through the Long Term Plan.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

33. Staff confirm that this matter complies with Council's legal and policy requirements.

Climate Change Impact Statement

34. Staff have considered the Climate Change Policy and determine no adaptation assessment is required.

Strategic Alignment

35. The Strategy's actions are aligned with a number of key Council policies, such as He Pou Manawa Ora, the Disability Policy and the Age Friendly Policy.

Item

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 36. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 37. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
- 38. The recommendations set out in this report are consistent with that purpose.

Social

- 39. The Strategy contributes to social wellbeing of Hamiltonians by directing that library services are inclusive, accessible and deliver based on the diverse needs of the community.
- 40. Hamilton City Libraries provide free access to information and recreational reading, as well as access and support to navigate the digital world. They are as importantly spaces for people to learn, meet, perform and create. This contributes to communities feeling a sense of belonging and inclusion, as well as being informed and connected.

Economic

- 41. The Strategy contributes to economic wellbeing of Hamiltonians by ensuring resources are made available for the community on a shared basis and by delivering programmes and services that benefit local communities.
- 42. Hamilton City Libraries contributes to the economic wellbeing of Hamiltonians by sustainably supporting communities to be literate, informed and connected.

Environmental

- 43. The Strategy contributes to environmental wellbeing of Hamiltonians by ensuring a planned approach to the development of library services that takes account of the environment.
- 44. Hamilton City Libraries provide programmes and resources that promote reuse and minimisation of waste.

Cultural

- 45. The Strategy contributes to cultural wellbeing of Hamiltonians by providing a framework for diverse languages, stories and heritage can be acknowledged and celebrated.
- 46. Hamilton City Libraries contributes to the cultural wellbeing of Hamiltonians by providing resources, spaces and services that enable beliefs, values customs and identities to be shared and celebrated.

Risks - Tuuraru

47. There are no known risks associated with this matter.

Significance & Engagement Policy - Kaupapa here whakahira/anganui

- 48. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.
- 49. Community views and preferences are already known to the Council through engagement with mana whenua, community, and key stakeholders through the development of the Strategy.

- 50. Engagement included:
 - i. Community survey
 - ii. Smaller targeted surveys to schools and library staff
 - iii. Targeted face to face engagement with mana whenua, library staff and schools
- 51. Community engagement will also precede any significant capital projects that are undertaken in the future as a result of the Draft Strategy and associated action plan.51.

Attachments - Ngaa taapirihanga

Attachment 1 - Libraries Strategy Action Plan

Hamilton City Libraries Strategy 2023-2033 Action Plan

Vision: Hamilton City Libraries play an integral role in shaping a city where our people and communities thrive and prosper.

Purpose: Hamilton City Libraries' services promote lifelong learning, inspire creativity, and strengthen our communities.

Strategy indicators:

| OUTCOME AREA | GOAL | FOCUS | LTP KEY PERFORMANCE INDICATORS | 2023/24 RESULTS | 2023/24 PROJECTS & ACTIVITIES | STATUS |
|-------------------------------|---------------------------------------|--|--|---|--|------------------|
| Ko te reo matatini me te | We promote lasting literacy | Provide free and open access to high quality and | Year 1 (24/25): At least 1 million physical issues | 1,094,502 physical issues (6.33% increase on 22/23) | Review subscriptions resources to ensure expenditure is optimised and a broad range of material is provided | ONGOING |
| ako Literacy & learning | skills and empower Hamiltonians | relevant resources and information | Year 1 (24/25): At least 150,000 e- issues | 193,539 e-issues (22.99% increase on 22/23) | | |
| | to be active learners and | Encourage and promote literacy | | | Outreach to schools and early childhood education centres to support literacy & learning | ONGOING |
| | citizens | for the whole community | | | New and emerging collections provided to support diverse interests and demographics | NEW & ONGOING |
| | | Support democracy and | | | Justices of the Peace undertake regular dropin sessions at Libraries | ONGOING |
| | | promote civic engagement | | | Electoral voting at Libraries LTP community engagement at Libraries | NFW |
| | | Services and programming will be developed so that it is diverse, accessible and | Annual target: At least 1,200 events | 1,329 events (16.99% increase on 22/23) | Establishment of Poipoi Mahara Memory Care Collections at St Andrews and Glenview Libraries. Activities and programming targeted at families living with memory loss. Both sites now have Dementia-friendly status | NEW |
| | | fosters a love of learning | Year 1 (24/25): At least 34 programmes | 369 programmes (897.3% increase on 22/23) | Work with schools to support curriculum with literacy and learning needs. Eg. Whitiora School, Reading Buddies programme | NEW & ONGOING |
| | | | Year 1 (24/25): At least 35,000 attendees at | 43,686 attendees (32.48% increase on 22/23) | | |

| | | | programmes & events | | | |
|--|---|---|---|---|--|-----------------------------|
| | | Committed to | | | Build relationships with mana whenua and matawaka | NEW & |
| Ko te ahurea me te hapori Culture & community | We are a key part of the growing city, providing | honouring Te Tīriti o Waitangi, biculturalism and manaakitanga | | | eg. attendance at selected Poukai Days Staff training & development in Te Reo Maaori, tikanga, local stories & traditions, especially in relation to collections, programmes | ONGOING NEW & ONGOING |
| | programmes, collections and events that | | | | Enhance manaakitanga welcome/accessibility by promoting days of significance through collections, programmes, displays (eg. Matariki, Waitangi Day, etc) | ONGOING |
| | reflect our diverse cultures and communities | Support hapori pride, identity and connection through library | Year 1 (24/25): At least 25% active library membership | 21.97% active library membership (- 0.03%) | Events for different audiences eg. Hamilton Pride, Diwali, Matariki | ONGOING |
| | | services and events | Annual target: At least 90% customer satisfaction | 92% customer satisfaction | Programmes to meet local community needs and interests eg. Yarn 'n' Yack/Sew Smooth; Chess; Te Reo; Art; computer mentors; Lego Club; CAD/Stop Motion | NEW & ONGOING |
| | | Serve a critical role in the growing city, reflecting and celebrating each | | | Developing diverse programmes and events focussed on increasing wellbeing and thriving communities through connection and inclusivity (eg. Local community groups and organisations such as Te Whare Korowai Taangata o Kirikiriroa) | ONGOING |
| | | unique culture and hapori | | | Establishing and maintaining relationships across public sector agencies, (eg. MSD, Police, KO) for collaborative delivery opportunities. (eg. Library welcome packs for emergency housing residents) | NEW & ONGOING |
| Ko te whakaurunga matihiko Digital inclusion | We promote equitable access to digital technologies | Support digital inclusion and strengthen digital skills to support thriving communities | | 292,750 APNK wifi sessions (55.63% increase on 22/23) | Programmes which target digital literacy skills development and grow digital inclusion (eg. Computer mentor classes; CAD/3D printing classes; smartphones; DORA digital inclusion programme in partnership with the Digital Inclusion Alliance Aotearoa) | ONGOING |
| | and use innovative approaches to | | | 52,391 APNK device sessions: (22.84% increase on 22/23) | | 1 |

| | improve user experience | | | 71,577 print jobs 259,954 print pages | | |
|---------------------------------|--|---|---|--|---|----------|
| | | Increase online access to library collections | Annual target: 2,000 digitised heritage collection items made available to access online | 1,497 items (74.85% target figure) | 32,000+ digitised items in Archives Collection. Recent significant acquisitions to the Archival collections (yet to be digitised) include Tamahere Icepak Coolstore fire and Pollock & Milne archives | ONGOING |
| | | Embed rich digital experiences into everything libraries do | Number of online visits to Hamilton City Libraries: Year 1 (24/25): At least 1,300,000 | 1,685,540 online visits (19.13% increase on 22/23) | Reading programmes with online component to maximise accessibility and participation | ONGOING |
| Ko ngaa waahi | We provide | Ensure that library spaces | | | Opening of Te Kete Aronui Rototuna Library & Community Hub | NEW |
| whakahohe Engaging spaces | welcoming destinations that people | respond to growth | | | Deliver new hub service model with Customer Services which maximises customer impact and reach, optimises efficiency through collaboration | NEW |
| | want to visit | | | | Align future library developments for libraries to deliver on the hub model | ONGOING |
| | | Libraries will be fun, inclusive, engaging and | Annual target: At least 4 accessibility or | 5 | Public toilet upgrade at Central Library – focus on accessibility | COMPLETE |
| | | welcoming spaces | inclusivity initiatives implemented each | | Focus on accessibility and inclusivity – accessibility furniture & equipment renewals across library network | ONGOING |
| | | | year | | Poipoi Mahara Memory Care Collection & Dementia Friendly status | NEW |
| | | Ensure that there is something for everyone at Hamilton City Libraries | Year 1 (24/25): At least 600,000 physical visitors | 928,552 physical visits (69.35% increase on 22/23) | | |

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Maria Barrie **Authoriser:** Helen Paki

Position: Unit Director - Parks and **Position:** General Manager Customer

and Community

Report Name: Playgrounds Programme Update

Recreation

| Report Status | Open |
|---------------|------|
|---------------|------|

Purpose - Take

- To inform the Community and Natural Environment Committee of the Play Space Programme delivery plan following on from funding allocation and direction received during the 2024-34 Long Term Plan.
- 2. To seek the Community and Natural Environment Committee approval of the delivery of recommended playground improvement projects alongside playground renewals.

Staff Recommendation - Tuutohu-aa-kaimahi

- 3. That the Community and Natural Environment Committee:
 - a) receives the report:
 - b) approves the delivery of recommended playground improvement projects as detailed in **Attachment 1**; and
 - c) notes that:
 - i. community engagement will be undertaken on each project prior to design being confirmed; and
 - ii. final designs and delivery of play projects will incorporate community views.

Executive Summary - Whakaraapopototanga matua

- 4. Since 2014, the Playgrounds of the Future Plan has successfully guided the funding and delivery of play provision in Hamilton.
- 5. During the 2024-34 Long-Term Plan, direction was given to staff to prioritise shading provisions and provide for a Central Business District (CBD) play space in the first three years.
- 6. After exploring options and considering existing feedback from the community, staff recommend enhanced shading, and a CBD play space in Boyes Park are delivered in years 1-3 as detailed in paragraphs 33-36, 44-46 and **Attachment 1**.
- 7. Staff consider the decision in this report has a low significance and that the recommendations comply with the Council's legal requirements.

Background - Koorero whaimaarama

- 8. In 2014, Council adopted the Playgrounds of the Future Plan, which set out the priorities for delivery of playgrounds in Hamilton.
- 9. In February 2019, the Community Services and Natural Environment Committee approved a review of the 2014 Plan which broadened the scope to provide in addition to destination playgrounds, new and upgraded neighbourhood playgrounds and other play elements such as skate and exercise equipment.
- 10. The 2019 Playgrounds of the Future plan in **Attachment 2** of this report, outlined how to deliver dedicated play spaces in the city and delivered on several outcomes within the Play Strategy. It focussed on specific sites for delivery in the early years and signalled areas for delivery in later years.
- 11. The vision of the Playgrounds of the Future Plan is "Our playgrounds are vibrant, social, creative spaces for everyone to play together and aims to deliver a network of high-quality playgrounds across the city that are reflective of the community profile with a 'play for all' approach".
- 12. The current network of 88 play spaces includes 10 destination sites, which are typically larger sites with a wider range of play equipment, and amenities (including carparking, toilets, and BBQ's). The remaining 78 sites are neighbourhood play spaces which vary in size and are designed to meet the local communities play needs.
- 13. With funding allocated in the 2021-31 Long term plan, 14 playgrounds were renewed, and one new play space was developed at the Rototuna Village. Renewals and levels of service funding were directed towards enhanced play value, inclusion of new elements like basketball half courts and accessibility improvements. Shade provisions were minimal and generally only targeted at seating areas.
- 14. During the 2024-34 Long Term plan \$25,833,141 playground renewals funding and \$17,155,598 playgrounds increased levels of service funding was approved across the next 10 years. The levels of service funding allocation for years 1-3 is \$3,149,324. The Council resolved:

"That the Council requests staff prioritise improving shade provision and CBD play space provision for the first three years of the Play Space Programme, noting that a report with an updated play space programme will go to the Community and Natural Environment Committee following the finalisation of the Long-Term Plan".

Discussion - Matapaki

- 15. Renewals projects for inclusion in the next 10-year delivery programme have been prioritised based on external condition assessment, demand, and network equity. The renewals programme is included in **Attachment 1**.
- 16. From a delivery perspective, it is more efficient to deliver renewals and levels of service improvements together.
- 17. To keep momentum and ensure renewals are delivered in year one, community engagement was completed last year for Chedworth, Rototuna, Wake and Fitzroy Parks. Chedworth Park is currently in construction and Rototuna Park works are due to start in September 2024. The designs enable shading to be included once a decision is made on the most appropriate option.
- 18. Over recent years, through various forums there has been an increase in shade provisions in playgrounds particularly over metal slides and equipment prone to attracting heat. Where possible, shade has been incorporated into playground renewals without reducing or compromising the play offer.

Parks Survey Results

- 19. Of the 357 respondents to the 2024 Parks Survey, 76% reported being happy with Hamilton's Parks & Open Spaces. Excellent playgrounds were noted as a key reason why people had given this rating which suggests the programme has been delivering against community expectations.
- 20. Feedback suggests that increased access to toilets, rubbish bins, shade, water, seating, and different play opportunities (eg. disc golf, exercise equipment) would enhance the experience of visiting parks in Hamilton.

Shade

- 21. Where possible, natural shade (trees) are considered the best option in terms of lowering outside temperatures. Factors to consider when utilising natural shade include safety, the tree species, size, age of trees and proximity of undersurface excavation required for the play space relative to the root zone of the trees.
- 22. Most shade provisions in playgrounds to date has been focussed on Destination Play sites as areas where more people tend to stay longer. With the direction given and level of service funding allocated in the 2024-34 10-year plan, staff have prepared options as outlined below to improve the shade provision across all playgrounds, ranging from status quo to full shade.

Central City Play

- 23. Within the central city, play is conceptually provided for in the 2023 Garden Place Development Concept Plan, 2020 West Town Belt Masterplan and 2018 Ferrybank Development Plan.
- 24. To date there have been no formal play spaces developed within Hamilton's CBD. Many people consider the Garden Place fountain as a play space, particularly in the summer months. Two central city play trail maps were released in 2023, using Sport NZ funding. The maps are designed to help create free opportunities for play and recreation.
- 25. The current population in the central city and walkable catchment is around 12,000 people, comprising approximately 10,000 in the walkable catchment and around 2000 people in the central city.
- 26. The latest growth statistics project that by 2035 there will be approximately 3,600 (3,629) people living in the central city boundary and there will be 4,000 more homes for up to 10,800 people by 2035 in the walkable central city catchment.
- 27. The most significant opportunity for residential development in the CBD is expected to be within mixed-use development areas (**Attachment 3**). In the mixed-use area staff are aware of developments being proposed by reputable developers totalling at least 750 homes in the northern green and lower green areas by 2035. In the Downtown and Victoria Street areas there are approximately 230 homes expected by 2035.
- 28. The West Town Belt location presents an opportunity to develop a play area close to these development areas and adjacent to Frankton which has a shortage of open space provision.
- 29. The West Town Belt site offers space for a community/destination size playground, natural shade options and carparking. A play area in the Garden Place site would be a smaller, neighbourhood size play space. Options are detailed below.
- 30. If the recommendation is not approved, staff will continue with the renewals programme noting that opportunities for delivery efficiency through inclusion of levels of service improvements, may be lost.
- 31. The recommendation supports outcomes in the Open Spaces Strategy, Play Strategy, Our Climate Future, and West Town Belt Master Plan.

Options

32. Staff have assessed that there are two options for CBD Playground Provision Locations and three options for enhancing shade provision that are considered reasonable and viable with the current level of service funding for the Committee to consider. This assessment reflects the level of significance (see paragraph 66). The options are set out below:

Central City Play

Option 1: CBD Play - West Town Belt Location

- 33. This option is to develop a play space at Boyes Park, north of the Founders Theatre site.
- 34. It is anticipated that a play space at this site would be similar in size to Minogue Park play space, shown in **Attachment 4**, which could be achieved for \$1,000,000 including shade.
- 35. The proposed playground improvements programme includes funding for pop up play/play on the way initiatives. This could be directed to explore options for Garden Place, enabling us to trial different types of play to inform a future play space at this site.
- 36. This option allows for shade provision including natural shade amenity improvements (such as path connections and planting) and could incorporate existing site features (Centennial Fountain) at this site.

| | Benefits | | Constraints |
|---------------|---|----|---|
| capal | des play provision in the CBD at a site ble of accommodating a compact nation play space. | i. | Site is bordered by roads; fencing may be required. |
| | tion is near where the most residential the case is anticipated. | | |
| | mity to Frankton where there is an open e provision shortfall. | | |
| | I street frontage for passive surveillance, e carparking on site and cafés nearby. | | |
| | ble re-imagining of existing site features tennial Fountain) into the play space. | | |
| the p Park | njunction with the current works on site lay space addition would complete Boyes development as contemplated by the Town Belt Development Plan. | | |

Option 2: CBD Play - Garden Place Location

- 37. This option is to develop a play space in Garden Place outside the Central Library. It will not deliver any of the other elements of the current Garden Place concept plan.
- 38. The available space at this site is limited to approximately 300m2. It is anticipated that play space would be similar in size to Waiwherowhero Park, shown in **Attachment 4**, with high quality accessible play features and undersurface (to be determined through engagement) and could be achieved for \$700,000 with shade. The benefits and risks of this option are outlined below.

| Benefits | Risks |
|----------|-------|
|----------|-------|

- i. Provides play provision in the CBD.
- ii. Provides an activity that could potentially draw people in or activate Garden Place.
- iii. A step towards making Garden Place a more appealing space for people to visit.
- iv. Provides a play space for families that may live in apartments in the CBD.
- v. Adjacent to the Central Library and nearby food outlets.

- i. Not likely to be able to cater for all ages/abilities due to small space available.
- ii. Potentially won't attract visitors as hoped as people will continue to visit the playgrounds in their local area – may need further/other reasons to visit the CBD.
- iii. Potential for some opposition from apartment owners due to perceived issues associated with a play space in garden place.
- iv. Away from the projected areas of higher residential growth in the CBD.
- v. Restricted street frontage and passive surveillance opportunities after business hours.

Option 3: Central City Play in Garden Place and West Town Belt Locations

- 39. This option is to develop two Central City playgrounds, one in Garden Place and one in Boyes Park
- 40. It is anticipated that the play space at Boyes Park would be similar in size to Chartwell Park (Attachment 4) and the Garden Place play space would remain approximately 300m2 in size.
- 41. To deliver shade and two play spaces within the \$1,000,000 budget (\$500,000 per site) the Garden Place site would include less equipment and lower quality undersurface materials. There will be limited scope at the Boyes Park site to reimagine existing elements on site such as the Centennial fountain. The benefits and risks of this option are outlined below.

| Ве | nefits | Ris | ks |
|------|---|------|---|
| i. | Provides play provision in the CBD at two sites. | i. | Not likely to be able to cater for all ages/abilities due to reduced budgets. |
| ii. | Provides an activity that could potentially draw people in or activate Garden Place alongside a play offer in the West Town Belt. | ii. | Potentially won't attract visitors as hoped as people will continue to visit the playgrounds in their local area – may need further/other reasons to visit the CBD. |
| iii. | Provides play spaces for families that may live in apartments in the CBD. | iii. | Potential for some opposition from apartment owners due to perceived issues associated with a play space in garden place. |
| | | iv. | No scope at Boyes Park site to incorporate existing elements on site. |

Shade Provision Options (City Wide)

Option 1: Status Quo Shade Provision

42. Council would continue to provide minimal shade sails focusing on shade covering seating and junior play equipment in conjunction with playground renewals. Levels of service funding could be saved with minimal delivery of upgraded or new, or redirected to upsizing more play spaces alongside planned renewals and new playground developments.

43. This option has not been progressed as it does not deliver on direction given through the Long-Term Plan, nor does it deliver on community expectations.

Option 2: Enhanced Shade Provision

- 44. This option aligns with the Council resolution and would provide more extensive shade cover in the form of shade sails, for more playgrounds, delivered in conjunction with the planned renewals programme.
- 45. Costs for this option range from approximately \$50,000 \$350,000, when combined with renewals depending on the size of play space. This option results in 30 sites being upgraded in the next 5 years with an enhanced shade provision like **Figure 1** below.

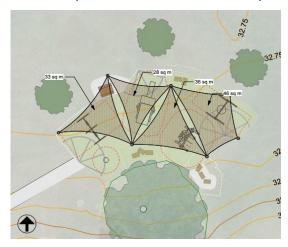


Figure 1: Draft Enhanced Shade Design for Wake Park

46. This option allows for CBD play provision and other levels of service improvements to also be delivered.

| Bei | nefits | Co | nstraints |
|------|--|----|--|
| i. | Would provide 60-70% shade coverage of sites at midday whilst allowing winter sun to sites. | i. | Does not provide total shading of the whole site noting trees can also be planted to provide some shade but may take time to grow. |
| ii. | Sails can be tailored to match playground theming and layout, catering for different shaped sites. | | |
| iii. | Can be delivered in conjunction with natural shade (either already on site or planted). | | |
| iv. | Building consents are not required for multiple sails under 50m2 | | |

Option 3: Full Shade Provision

- 47. This option would provide full shade over playgrounds that are within the renewals programme. It would enable the development of a CBD play space but may restrict other level of service improvements or be slower to achieve more shade coverage across the play network.
- 48. The cost to deliver full shade would range from approximately \$100,000 to \$650,000, when combined with renewals depending on the size of play space. An example of what full shade provision would look like is shown in **Figure 2**.



Figure 2: Full shade

| | Benefits | | Constraints |
|-----|--|------|--|
| i. | Provides a full shade option in the summer months. | i. | Requires building consents, additional design and cost. |
| ii. | Provides cover from the weather in winter months. | ii. | May not be welcomed by neighbouring property owners with more impact on amenity look/feel. |
| | | iii. | Lacks flexibility to cater to different heights and shapes of sites. |

49. Staff recommend that level of service funding is directed to deliver Option 1: CBD Play West Town Belt Location and Option 2 Enhanced Shade Provision as these two options best meet the LTP direction and known community expectations.

Financial Considerations - Whaiwhakaaro Puutea

- 50. The total costs to implement the recommended Playground improvement projects for years 1-3 is \$3,149,324 which are funded through the 2024-34 Long Term plan.
- 51. **Attachment 1** sets out the recommended allocation of levels of service improvement funding alongside renewals projects.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

52. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

Climate Change Impact Statement

53. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 54. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 55. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.

56. The recommendations set out in this report are consistent with that purpose.

Social

- 57. Each play space design is informed by engagement to ensure the completed play space reflects the identity and character of the local area.
- 58. Play spaces provide opportunities for community and whanau gatherings, enabling people of all ages and abilities to be active and play together.

Economic

59. Hamilton's playgrounds are accessible as a free activity for families to enjoy and be active. Many of our sites include public toilets, seating, drinking fountains with play options for all ages, some have BBQ's making a trip to the playground a cost-effective activity where people can stay for hours and share kai.

Environmental

- 60. Most Parks visitors access the park via walking. Our playgrounds network is designed so playgrounds are in walking distance within neighbourhoods. Play space design utilises the natural form of the site where possible and nature themed play is incorporated too.
- 61. The recommended shade option responds to Climate change by providing relief for increasing temperatures and summertime UV levels. It also enables a mix of natural shade (trees) and shade sails to be incorporated into designs, minimising the impact on the environment.

Cultural

62. Playground design is informed by engagement to ensure that play spaces reflect the identity of the local community, and mana whenua values. Previous themes have incorporated planting, taonga and play equipment that reflect Maaori culture and traditions related to the historical use of the whenua where the play space is situated.

Risks - Tuuraru

63. The key risk of not approving the recommended playground levels of service improvements delivery programme is that delivery is slowed as equipment purchase lead times result in loss of delivery traction.

Significance & Engagement Policy - Kaupapa here whakahira/anganui Significance

64. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

Engagement

- 65. Community views and preferences are already somewhat known to the Council through existing survey information and formal submissions.
- 66. Staff engaged with the community in 2023 to enable delivery of the 2024-34 renewals programme. This engagement informed final renewal designs for play spaces at Chedworth, Rototuna, Wake and Fitzroy Parks.
- 67. For the balance of projects, Community engagement will take place on each playground project. Engagement is focussed on the neighbourhoods surrounding the playgrounds to gain views on preferred equipment and theming.

Attachments - Ngaa taapirihanga

Attachment 1 - Proposed Playground Renewals and Levels Of Service Improvements 2024-34

Attachment 2 - Revised Playgrounds of the Future Plan

Attachment 3 - Central City Development Intentions

Attachment 4 - Play space Size comparisons

| Proposed Playground Renewals and Playgrounds Levels of Service Improvements 2024-2034 | | | | | | | | |
|---|-------|-----------|-----------------|---------|-----------|--|--|--|
| YEAR 1 -2024/25 | Renew | | LOS (New Capita |) Total | ı | Notes | | |
| Planning and Design | \$ | 171,788 | \$ 35,00 | 0 \$ | 206,788 | Design/Engagement for yr 2 sites | | |
| Play initiatives | | | \$ 70,00 | 0 \$ | 70,000 | Available for pop up play, play on the way, or emerging play equipment initiatives | | |
| Wake Park | \$ | 310,000 | \$ 100,00 | 0 \$ | 410,000 | LOS includes drainage, shade, relocation of site away from low point, paths | | |
| Gower Park | \$ | 310,000 | \$ 75,00 | 0 \$ | 385,000 | LOS includes shade, 2 sites consolidated, drainage, paths | | |
| Rototuna Park | \$ | 310,000 | \$ 84,47 | 5 \$ | 394,475 | LOS includes shade, path connections | | |
| Chedworth Park | \$ | 310,000 | \$ 60,00 | 0 \$ | 370,000 | LOS includes shade | | |
| Fitzroy Park | \$ | 310,000 | \$ 100,00 | 0 \$ | 410,000 | LOS includes shade, path connections | | |
| Cullimore Park | \$ | 310,000 | \$ 60,00 | 0 \$ | 370,000 | LOS includes shade | | |
| Central City Playspace - Boyes Park | | | \$ 150,00 | 0 \$ | 150,000 | Planning/design and engagement for new site | | |
| Total Yr 1 | \$ | 2,031,788 | \$ 734,47 | 5 \$ | 2,766,263 | | | |
| LTP TOTAL | \$ | 2,031,788 | \$ 734,47 | 5 \$ | 2,766,263 | | | |

| YEAR 2 - 2025/26 | Renew | | LOS (Ne | w Capital) | Total | | Notes |
|-----------------------------------|-------|-----------|---------|------------|-------|-----------|---|
| Planning and design | \$ | 200,000 | \$ | 150,000 | \$ | 350,000 | Design/Engagement for yr 3 sites |
| Play initiatives | | | \$ | 50,000 | \$ | 50,000 | Available for pop up play, play on the way, or emerging play equipment initiatives |
| Reactive Renewals | \$ | 40,000 | | | \$ | 40,000 | Available for any one off equipment failure |
| Wiltshire Drive Reserve | \$ | 230,000 | \$ | 75,000 | \$ | 305,000 | LOS including shade, path connection |
| Parana Park | \$ | 1,328,471 | \$ | 509,000 | \$ | 1,837,471 | LOS including shade and toilet provision, play equipment, site drainage upgrade required. |
| Te Toe Toe Park | \$ | 250,000 | \$ | 65,000 | \$ | 315,000 | LOS including Shade |
| Pukete Park | \$ | 230,000 | \$ | 160,000 | \$ | 390,000 | LOS including Shade, consolidate site, undersurface, path connections |
| Mangaiti Park | \$ | 250,000 | \$ | 65,000 | \$ | 315,000 | LOS including Shade |
| Central City Playspace Boyes Park | | | \$ | 1,000,000 | \$ | 1,000,000 | New playground, including shade. |
| Total Yr 2 | \$ | 2,528,471 | \$ | 2,074,000 | \$ | 4,602,471 | |
| LTP Total | \$ | 2,528,471 | \$ | 2,074,000 | \$ | 4,602,471 | |

| YEAR 3 - 2026/27 | Renew | | LOS (New Capital) | Total | | Notes |
|------------------------|-------|-----------|-------------------|-------|-----------|---|
| Planning and design | \$ | 154,789 | \$ 60,000 | \$ | 214,789 | Design/Engagement for yr 4 sites |
| Reactive Renewals | \$ | 40,000 | | \$ | 40,000 | Available for any one off equipment failure |
| Ashurst Park | \$ | 500,000 | \$ 150,000 | \$ | 650,000 | LOS including Shade |
| Brymer Glenn Reserve | \$ | 300,000 | \$ 65,000 | \$ | 365,000 | LOS including Shade |
| Swarbrick Park | \$ | 310,000 | \$ 65,000 | \$ | 375,000 | LOS including Shade |
| Chelmsford Park | \$ | 230,000 | | \$ | 230,000 | Shade delivered in following year |
| Ranfurly Park | \$ | 230,000 | | \$ | 230,000 | Shade delivered in following year |
| Caenarvon Park | \$ | 315,000 | | \$ | 315,000 | Shade delivered in following year |
| Farringdon Ave Reserve | \$ | 315,000 | | \$ | 315,000 | Shade delivered in following year |
| TOTAL Yr 3 | \$ | 2,394,789 | \$ 340,000 | \$ | 2,734,789 | |
| LTP TOTAL | \$ | 2,394,789 | \$ 340,000 | \$ | 2,734,789 | |

| YEAR 4 - 2027/28 | Renew | | LOS (Ne | w Capital) | Total | | Notes |
|----------------------------|-------|-----------|---------|------------|-------|-----------|--|
| Planning and Design | | | \$ | 100,000 | \$ | 100,000 | Design/Engagement for yr 5 sites |
| Yr 3 sites shade provision | | | \$ | 260,000 | \$ | 260,000 | Shade provision for Chelmsford, Ranfurly, Caenarvon and Farringdon |
| Reactive Renewals | \$ | 30,000 | | | \$ | 30,000 | Available for any one off equipment failure |
| Derby Park | \$ | 240,000 | \$ | 65,000 | \$ | 305,000 | LOS including Shade |
| Pountney Park | \$ | 240,000 | \$ | 65,000 | \$ | 305,000 | LOS including Shade |
| Donny Park | \$ | 240,000 | \$ | 150,000 | \$ | 390,000 | LOS including Shade |
| Minogue Park | \$ | 1,000,000 | \$ | 100,000 | \$ | 1,100,000 | LOS including Shade |
| Waterworld | | | \$ | 1,075,000 | \$ | 1,075,000 | LOS new playspace including shade |
| YR 4 Totals | \$ | 1,750,000 | \$ | 1,815,000 | \$ | 3,565,000 | |
| LTP Totals | \$ | 1,750,000 | \$ | 1,815,000 | \$ | 3,565,000 | |

| YEAR 5 - 2028/29 | Renew | | LOS (Ne | ew Capital) | Total | | Notes | |
|---------------------|-------|-----------|---------|-------------|-------|-----------|--|--|
| Planning and Design | | | \$ | 150,000 | \$ | 150,000 | Design/Engagement for yr 6 sites | |
| Reactive Renewals | \$ | 30,000 | | | \$ | 30,000 | Available for any one off equipment failure | |
| Steele Park | \$ | 500,000 | \$ | 50,000 | \$ | 550,000 | LOS equipment allowance | |
| Sandford Park | \$ | 310,000 | \$ | 65,000 | \$ | 375,000 | LOS including shade | |
| Te Awa O katipaki | \$ | 220,000 | \$ | 65,000 | \$ | 285,000 | LOS including shade | |
| Moonlight Drive | \$ | 320,000 | \$ | 700,000 | \$ | 1,020,000 | LOS includes Toilets, shade, undersurface | |
| Heath Park | \$ | 230,000 | \$ | 65,000 | \$ | 295,000 | LOS including shade | |
| Kahikatea Park | \$ | 230,000 | \$ | 65,000 | \$ | 295,000 | LOS including shade | |
| Enderley Park | \$ | 430,000 | \$ | 125,000 | \$ | 555,000 | LOS including shade, and undersurface improvements | |
| Year 5 Totals | \$ | 2,270,000 | \$ | 1,285,000 | \$ | 3,555,000 | | |
| LTP Totals | \$ | 2,269,000 | \$ | 1,285,000 | \$ | 3,554,000 | | |

YEARS 6-10 Renewals Totals \$14,852,661 \$7,767,968 \$22,620,629 Playground renewals and levels of service projects for this period are subject to changes in funding driven by updated condition assessments and future long term plan decisions.

Hillary park

Edinburgh Park

Hamilton Gardens

Grosvenor Park Fairfield Park

Vardon Park

Carrs Park

Chequers Avenue Reserve

Mooney Park Northolt Park

Temple View Reserve

Resthills Park Union Park

Dominion Park

Innes Common

Chartwell Park

Deanwell Park Gallagher Aquatic Centre

Melville Park Flagstaff Park

Te Kootii Park

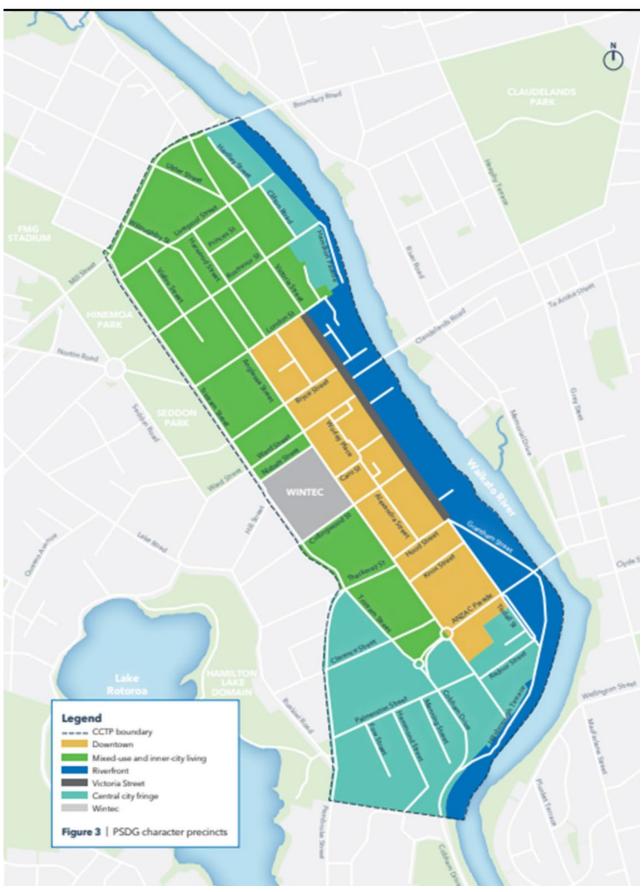
OUTCOMES

PLAYGROUNDS # FUTURE

VISION Our playgrounds are vibrant, social, creative spaces for everyone to play together



Central City Development Intentions



PLAYSPACE SIZE COMPARISONS



Fig 1: Waiwherowhero Park 300m2



Fig 2: Chartwell Park – 600m2



Fig 3: Minogue Park - 1200m2

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Narelle Waite **Authoriser:** Helen Paki

Position: Strategy and Policy Advisor **Position:** General Manager Customer and

Community

Report Name: Animal and Dog Control Review Programme - Approval to Consult

Purpose - Take

1. To inform the Community and Natural Environment Committee on the progress of the Animal and Dog Control review programme.

2. To seek approval from the Community and Natural Environment Committee to commence public consultation on the proposed amended Animal Nuisance Bylaw 2013, the Dog Control Bylaw 2015), and Dog Control Policy with the draft Statement of Proposal.

Staff Recommendation - Tuutohu-aa-kaimahi

- 3. That the Community and Natural Environment Committee:
 - a) receives the report;
 - b) approves the draft Statement of Proposal (Attachment 1);
 - c) approves for public consultation the:
 - i. Proposed amended Dog Control Policy (Attachment 2),
 - ii. Proposed amended Dog Control Bylaw (Attachment 4),
 - iii. Proposed amended Animal Nuisance Bylaw (Attachment 6); and
 - d) approves public consultation from 18 September 2024 to 18 October 2024.

Executive Summary - Whakaraapopototanga matua

- 4. The Animal and Dog Control review programme includes review of the Animal Nuisance Bylaw 2013, the Dog Control Bylaw 2015, and Dog Control Policy.
- 5. The three documents are the regulatory functions that support operational practice and enforcement for Council's Animal Control unit.
- 6. Staff have identified opportunities for minor amendments to the Animal Nuisance Bylaw and moderate amendments to the Dog Control Policy and Dog Control Bylaw. The proposed amendments reflect feedback from staff, key Council and community stakeholders and Council's Maaori partners.
- 7. Council is required by legislation to consult with the public on review of both Bylaws and the Dog Control Policy (Local Government Act 2002 and Dog Control Act 1996).

- 8. Staff recommend **Option 1** approve the draft Policy and Bylaws for public consultation, as detailed in paragraph 33 below.
- 9. Staff consider the decisions in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background - Koorero whaimaarama

- 10. Council first adopted a **Animal Nuisance Bylaw** in 2008, **Dog Control Policy** in 1997, and the **Dog Control Bylaw** in 2004..
- 11. The purpose of Council's Animal Nuisance Bylaw is to regulate the keeping of animals (excluding dogs) within Hamilton City to protect the public from nuisance and maintain public health and safety.
- 12. Council is required by the Dog Control Act 1996 to adopt a policy on dogs. The purpose of the Dog Control Policy is to facilitate responsible dog ownership within the community and respond when dog owners do not meet their responsibilities.
- 13. The Dog Control Bylaw gives effect to the Dog Control Policy by allowing for infringement notices and fines.
- 14. A determination report was brought to the Community and Natural Environment Committee of 26 October 2023. The Committee resolved that the two bylaws were the most appropriate mechanisms for:
 - i. addressing issues relating to the protection and maintenance of public health and safety, and regulating the keeping of animals; and
 - ii. addressing issues of public safety relating to dog control, and for giving effect to the Dog Control Policy.

Discussion - **Matapaki**

- 15. Staff have identified potential amendments to respond to feedback received from staff, Elected Members, external stakeholders and Maaori partners through an initial engagement process.
- 16. A summary of changes to each of the documents are included below. A Statement of Proposal for the community consultation of the three documents is included as **Attachment 1.**

Animal Nuisance Bylaw

- 17. The Animal Nuisance Bylaw has been found to meet the needs for effectively managing nuisance caused by the keeping of animal. Staff propose only minor amendments to clarify the requirements for housing of animals on private property, and general wording changes for clarity and reading accessibility.
- 18. The proposed amended Animal Nuisance Bylaw (with tracked changes) is included as **Attachment 7.** The proposed amendments for the bylaw are:

| Proposed Amendment | Description |
|-----------------------------|--|
| Page 3:6 Keeping of Animals | A new rule that, in order to prevent nuisance, animal cages or buildings must be kept on the owner's property. |

Dog Control Bylaw

- 19. Proposed amendments include a requirement for appropriate housing, and changes to the permitting process of households with more than two dogs.
- 20. The proposed amended Dog Control Bylaw (with tracked changes) is included as **Attachment 5.** The proposed amendments for the bylaw are:

| Summary of Proposed Amendments | Description |
|---|---|
| Page3:7 Minimum Standards for Accommodation | A new rule to ensure dogs are kept in housing appropriate for their welfare, and to prevent public nuisance by wandering or excessively barking etc. |
| Page 4:9 Multiple Dog Permitting | Currently owners of more than two dogs must renew their Multiple Dog Permit annually for a fee. The proposed amendment would instead include a fee for each variation to the permit, for example, if the owner and their dogs relocate. This would represent a saving to Council as the annual fee does not cover costs. Dog registration would still be renewed annually. |

Dog Control Policy

- 21. Staff propose amendments to better *state how Council fulfils its legislative responsibilities under the Dog Control Act.* The proposed changes concern Owner Classifications, Dog Classifications, Owner Obligations, Dogs in Public Places, and Regulation and Enforcement.
- 22. Minor wording changes have been made for simplification and clarity.
- 23. The proposed amended Dog Policy (with tracked changes) is included as **Attachment 3**. The proposed amendments for the Policy are:

| Summary of Proposed Amendments | Description |
|--|---|
| Page 2:8 Regulation and Enforcement | Clarifies what Council takes into account during enforcement |
| Page 4: Access Rules | Defines access rules for where dogs are allowed in public places |
| Page 4:21 Owner Obligations and Nuisance | Clarifies the obligations of owners to manage dog related nuisance and Council's ability to respond |
| Page 4:23 Dog Classifications | Added to help community understand rules around menacing and dangerous dog classifications |
| Page 5:31 Owner Classifications | Added to help community understand rules around probationary and disqualified owner classifications |

Dog Exercise Areas

24. Staff have reviewed the current provision of dog parks as part of the Bylaw and Policy review. This included benchmarking with other Local Authorities and an assessment of current use/demand through registered dog numbers and a survey.

- 25. The Dog Parks in Kirikiriroa survey was carried out in February 2024. Council received 347 survey responses and 122 pin-dropped comments. Most respondents (89%) were current dog owners residing in Hamilton. 77% of respondents showed support for more off-lead dog areas. The full insights report is in **Attachment 9.**
- 26. The introduction of time restrictions for some of the new off-lead exercise areas would allow an increase the total number of dog exercise areas across the city while minimising the effects on other park users. The time restrictions apply to times of the day that dogs must be exercised on lead, e.g. 4.00pm to 10.00pm. This may change according to the park in question.
- 27. Proposed dog exercise areas were prioritised in areas of high dog ownership and low provision, and met criteria for safety, accessibility, sightlines etc.
- 28. Table 1 shows the proposed new, or changed, off lead dog exercise areas. A full register of all dog exercise and prohibited areas is included as part of the Dog Control Policy in **Attachment 3.**

| Location | Proposed Change | Designation | Reasoning |
|--------------------|-----------------------|--------------------------------|---|
| Claudelands Park | Minor boundary | Off lead dog exercise area all | Minor reduction in area due to |
| Claudelalius Park | change. | times | Settlement Centre and Magical |
| | Change. | times | Bridge Playground developments. |
| Days Park | Minor boundary | Off lead dog exercise area all | Poor sightlines created hazard area |
| Daysraik | change to remove one | times | Foor signifilities created flazard area |
| | entrance-way from off | times | |
| | lead area. | | |
| Derby Park | New off lead area. | Off lead dog exercise area all | To mitigate reduction in provision |
| 20.07.0 | Trem on read area. | times | caused by Te Kootii Park sports |
| | | | ground developments (see below) |
| Derek Heather Park | New off lead area. | Off lead dog exercise area | To mitigate reduction in provision |
| | Trem on read area. | (specified times) | caused by Te Kootii Park sports |
| | | Weekdays: dogs must be on | ground developments (see below) |
| | | lead between 4pm-10pm | Proposed areas around sports |
| | | Weekends: dogs must be on | fields however research suggests |
| | | lead between 8am-5pm | dog owners generally avoid sports |
| | | Off lead at all other times | fields. |
| Eden Park Reserve | New off lead area. | Off lead dog exercise area all | To meet provision gap in |
| | | times | Northwest area of city |
| Greensboro Park | New off lead area. | Off lead dog exercise area all | To meet provision gap in Southeast |
| | | times | area of city. |
| Hamilton Gardens | Changed to specified | Hillside Lawn (including | Increased use of area as overflow |
| | times. | southern river area): | carpark created hazard. Proposed |
| | | Off lead dog exercise area | for use outside of peak visitor |
| | | (specified times) | hours. |
| | | On lead between 10am-6pm | |
| | | Off lead all other times | |
| | New off lead area. | Area north of Hungerford | Aligns with Hamilton Gardens |
| | | Crescent: | Reserve Management Plan |
| | | Off lead dog exercise area all | proposal. Will replace some day- |
| | | times | time provision loss from overflow |
| | | | carpark. |
| | New off lead area. | Coxhead Flat (western river | Aligns with Hamilton Gardens |
| | | area): | Reserve Management Plan. Will |
| | | Off lead dog exercise area all | mitigate some lost provision. |
| | | times | |
| Hare Puke Park | New off lead area. | Off lead dog exercise area | High demand area. Proposed areas |
| | | (specified times) | around sports fields. Research |
| | | Weekdays: dogs must be on | suggests dog owners generally |
| | | lead between 4pm-10pm | avoid sports fields. |
| | | Weekends: dogs must be on | |
| | | lead between 8am-5pm | |
| | | Off lead at all other times | |

| Hillcrest Park | | Off lead dog exercise area (specified times) Weekdays: dogs must be on lead between 4pm-10pm Weekends: dogs must be on lead between 8am-5pm Off lead at all other times | To meet provision gap in the Southeast. Proposed areas around sports fields however research suggests dog owners generally avoid sports fields. |
|----------------------------|---|---|--|
| Innes Common | Increase in size. | Area east of Lake Domain Drive Off lead dog exercise area at all times | Mitigates reduction in provision in West Lake domain |
| | Changed to specified times. | Area west of lake Domain Drive Off lead dog exercise area (specified times) Weekdays: dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times | Changed to specified times to avoid conflict with adjacent sports fields. |
| Mangaiti Park | New off lead area. | Off lead dog exercise area at all times. | Provision in the North is low, demand is high. Areas identified as future sports fields are classified as temporary. |
| Miropiko Reserve | New prohibited area. | Prohibited area at all times. | Poor sightlines, safety risks and feedback from mana whenua |
| Moonlight Drive Reserve | New off lead area. | Off lead dog exercise area at all times | To meet provision gap in Northeast. |
| Porritt Stadium | Minor boundary change. | Park surrounding Off lead dog exercise area at all times. | Minor change to exclude sports fields from mapped area. |
| Pukete Farm Park | Minor boundary change. | Off lead dog exercise area at all times. | Minor change to exclude heavily planted area next to BMX track, and some narrow entry ways. Responds to known community feedback and policy statement on sightlines. |
| Rakautahi Park | New off lead area. | Off lead dog exercise area at all times. | Adds to provision in popular dog ownership area, also responds to provision loss from proposed changes to Te Kootii. |
| Raymond Park | New off lead area. | Off lead dog exercise area (specified times) Weekdays: dogs must be on lead between 4pm-10pm Weekends: dogs must be on lead between 8am-5pm Off lead at all other times | Currently a popular community dog exercise area. Proposed change to manage potential user conflicts. |
| Resthills Park | Nil | Northern area Off lead dog exercise area all times | Nil |
| | Amend to specified times. | Eastern area Off lead dog exercise area (specified times) Weekdays: dogs must be on lead between 4pm-10pm Weekends: dogs must be on lead between 8am-5pm Off lead at all other times | Reduce shape and times of available use due to sports fields. |
| Te Kootii Park | Amend boundary and introduce specified times. | Off lead dog exercise area (specified times) Weekdays: dogs must be on lead between 4pm-10pm | Reduced area and times of available use due to sports fields. Proposed three new parks nearby to respond to provision decrease. |

| | | Weekends: dogs must be on lead between 8am-5pm Off lead at all other times | |
|----------------|---|---|--|
| Te Manatu Park | Identified for future possible changes. | Off lead dog exercise area at all times. Centre of the park is designated as a temporary off lead area until sports fields are developed. | |
| Till's Lookout | Minor boundary change. | Off lead dog exercise area at all times. | Minor change for safety improvements/sightlines. |

Table 1: Proposed new or changed off leash dog exercise areas

Statement of Proposal

29. The Statement of Proposal (**Attachment 1**) provides public information on issues and opportunities for improvement identified in the review programme.

Consultation approach

- 30. Legislation and Council's Significance and Engagement policy require that Council consult with the community on the proposed amendments to the bylaws and policy using the special consultative procedure (Local Government Act 2002 and Dog Control Act 1996).
- 31. Staff propose using a mix of public notices, emails/letters, signage and social media posts to reach affected stakeholders, dog owners and other interested parties, as well as social media posts.

 Consultation is planned for one month from 18 September to 18 October 2024.
- 32. Staff will consult with park stakeholders, neighbours and other park users about proposed off-lead areas.
- 33. A hearing will be held if submitters wish to present a verbal submission.
- 34. Following consultation, the final amendments will be brought to a future Community and Natural Environment Committee meeting to seek a recommendation to Council for approval.

Options

35. Staff have provided three total options set out in the table below:

| Option 1 (recommended) – approve the draft bylaws and | This option proposes to keep the current bylaws and policy with the proposed amendments. |
|--|---|
| policy for public consultation | The proposed amended Animal Nuisance Bylaw, Draft Dog Control Policy and Draft Dog Control Bylaw will be made available for formal feedback from the community. |
| | The review programme will remain on track to be completed early 2025. |
| Option 2 – propose public consultation of the bylaws and policies with no proposed | This option would propose to maintain the current Animal Nuisance Bylaw, Dog Control Policy and Dog Control Bylaw without any amendments. |
| changes. | Community consultation on keeping the Bylaws without changes will take place. |
| | Not making the proposed amendments would mean that opportunities for improvement identified through the review would not occur. |

| Option 3 – do nothing (status quo) | The bylaw review will pause, and the Animal Control Bylaw will lapse in May 2025 if no further progress is made. |
|------------------------------------|--|
| | This option would be in contradiction of the determination made by Council that the Bylaws should remain. |

- 36. Staff recommend **Option 1**, to approve the Draft Animal Nuisance Bylaw, Draft Dog Control Policy and Draft Dog Control Bylaw and the draft statement of proposal for consultation.
- 37. **Option 1** will ensure the opportunities for improvement identified in the review are advanced to hear the community's thoughts.
- 38. If the recommendation is not approved the review programme will be delayed and may risk missing the legislative deadlines to complete the review. If the reviews are not completed the Bylaws risk revocation, which will leave Council open to risk.

Financial Considerations - Whaiwhakaaro Puutea

- 39. The reviews are regular operating activities funded through the 2024-34 Long-Term Plan.
- 40. The costs incurred to date, costs associated with the consultation, and costs to finalise the review are within the estimated budget of \$45,000. These costings include staff hours to progress review (200-250 hours), engagement and consultation costs (\$8,500), which include contractor costs, design, public notice and media placements, mailout, and printing.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

- 41. Staff confirm that the review programme complies with Council's legal and policy requirements.
- 42. Staff confirmed that consideration of the appropriate method for consultation was undertaken in accordance with <u>section 156</u> of the Local Government Act 2002 and <u>section 10</u> of the Dog Control Act 1996.

Climate Change Impact Statement

43. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation assessment or emissions assessment is required.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 44. This programme of review is an opportunity to ensure Council best supports the social wellbeing of Hamiltonians by ensuring individuals, family, and whaanau can safely care for animals including dogs.
- 45. The Dog Control review will assess the equitable access to public spaces for dogs and their owners to provide for a sense of belonging and social inclusion that builds strength within community networks.
- 46. The review will also account for the rights of the Community to feel safe in public spaces without fear of attack, intimidation or nuisance caused by animals.

Social

- 47. This programme of review is an opportunity to ensure Council best supports the social wellbeing of Hamiltonians by ensuring individuals, family, and whaanau can safely care for animals including dogs.
- 48. The Dog Control review will assess the equitable access to public spaces for dogs and their owners to provide for a sense of belonging and social inclusion that builds strength within community networks.
- 49. The review will also account for the rights of the Community to feel safe in public spaces without fear of attack, intimidation or nuisance caused by animals.

Economic

50. Review of the Bylaws will provide opportunity for the community to provide feedback on fees and other costs that can be taken into consideration.

Environmental

- 51. Safe keeping of Animals contributes to environmental wellbeing by ensuring that animals are not causing nuisance or disruption to Hamilton's natural environment.
- 52. Adjacent to the Dog Control policy and bylaw review, staff have identified updates to the Off Lead Dog Exercise and Prohibited Areas Register, these areas, having considered the appropriateness of the environment and alignment with our existing reserve plans and strategies.

Cultural

- 53. Differing customs, values and beliefs will determine varied perceptions of animals within Hamilton's communities. The animal and dog review programme of work will seek to recognise the value of animals within the community with an appreciation for the inherent differences in cultural significance of animals.
- 54. A review of the Bylaws provides an opportunity for alignment with He Pou Manawa Ora, and staff have sought input from mana whenua through the drafting process.

Risks - Tuuraru

- 55. If the staff recommendation is not approved and the consultation process does not begin, the Animal Control Bylaw risks being revoked in May 2025, as per legislative requirements (s160A, LGA).
- 56. Without the Bylaw it will be more difficult to effectively manage processes and protocols of our Animal Control unit. In continuing to have the Bylaw, Council will minimise compliance and reputational risk.
- 57. The Dog Control Bylaw and Policy have a longer window of opportunity to complete the reviews, however combining the reviews achieves cost savings which will not be achieved by separating the reviews.
- 58. Unmanaged risk can lead to non-compliance with relevant legislation and may result in enforcement action on Council (including prosecution).

Significance & Engagement Policy - Kaupapa here whakahira/anganui

- 59. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of recommendation(s) in this report.
- 60. There is a statutory requirement to consult as per legislation outlined below.
- 61. Sections 156 of the Local Government Act 2002 and Section 10 of the Dog Control Act 1996 provides direction on the level of public engagement required throughout the review process. Having assessed the requirements under the acts, staff propose consultation in line with section 83, 83A, and 86 of the LGA 2002.
- 62. Engagement with Council partners and interested community stakeholders was undertaken to support the drafting of the policy and bylaws.

Attachments - Ngaa taapirihanga

- Attachment 1 Draft Statement of Proposal for the Animal and Dog Control review programme
- Attachment 2 Dog Control Policy proposed for consultation clean
- Attachment 3 Dog Control Policy proposed for Consultation tracked changes
- Attachment 4 Dog Control Bylaw 2015 amended proposed for consultation clean
- Attachment 5 Dog Control Bylaw 2015 amended draft for consultation Tracked Changes
- Attachment 6 Animal Nuisance Bylaw 2013 (amended) proposed for consultation clean
- Attachment 7 Animal Nuisance Bylaw 2013 (amended) proposed for consultation tracked changes
- Attachment 8 Proposed Dog Parks and Dog Population Heatmap
- Attachment 9 Dog Parks in Kirikiriroa: Engagement and Insights Report

[Topic related image]

Hamilton City Animal Nuisance Bylaw 2013, Dog Control Bylaw 2015, and Dog Control Policy

Statement of Proposal

[18 September - 18 October 2024]

Hamilton City Council is seeking feedback on the Draft Animal Nuisance Bylaw, Draft Dog Control Policy and Draft Dog Control Bylaw to meet the requirements of the Local Government Act 2002 (LGA 2002) and the Dog Control Act 1996 (the DCA 1996).

Background

Dog Control in Kirikiriroa Hamilton

Hamilton City Council takes a balanced approach to managing dogs. We use a mix of education and enforcement to keep the community safe and make Hamilton a friendly city for dogs and their owners. The review has identified these principles are still relevant today, but that we could better communicate what we expect from dog owners and what we can do in return.

The DCA 1996 requires Council to adopt and maintain a Policy for the control of dogs within the city. Councils are also required to develop a Bylaw to give effect to the Policy, enabling enforcement of the regulations and controls on dogs to help manage public safety.

What about all other Animals?

Council makes rules about the keeping of animals through the Animal Nuisance Bylaw. This bylaw allows Council to regulate the keeping of animals, bees, and poultry.

The purpose is to protect the public from nuisance that can be caused by the keeping of animals on private property.

Why are we doing the reviews?

Regular reviews provide an opportunity for Council to check in with the community on how these documents are working and consider feedback.

On 26 October 2023, the <u>Community and Natural Environment Committee</u> determined, under section 155(1) of the LGA 2002, that:

- a) the Dog Control Bylaw is the most appropriate means of controlling the issue of public safety relating to dog control in Hamilton City; and
- b) the Animal Nuisance Bylaw is the most appropriate means of controlling the issue of protection and maintenance of public health and safety, and regulating the keeping of animals within Hamilton City, under section 155(1) of the LGA.

Animal Nuisance

The Animal Nuisance Bylaw was last reviewed in 2013. Council is required to re-review the existing Bylaw as per the LGA 2002.

We are proposing minor changes to the Animal Nuisance Bylaw. The key reasons for the proposed changes are to clarify that residents must ensure premises built for the housing of animals remain on private property only.

Dog Control

The Hamilton City Dog Control Bylaw was first adopted in 2004 and the first Dog Control Policy was adopted in 1997. The current policy and bylaw were last reviewed in 2015. Council is required to review the existing Bylaw every 10 years as per the Dog Control Act 1996 and LGA 2002 requirements. The Policy is reviewed in tandem to ensure consistency between the two documents.

Council is proposing changes to both the Dog Control Policy and Dog Control Bylaw. The key reasons for the proposed changes are:

Continuing to meet our obligations under the Dog Control Act 1996.

- Improving clarity for owners about their rights and obligations, and Council's responsibilities and enforcement functions.
- Responding to identified concerns about the safe housing of dogs.
- Increasing need for dog parks due to dog population increases and city growth.

What is proposed?

What we're proposing... .and why. Animal Nuisance

Improvements for clarity

make the document more accessible/improved for accuracy.

These amendments also intend to clarify that residents must house animals on private property only.

These changes are reflected throughout the Animal Nuisance Bylaw.

Council proposes to simplify the language of the bylaw to The current writing style can be unclear and becomes a barrier to the community understanding their rights and responsibilities.

> Housing animals on public property can cause issues e.g. a barrier to access to utilities infrastructure.

Dog Control

Housing dogs

We are proposing to set minimum accommodation standards in the Bylaw. These standards require kennels (or similar housing) to be the right size, in the right location, clean and protected from the elements. The proposed standards align with the Code of Welfare for Dogs and responds to tethering risks identified by Animal Control.

Inadequate housing creates nuisance for neighbours and wellbeing and safety risks for the dog.

By defining a minimum standard for housing dogs we'll improve the capability of Animal Control to act, including with infringement fines, when accommodation for dogs is not adequate.

This change is reflected in Section 7 of the Bylaw.

Multiple dog permits

We propose removing the annual renewal requirement for multiple dog permits and instead requiring variations for amendments (like adding a new dog to the permit).

This change is reflected in section 9 of the Bylaw.

The Bylaw currently requires that owners of more than two dogs apply for and maintain a multiple dog permit which must be renewed annually.

Annual renewal requirements have been assessed as providing little additional value to community wellbeing, and the fee does not recover costs for the renewal process.

Dog Access Areas

We are proposing changes to the Off Lead Dog Exercise and Prohibited Areas Register. The proposal will increase overall dog park provision and includes the introduction of part time access for some parks, so dogs can be off lead in a greater number of parks at certain times.

Further changes to the register are proposed including amending area maps and a new prohibited area.

These changes are reflected in the Dogs in public places section of the Policy, and the Off Lead Dog Exercise and Prohibited Areas Register (Schedule 1 to both the Policy and Bylaw).

More dog exercise areas have long been requested to support the growing dog population.

Considerations for choosing where dogs can and cannot be include visible boundaries, sightlines, size, existing usage, and impacts on existing flora and fauna.

Providing a new shared access option helps increase the number of off lead exercise areas while balancing the need for park space by other users.

Dog exercise areas provide opportunities for dogs to exercise and socialise with others, enabling improved dog behaviour.

NB: The full proposal of changes, including amendments for clarity and modern language are shown with tracked changes in the provided draft documents.

Options

Council is consulting on the intention to continue the Animal Nuisance Bylaw, Dog Control Policy and Dog Control Bylaw with the proposed changes, and in compliance with the LGA 2002. Below are the options for each Bylaw and Policy.

Animal Nuisance Bylaw Options

Option 1 (preferred): Continue the bylaw with the proposed amendments

Council considers it is appropriate to keep the current Animal Nuisance Bylaw with minor changes because the bylaw has been successful at reducing nuisance caused by the keeping of animals.

Continuing the bylaw with the proposed amendments means:

- minor amendments will be made for clarity and improved readability.
- the bylaw will clarify that residents must house animals on private property only.

Option 2: Continue the bylaw with no amendments

This option would involve keeping the current bylaw without any amendments. This option would mean that opportunities for improvement identified through the review would not occur.

Dog Control Bylaw Options

Option 1 (preferred): Continue the bylaw with the proposed amendments

Council considers the appropriate option is to keep the current Dog Control Bylaw with the key changes described in the proposal table. This option responds to the opportunities and issues identified through the review. Making these changes means:

- we remain in alignment with our requirements under the DCA 1996,
- standards are set for the safe housing of dogs,
- the roles and responsibilities for Council and the Community when it comes to Dog Control in Hamilton are better explained,
- maintaining a multiple dog permit will be simpler, and
- the bylaw will be better aligned to the Dog Control Policy.

Option 2: Continue the bylaw with no amendments

This option would involve keeping the current Dog Control Bylaw without any amendments. This option would mean that:

- · opportunities for improvement identified through the review would not occur, and
- the bylaw may become inconsistent with the new Dog Control Policy and may therefore require revocation.

Dog Control Policy Options

Option 1 (preferred): Continue the policy with the proposed amendments

The Council considers the appropriate option is to make the key changes described in the proposal table, because this option includes improvements to the policy for clarity and responds to the opportunities and issues identified through the review. Making these changes means:

- the policy's purpose is clarified and the guiding principles for our approach to dog control are explained,
- the roles and responsibilities for Council and the community when it comes to Dog Control in Hamilton are better explained,
- our dog park provision increased in-line with the increase in dog registrations, and
- the policy is updated for accuracy and alignment with current management practices.

Option 2: Continue the Policy and Bylaw with no amendments

This option would involve keeping the current policy without any amendments. This option would mean that

4

Statement of Proposal - Feedback form

Hamilton City Council

opportunities for improvement identified through the review would not occur, and some policy statements and parks access rules may not align with current operational practice.

Tell us your thoughts on the proposal

Council is seeking feedback on the review of the Animal Nuisance Bylaw, Dog Control Policy and Dog Control Bylaw from people who will or may be affected by, or have an interest in, the proposal. Before making any final decisions, we'd like to have your input.

You can give us feedback from 18 September to 18 October online at <a href="https://haveyoursay.gov/haveyoursa

For any queries please ring 07 838 6699 or email: haveyoursay@hcc.govt.nz

Next steps

Staff will collect and analyse all feedback at the close of the submission period.

The analysis of this feedback will be presented to a December meeting of the Hearings and Engagement Committee. At this meeting, submitters who want to speak to their written submission will be able to do so.

Council will then consider all the views and make a decision on the Policy and Bylaw.

Feedback form

Hamilton City Animal Nuisance Bylaw 2013, Dog Control Bylaw 2015, and Dog Control Policy

18 September - 18 October 2024

Hamilton City Council has reviewed the Animal Nuisance Bylaw, Dog Control Bylaw, and Dog Control Policy, and is proposing changes.

FEEDBACK FORMS CAN BE:

- Completed online at hamilton.govt.nz/haveyoursay
- Posted to: Freepost 172189, Hamilton City Council, Communication and Engagement team, Animal Nuisance Bylaw 2013, Dog Control Bylaw 2015, and Dog Control Policy, Private Bag 3010, Hamilton, 3240.
- Delivered to the Municipal Building, 260 Anglesea Street or any branch of Hamilton City Libraries.
- Emailed to: haveyoursay@hcc.govt.nz

Privacy statement:

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at hamilton.govt.nz for further information.

Survey questions

- 1. Which topics would like you provide feedback on?
 - a. Animal Nuisance how we regulate the keeping of animals, bees, and poultry, and protect the public from animal nuisance
 - b. Dog Control how we manage dogs within the city
 - c. I would like to provide feedback on both

Animal Nuisance

Council proposes minor amendments to the Animal Nuisance Bylaw to make the bylaw easier
to understand and improve accuracy. These amendments also clarify that residents must
house animals on private property only.

Do you support Council's proposal to make only minor amendments to the Animal Nuisance Bylaw?

- a. I support this proposed change
- b. I oppose this proposed change
- c. I do not have a view on this or am unsure about this proposal
- 2. If you would like to expand on your answer, please do so here

Dog Control

Please indicate whether you support Council's proposed changes to the Dog Control Policy and Bylaw. If you would like to find out more about these changes, any why we're proposing them, click here.

1. Housing Dogs

We are proposing to set minimum accommodation standards in the Bylaw. These standards require kennels (or similar housing) to be the right size, in the right location, clean and protected from the elements.

- a. I support this proposed change
- b. I oppose this proposed change
- c. I do not have a view on this or am unsure about this proposal

2. Multiple dog permits

We propose removing the annual renewal requirement for multiple dog permits and instead requiring variations only when something changes (like adding a new dog).

- a. I support this proposed change
- b. I oppose this proposed change
- c. I do not have a view on this or am unsure about this proposal

3. Off Leash Areas

We are proposing to increase the overall off lead dog park provision, by adding ten new dog parks.

- a. I support this proposed change
- b. I support this proposed change, but have issue with the proposed parks
- c. I oppose this proposed change
- d. I do not have a view on this or am unsure about this proposal

4. Dog Park Timings

We are proposing to introduce a rule where dogs can be off lead in some parks at certain times. This will mean eight parks in Hamilton will allow dog to be off lead between certain hours.

- a. I support this proposed change
- b. I support this proposed change, but have issue with the proposed parks
- c. I oppose this proposed change
- d. I do not have a view on this or am unsure about this proposal
- 5. If you would like to expand on any of the answers given above, please do so here

Closing thoughts

1. Do you have any other comments relating to Council's Animal Nuisance Bylaw, Dog Control Bylaw, or Dog Control Policy?

| Run out of room? Feel free to attach additional pages. | |
|--|--------------------------|
| | |
| Would you like to make a verbal submission? Note: A verbal submission is around 5 - 10 minutes and is a chance for you to strengthen the ke submission at the Council meeting. Yes No | y points in your written |
| Verbal submissions will take place December 2024, and we will contact you to arrange | a time. |
| ABOUT YOU: This section tells us a bit more about you. By capturing this information, we will be able who is, and isn't providing feedback. | to better understand |
| Contact details (Please print clearly) | |
| We will use this to get in touch with you if you would like the opportunity to make a verbal subm | nission. |
| Name: (required) | |
| Phone: Email: (required) | |
| Are you giving feedback on behalf of an organisation? | |
| No, these are my own personal views | |
| Yes, I am the official spokesperson for the organisation | |
| If yes, what is the name of the organisation? | |
| If responding on behalf of an organisation, please do not complete the rest of this form | |
| | |
| Have you ever owned any pets? | |
| Yes, I currently or have previously owned a dog | |
| Yes, I currently or have previously owned another type of animal | |
| ☐ No, I have never owned a pet | |
| | |
| Where do you live? | |
| I live in Hamilton, my suburb is: | |
| I live outside Hamilton city: | |
| Waipaa District Waikato District Elsewhere in New Zealand | Overseas |
| What is your age group? (at your last birthday) | |
| Under 16 20-24 25-29 | 30-34 |
| 35-39 40-44 50-54 | 55-59 |
| 60-64 65-69 70-74 75-79 | 80+ |
| | |
| | |
| 8 Statement of Proposal - Feedback form | Hamilton City Council |

| Which ethnic grou | p do you identify wi | th? (tick all that app | oly) | |
|----------------------|-----------------------|------------------------|-----------------------|----------------------------|
| NZ European British | Maaori Filipino | ☐ Indian ☐ Tongan | Chinese South African | Samoan Cook Islands Maaori |
| | pecify if you wish):_ | TOTIGATI | South African | COOK ISIATIUS IVIAAOTT |
| If Maaori – what iwi | hapu do you belong t | o? | | |

Please get your feedback to us by 18 October 2024.



| First adopted: | May 2015 |
|-------------------------|---|
| Revision dates/version: | |
| Next review date: | |
| Engagement required: | Special Consultative Procedure (s83, LGA) required by Dog Control Act |
| Document number: | |
| Associated documents: | Hamilton City Dog Control Bylaw 2015 (amended 20XX) |
| Sponsor/Group: | Customer and Community Group |

Kaupapahere Whakataki Kurii

Dog Control Policy

Ko te Puutaketanga

Purpose

- 1. The purpose of this Policy is to:
 - a. facilitate responsible dog ownership within the community and respond when dog owners do not meet their responsibilities, an
 - b. state how Council will fulfil its legislative responsibilities in accordance with the Dog Control Act 1996 (Act) and the Dog Control Bylaw 2015 (Bylaw).

Ko te Whaanuitanga

Scope

2. This Policy applies to the district of Hamilton City Council.

Ko ngaa Tikanga Whakahaere Kaupapahere

Principles of Policy

- 3. The principles of this policy are:
 - a. To enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, and
 - b. Dogs need to be trained and socialised so that they learn how to behave in a public environment. Involvement in education, and liaison with the community is valuable to achieving these outcomes.
- 4. This Policy is made under the provisions of section <u>10</u> of the Act and takes into account:
 - a. the need to minimise danger, distress, and nuisance to the community generally; and
 - the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
 - c. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
 - d. the exercise and recreational needs of dogs and their owners.

Ko ngaa Tikanga

Policy

Education

- 5. Council will take an education first approach with dog owners to enhance the knowledge and skill of dog owners on the care and control of dogs, with a particular focus on the owners of dogs with behavioural issues.
- 6. Council will seek opportunities to educate the general public, particularly children, about safety around dogs and other dog-related issues.

Page 1 of 5



7. Council will work with the clubs and service providers to achieve the objective of this Policy.

Regulation and enforcement

- 8. Council will use enforcement mechanisms, including infringements and fines, of the Bylaw and the Act to fulfill the principles of this policy.
- 9. When considering enforcement action, Council will take into consideration; the circumstances of the event, any injury or damage related to the event, the history and behaviour of the dog, the history and behaviour of the owner, and any steps taken to prevent the event happening again.

Dogs in public places

- 10. Dogs must always be under control and must not roam outside the property they live in.
- 11. Dogs may only be let off lead in designated off lead areas (Off Lead Dog Exercise and Prohibited Areas Register, Schedule 1).
- 12. Any person walking or exercising a dog in public must carry a lead, and an appropriate receptacle for collecting and disposing of faeces.
- 13. Any person walking or exercising a dog in public must prevent the dog from interfering with the use or enjoyment of any other person sharing the space.

On lead areas

14. Dogs must be kept on lead in road corridors (including footpaths and berms), river pathways (unless within a designated dog exercise area), and any other public place not otherwise classified.

Off lead dog exercise areas

- 15. Council will provide appropriately for the exercise and recreational needs of dogs and their owners by designating Off lead dog exercise areas, including Off lead dog exercise areas (specified times).
- 16. When selecting an Off lead dog exercise areas Council will consider the following: strategic location with vehicular and pedestrian access, clearly visible boundaries and sufficient sightlines, size, existing usage, and potential impact to flora and fauna.

Prohibited areas

- 17. Dogs are prohibited in the following locations:
 - All children's playgrounds and within 10 metres of unfenced children's playgrounds,
 - Skate parks,
 - All cemeteries under control of Hamilton City Council,
 - Miropiko Reserve,
 - Waiwhakareke Natural Heritage Park,
 - Identified areas in:
 - Hamilton Gardens,
 - Hamiton Lake Domain, and
 - Porritt Stadium.

Access rules

| Access Area Type | Access Rules |
|----------------------------|---|
| Off lead dog exercise area | Are designated dog exercise areas and are priority areas for dogs and their owners. Dogs (excluding female dogs in season) can be off lead but must remain under control. |

Page 2 of 5



| Off lead dog exercise area (specified times) | Are designated dog exercise areas and are shared spaces for all users. Dogs (excluding female dogs in season) can be off lead at certain times but must remain under control. Off lead and on lead times are identified in Schedule 1. |
|--|---|
| On lead area | Are shared spaces for all users. Dogs must be always on lead and must remain under control. Working dogs are exempt only when working. |
| Prohibited area | Dogs are not permitted in these areas. Working dogs are exempt only when working. |

- 18. Non-compliance with the Access Rules is in breach of the Bylaw.
- 19. Dog exercise areas and prohibited areas, including any variation on access are identified in the Dog Control Off Lead Exercise and Prohibited Areas Register (Schedule 1).
- 20. Council will effectively communicate the dog access areas with on-site signage and Council's communication platforms.

Owner obligations and nuisance

- 21. Dog owners support the reduction of dog nuisance by meeting their obligations in section 5 of the Act and the Bylaw. Owner obligations include:
 - a) registering their dogs and updating information with Council when needed
 - b) providing proper housing, care, and exercise.
 - c) controlling their dog/s in public places.
 - d) taking all actions to reduce roaming, howling, or barking.
 - e) taking all actions to ensure dogs do not injure or attack any person, stock, poultry, domestic animal, protected wildlife, nor damage property.
 - f) holding multiple dog permits for more than 2 dogs older than three months
- 22. Council will respond to all dog nuisance complaints and use enforce mechanisms where nuisance continues.

Dog classifications - Menacing and Dangerous

- 23. Council may classify a dog as Menacing if the dog's observed and/or reported behaviour is considered a threat to the safety of people, stock, poultry, domestic animal, or protected wildlife.
- 24. Council will classify a dog as Menacing if the dog belongs wholly or predominantly to a breed or type identified in Schedule 4 of the Act.
- 25. Dogs classified as Menacing:
 - a) must be neutered.
 - b) must be muzzled and on lead in all public places and private ways, unless confined in a vehicle or cage.
 - c) can be off lead in specified off lead dog exercise areas but must remain muzzled.
- 26. Council will classify a dog as Dangerous if the dog owner has been convicted of an offence under section 57A(2) of the Act, or there is sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife.
- 27. Dogs classified as Dangerous:
 - a) must be neutered.

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- b) must be muzzled and on lead in all public places and private ways, unless confined in a vehicle or cage, or in a designated dog exercise area.
- c) must be kept within a securely fenced section of the owner's property (dog-free access to the house must be available).
- d) will incur a registration fee 50% more than the standard registration fee.
- e) can be off lead in specified off lead dog exercise areas but must remain muzzled.
- f) must get the written consent from Council to change owners.
- 28. Sections 31, 33B and 33D of the Act set out the process for objecting to a dog classification.
- 29. Dog classifications apply nationwide. Owners moving into the district of Hamilton City with dogs classified by another territorial authority will be subject to Council's requirements for that classification.
- 30. Regardless of classification status, Council expects any dog known by the owner to have attacked any person, stock, or property must be muzzled in a public place as required by section 62(2) of the Act.

Dog owner classifications - Probationary and Disqualified

- 31. Council may classify a dog owner as probationary or disqualified if the owner has committed three or more separate infringement offences under the Act in a 24-month period.
- 32. Council will classify a dog owner as disqualified if the owner has been convicted of an offence against the Act.
- 33. Council may require a person classified as a probationary owner to undertake, at their own expense, a dog owner education programme and/or dog obedience course approved by Council.
- 34. Sections 21-28 of the Act set out matters relating to the classification of dog owners as probationary or disqualified owners, including the process for objecting to the classification.

Neutering

- 35. Council encourages neutering of dogs to support responsible dog ownership, reduce the number of roaming dogs, unwanted litters of puppies, and the number of impounded dogs.
- 36. Any dog classified as menacing by another territorial authority is required to be neutered if relocating to Hamilton City.
- 37. Council may require a dog to be neutered if the dog has not been kept under control more than once in a 12-month period,.

Fees and charges

- 38. Council will incentivise responsible dog ownership and the prompt payment of registration fees through the use of fee categories and discounts .
- 39. The fees and charges will be prescribed each year on the Schedule of Fees and Charges through the Annual Plan or Long Term Plan process.

Ko te Aroturukitanga me te Whakatinanatanga Monitoring and Implementation

- 40. The Policy will be implemented using a combination of enforcement action, public education, and liaison with other service providers.
- 41. Implementation of the Policy will be monitored by the General Manager, Customer and Community.

Page 4 of 5



- 42. Council will report transparently on the administration of this Policy and its dog control practices.
- 43. The Policy will be reviewed in response to any issues that may arise, every five years, at the request of the Council, or in response to changed legislative and statutory requirements (whichever occurs first).

Ko ngaa Whakamaaramatanga

Definitions

| Term | Definition in this Policy |
|-------------------|---|
| Control or | In relation to a dog, means that the owner is able to obtain an immediate |
| Controlled | desired response from the dog by use of a lead and, when not on a lead, by using |
| | direct commands. |
| Dangerous | means any dog classified as dangerous under section 31 or 33ED of the Act. |
| Disqualified | means a person prohibited from owning a dog for up to 5 years under section 25 |
| owner | of the Dog Control Act 1996. |
| In season | means the oestrus or heat cycle for any female dog. |
| Menacing | Means any dog classified as menacing under section 33A or 33C the Dog Control |
| | Act 1996. |
| Muzzled | In relation to a dog, means the dog is wearing a basket type or similar muzzle |
| | (that allows panting and drinking). |
| Neuter or | means a dog that has been spayed or castrated; and does not include a dog that |
| neutered | has been vasectomized. |
| Owner | has the same meaning as defined in section 2 of the Dog Control Act 1996. As an |
| | example, it generally refers to the registered owner of the dog or any person in |
| | possession of the dog. |
| Probationary | Means a person who is prohibited from owning and/or registering any new dogs, |
| owner | for a period of up to 2 years, under section 21 of the Dog Control Act 1996. |
| Public place | Has the same meaning as section 2 of the Dog Control Act, it generally means |
| | any place that is open to use by the public, whether free or upon payment of an |
| | entry fee. |
| Private way | has the same meaning as defined in Section 315(1) of the Local Government Act |
| | 1974, and in relation to dogs is most commonly referring to shared driveways. |
| Roaming | means any dog that is found at large in any public place or any land or premises |
| | other than that occupied by the owner. |
| Working dog | has the same meaning as defined in section 2 of the Dog Control Act 1996, it |
| | generally refers to a dog kept by a specified agency and includes disability assist |
| | dogs. |

Ko ngaa Tohutoro References

- 44. The Policy is enforced through the Hamilton City Dog Control Bylaw 2015 (amended 20XX).
- 45. The Policy is made under Section <u>10</u> of the Dog Control Acy 1996.



| First adopted: | May 2015 |
|-------------------------|---|
| Revision dates/version: | |
| Next review date: | |
| Engagement required: | Special Consultative Procedure (s83, LGA) required by Dog Control Act |
| Document number: | |
| Associated documents: | Hamilton City Dog Control Bylaw 2015 (amended 20XX) |
| Sponsor/Group: | Customer and Community Group |

Kaupapahere Whakataki Kurii

Dog Control Policy

Ko te Puutaketanga

Purpose

- 1. The purpose of this Policy is to:
 - a. facilitate responsible dog ownership within the community and respond when dog owners do not meet their responsibilities, an
 - 4.b. state how Council will fulfil its legislative responsibilities pursuantin accordance with to the Dog Control Act 1996 (Act) and the Dog Control Bylaw 2015 (Bylaw).
- 2.1. This Policy has been adopted pursuant to the functions, duties and powers conferred on Hamilton City Council ('Council') by the Dog Control Act 1996 (www.legislation.govt.nz) and takes into account:
 - a. the need to minimise danger, distress, and nuisance to the community generally; and
 - b.<u>a.</u> the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
 - c.<u>a.</u> the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
 - d.a. the exercise and recreational needs of dogs and their owners.
- 3.1. To enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners.
- 4.1. This Policy applies to the whole of the district administered by Hamilton City Council, and other locations that are controlled by Hamilton City Council, now and in the future.

Ko te Whaanuitanga Scope

2. This Policy applies to the whole of the district administered byof -Hamilton City Council, and other locations that are controlled by Hamilton City Council, now and in the future.

Ko ngaa Tikanga Whakahaere Kaupapahere Principles of Policy

- 3. The principles of this policy are:
 - a. To enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, and
 - Dogs need to be trained and socialised so that they learn how to behave in a public environment. Involvement in education, and liaison with the community is valuable to achieving these outcomes.
- 4. This Policy is made under the provisions of section 10 of the Acthas been adopted pursuant to

Page 1 of 7



the functions, duties and powers conferred on Hamilton City Council ('Council') by the Dog-Control Act 1996 (www.legislation.govt.nz) and takes into account:

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

Ko ngaa Tikanga Policy

Education

- 5. Council considers that involvement in education, and liaison with dog clubs and other service providers, is an appropriate and valuable role. Dogs need to be trained and socialised so that they learn how to behave in a public environment. Council staff will undertake an education first approach initiatives with dog owners to enhance the knowledge and skill of dog owners on the care and control of dogs, with a particular focus on the owners of dogs with behavioural issues.
- 6. Council will also-seek-to opportunities to educate enhance the knowledge of the general public-generally, particularly children, about on-safety around dogs and other dog-related issues.
 Liaison with dog obedience clubs and other dog-related service providers in the city is considered an important role for Council.
- 6-7. Council will work seek to develop a partnership with the clubs and service providers to achieve the objective of this Policy.

Regulation and enforcement

- 7. Council has developed a Dog Control Bylaw that is the primary enforcement mechanism of this Policy. The prohibited areas and exercise areas, including maps, are set out in the Dog Control Off Lead Exercise and Prohibited Areas Register referred to in the Dog Control Bylaw 2015.
- 8. Whilst Council will use pursue education of dog owners and the public generally to avoid and minimise dog related issues in the city, enforcement mechanisms, including infringements and fines, of the provisions of the Dog Control Bylaw and the Act to fulfill the principles of this policy. is critical to maintain public safety and to minimise danger, distress, and nuisance to the community from dogs.
- 8.9. When considering enforcement action, Council will take into consideration; the circumstances of the event, any injury or damage related to the event, the history and behaviour of the dog, the history and behaviour of the owner, and any steps taken to prevent the event happening again.

Dogs in public places

- 10. Dogs must always be under control and must not roam outside the property they live in.
- 11. Dogs may only be let off lead in designated off lead areas (Off Lead Dog Exercise and Prohibited Areas Register, Schedule 1).
- 12. Any person walking or exercising a dog in public must carry a lead, and an appropriate receptacle for collecting and disposing of faeces.
- 13. Any person walking or exercising a dog in public must prevent the dog from interfering with the use or enjoyment of any other person sharing the space.

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On lead areas

14. Dogs must be kept on lead in road corridors (including footpaths and berms), river pathways (unless within a designated dog exercise area), and any other public place not otherwise classified.

Off lead dog Eexercise areas, restricted areas and prohibited areas

- 15. Council willaims to provide appropriately for the exercise and recreational needs of dogs and their owners by . Council has designatinged Off lead dog exercise areas, including Off lead dog exercise areas (specified times). a number of areas within the city where dogs may exercise without being on a lead or similar device (see clause 10), and areas where dogs are prohibited (see clause 11).
- 16. When selecting an Off lead dog exercise areas Council will consider the following: strategic location with vehicular and pedestrian access, clearly visible boundaries and sufficient sightlines, size, existing usage, and potential impact to flora and fauna.
- 9. Prohibited areas
- 10. Off lead dog exercise areas
 - Below is a list of parks within Hamilton City designated as off lead dog exercise areas:
 - Aberfovle Park
 - Beetham Park
 - Braithwaite Park*
 - Bristol Park
 - Chelmsford
 - Claudelands Park*
 - Crawshaw Park
 - Days' Park
 - Days rank
 - Hamilton Gardens*
 - Innes Common*
 - Lake Domain Reserve *
 - Melville Park
 - Minogue Park*
 - Porritt Stadium*
 - Pukete Farm Park
 - Resthills Park*
 - Tauhara Park*
 - Te Kooti*
 - Te Manatu*
 - Temple View Reserve*
 - Till's Lookout
 - Waiwherowhero Park*
 - . Maps of the off the off lead dog exercise areas for each park can be found in the Dog Control Off Lead Exercise and Prohibited Areas Register.
 - * The specific commencement dates and any details on rules for each of these off lead dogexercise areas can be found in the Dog Control Off Lead Exercise and Prohibited Areas Register.
- 36.17. Below are a list of areas in Hamilton where dDogs are prohibited in the following locations:
 - All children's playgrounds and Wwithin 10 metres of all areas of unfenced children's playgrounds

Page 3 of 7



- Skate parks,
- All cemeteries under control of Hamilton City Council, Hamilton West Cemetery
- Hamilton Gardens Cemetery
- Hamilton Gardens, Themed Gardens,
- Miropiko Reserve,
- Waiwhakareke Natural Heritage Park,
- Identified areas in:
 - Hamilton Gardens,
 - · Hamiton Lake Domain, and
 - Porritt Stadium.
- 37. Council's intention is to progressively upgrade the designated dog exercise areas within the city, to enhance provision for the exercise and recreational needs of dogs and their owners.

Access rules

| Access Area Type | Access Rules |
|--|---|
| Off lead dog exercise area | Are designated dog exercise areas and are priority areas for dogs and their owners. Dogs (excluding female dogs in season) can be off lead but must remain under control. |
| Off lead dog exercise area (specified times) | Are designated dog exercise areas and are shared spaces for all users. Dogs (excluding female dogs in season) can be off lead at certain times but must remain under control. Off lead and on lead times are identified in Schedule 1. |
| On lead area | Are shared spaces for all users. Dogs must be always on lead and must remain under control. Working dogs are exempt only when working. |
| Prohibited area | Dogs are not permitted in these areas. Working dogs are exempt only when working. |

- 18. Non-compliance with the Access Rules is in breach of the Bylaw.
- 19. Dog exercise areas and prohibited areas, including any variation on access are identified in the Dog Control Off Lead Exercise and Prohibited Areas Register (Schedule 1).
- 20. Council will effectively communicate the dog access areas with on-site signage and Council's communication platforms.

Owner obligations and nuisance

- 21. Dog owners support the reduction of dog nuisance by meeting their obligations in section 5 of the Act and the Bylaw. Owner obligations include:
 - a) registering their dogs and updating information with Council when needed
 - b) providing proper housing, care, and exercise.
 - c) controlling their dog/s in public places.
 - d) taking all actions to reduce roaming, howling, or barking.
 - e) taking all actions to ensure dogs do not injure or attack any person, stock, poultry, domestic animal, protected wildlife, nor damage property.
 - f) holding multiple dog permits for more than 2 dogs older than three months
- 22. Council will respond to all dog nuisance complaints and use enforce mechanisms where nuisance continues.

Dog classifications - Menacing and Dangerous

Page 4 of 7



- 23. Council may classify a dog as Menacing if the dog's observed and/or reported behaviour is considered a threat to the safety of people, stock, poultry, domestic animal, or protected wildlife.
- 24. Council will classify a dog as Menacing if the dog belongs wholly or predominantly to a breed or type identified in Schedule 4 of the Act.
- 25. Dogs classified as Menacing:
 - a) must be neutered.
 - b) must be muzzled and on lead in all public places and private ways, unless confined in a vehicle or cage.
 - c) can be off lead in specified off lead dog exercise areas but must remain muzzled.
- 26. Council will classify a dog as Dangerous if the dog owner has been convicted of an offence under section 57A(2) of the Act, or there is sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife.
- 27. Dogs classified as Dangerous:
 - a) must be neutered.
 - b) must be muzzled and on lead in all public places and private ways, unless confined in a vehicle or cage, or in a designated dog exercise area.
 - c) must be kept within a securely fenced section of the owner's property (dog-free access to the house must be available).
 - d) will incur a registration fee 50% more than the standard registration fee.
 - e) can be off lead in specified off lead dog exercise areas but must remain muzzled.
 - f) must get the written consent from Council to change owners.
- 28. Sections 31, 33B and 33D of the Act set out the process for objecting to a dog classification.
- 29. Dog classifications apply nationwide. Owners moving into the district of Hamilton City with dogs classified by another territorial authority will be subject to Council's requirements for that classification.
- 30. Regardless of classification status, Council expects any dog known by the owner to have attacked any person, stock, or property must be muzzled in a public place as required by section 62(2) of the Act.

Dog owner classifications - Probationary and Disqualified

- 31. Council may classify a dog owner as probationary or disqualified if the owner has committed three or more separate infringement offences under the Act in a 24-month period.
- 32. Council will classify a dog owner as disqualified if the owner has been convicted of an offence against the Act.
- 33. Council may require a person that is classified as a probationary owner in accordance with the provisions of the Dog Control Act 1996 to undertake, at his or hertheir own expense, a dog owner education programme and/or a-dog obedience course approved by Council.
- 34. Sections 21-28 of the Act set out matters relating to the classification of dog owners as probationary or disqualified owners, including the process for objecting to the classification.

Neutering

Page 5 of 7



39. Council will encourages neutering of dogs to support the overall aims of responsible dog ownership, by reduce ing the number of roaming dogs, unwanted litters of puppies, and the number of impounded dogs.

35.

- 1-36. Council will require mandatory neutering of dogs classified as menacing in accordance with the provisions of the Dog Control Act 1996. Mandatory neutering also includes Any dogs classified as menacing by another territorial authorityies is required to be neutered if relocating to where that dog is in the jurisdiction of Hamilton City. Council.
- 40.37. Council may require the owner of a dog to cause that a dog to be neutered if the dog has, onmore than one occasion in a 12-month period, not been kept under control more than once in a 12-month period.

Probationary owners

2.1. Council may require a person that is classified as a probationary owner in accordance with the provisions of the Dog Control Act 1996 to undertake, at his or her own expense, a dog owner education programme and/or a dog obedience course approved by Council.

Fees and charges

- 38. The Dog Control Act 1996 empowers Council to impose reasonable fees and charges for the registration and control of dogs. Council will The fees and charges aim to incentivise through the use of fee categories and discounts, responsible dog ownership, and the prompt payment of registration fees through the use of fee categories and discounts.
- 41.39. The fees and charges will be prescribed each year on the Schedule of Fees and Charges through the Annual Plan or Long Term Plan process.

Ko te Aroturukitanga me te Whakatinanatanga Monitoring and Implementation

- 42.40. The Policy will be implemented using a combination of enforcement action, public education, and liaison with other service providers, and where necessary, enforcement action.
- 41. Implementation of the Policy will be monitored by the General Manager, Customer and Community.
- 42. Council will report transparently on the administration of this Policy and its dog control practices.
- 43. The Policy will be reviewed in response to any issues that may arise, every five years, at the request of the Council, or in response to changed legislative and statutory requirements (whichever occurs first).

Ko ngaa Whakamaaramatanga Definitions

| <u>Term</u> | <u>Definition in this Policy</u> |
|--------------|--|
| Control or | In relation to a dog, means that the owner is able to obtain an immediate |
| Controlled | desired response from the dog by use of a lead and, when not on a lead, by using |
| | direct commands. |
| Dangerous | means any dog classified as dangerous under section 31 or 33ED of the Act. |
| Disqualified | means a person prohibited from owning a dog for up to 5 years under section 25 |
| owner | of the Dog Control Act 1996. |
| In season | means the oestrus or heat cycle for any female dog. |

Page 6 of 7



| Menacing | Means any dog classified as menacing under section 33A or 33C the Dog Control |
|---------------------|---|
| | <u>Act 1996.</u> |
| Muzzled | In relation to a dog, means the dog is wearing a basket type or similar muzzle |
| | (that allows panting and drinking). |
| Neuter or | means a dog that has been spayed or castrated; and does not include a dog that |
| neutered | has been vasectomized. |
| <u>Owner</u> | has the same meaning as defined in section 2 of the Dog Control Act 1996. As an |
| | example, it generally refers to the registered owner of the dog or any person in |
| | possession of the dog. |
| Probationary | Means a person who is prohibited from owning and/or registering any new dogs, |
| <u>owner</u> | for a period of up to 2 years, under section 21 of the Dog Control Act 1996. |
| Public place | Has the same meaning as section 2 of the Dog Control Act, it generally means |
| | any place that is open to use by the public, whether free or upon payment of an |
| | entry fee. |
| Private way | has the same meaning as defined in Section 315(1) of the Local Government Act |
| | 1974, and in relation to dogs is most commonly referring to shared driveways. |
| Roaming | means any dog that is found at large in any public place or any land or premises |
| | other than that occupied by the owner. |
| Working dog | has the same meaning as defined in section 2 of the Dog Control Act 1996, it |
| | generally refers to a dog kept by a specified agency and includes disability assist |
| | dogs. |

Ko ngaa Tohutoro References

44. The Policy is enforced through the Hamilton City Dog Control Bylaw 2015 (amended 20XX).

43.45. The Policy is made under Section 10 of the Dog Control Acy 1996.



Schedule 1 – Off lead dog exercise and prohibited areas register

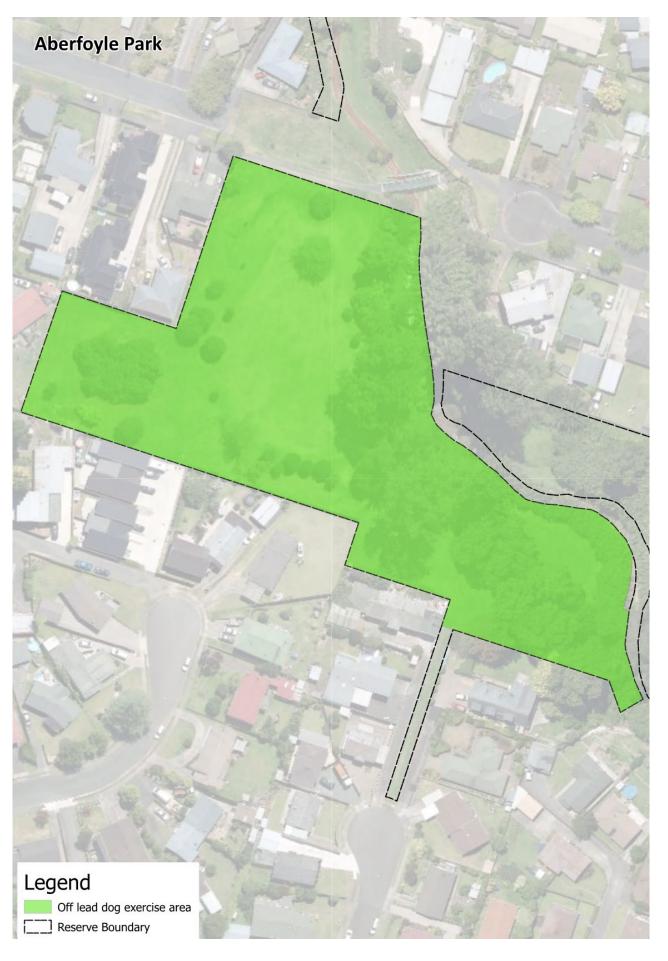
This schedule details all parks identified as off lead dog exercise areas, including those that are designated off lead dog exercise only at certain times (Off lead exercise area (specified times)), and prohibited areas within the district of Hamilton City and other locations controlled by Hamilton City Council.

Schedule 2 provides detailed maps of the specific areas within the locations listed below where the access areas rules apply.

| Location | Designation |
|------------------------|--|
| Aberfoyle Park | Off lead dog exercise area |
| Aberroyle Park | All times |
| Beetham Park | Off lead dog exercise area |
| 200 | All times |
| Braithwaite Park | Off lead dog exercise area |
| | All times |
| Bristol Park | Off lead dog exercise area |
| | All times |
| Chelmsford Park | Off lead dog exercise area |
| | All times |
| Claudelands Park | Off lead dog exercise area |
| | All times |
| Crawshaw Park | Off lead dog exercise area |
| | All times |
| Days Park | Off lead dog exercise area |
| | All times |
| <u>Derby Park</u> | Off lead dog exercise area |
| | All times |
| Derek Heather Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| Edward Parama | Off lead at all other times |
| Eden Park Reserve | Off lead dog exercise area |
| Greensboro Park | All times |
| Greensboro Park | Off lead dog exercise area All times |
| Hamilton East Cemetery | Prohibited area |
| mammiton Last Cemetery | All times |
| Hamilton Gardens | Area north of Hungerford Crescent: |
| Transition Gardens | Off lead dog exercise area |
| | All times |
| | Hillside Lawn (including southern river area): |
| | Off lead dog exercise area (specified times) |
| | On lead between 10am-6pm |
| | Off lead all other times |
| | Coxhead Flat (western river area): |
| | Off lead dog exercise area |
| | All times |

| | Enclosed Gardens: |
|---|---|
| | |
| | Prohibited area |
| Hamilton Lake Danielia | All times |
| Hamilton Lake Domain | Greenspace at reservoir: |
| | Off lead dog exercise area |
| | All times |
| | Playground and picnic area: |
| | Prohibited area |
| | All times |
| Hamilton Park Cemetery* | Prohibited area |
| | All times |
| | *The Hamilton Park Cemetery is prohibited in accordance with |
| | the Hamilton City Cemeteries and Crematorium Bylaw 2012 |
| | (amended 2024). |
| Hamilton West Cemetery | Prohibited area |
| | All times |
| Hare Puke Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| Hillians at Bank | Off lead at all other times |
| Hillcrest Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| Lance Communication | Off lead at all other times |
| Innes Common | Area east of Lake Domain Drive |
| | Off lead dog exercise area Off lead at all times |
| | On lead at all tilles |
| | Avec west of lake Domain Drive |
| | Area west of lake Domain Drive |
| | Off lead dog exercise area (specified times) |
| | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm |
| | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm |
| Mangaiti Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times |
| Mangaiti Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area |
| Mangaiti Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times |
| Mangaiti Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off |
| Mangaiti Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field |
| | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. |
| Mangaiti Park* Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area |
| Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times |
| | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times Off lead dog exercise area |
| Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times Off lead dog exercise area All times |
| Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times The southern area is designated as a temporary off lead area. |
| Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting |
| Melville Park Minogue Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. |
| Melville Park | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. Prohibited area |
| Melville Park Minogue Park* Miropiko Reserve | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times Off lead dog exercise area All times * The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. Prohibited area All times |
| Melville Park Minogue Park* | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. Prohibited area |
| Melville Park Minogue Park* Miropiko Reserve | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times Off lead dog exercise area All times * The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. Prohibited area All times Off lead dog exercise area Off lead dog exercise area |
| Melville Park Minogue Park* Miropiko Reserve Moonlight Drive Reserve | Off lead dog exercise area (specified times) Weekdays dogs must be on lead between 4pm-10pm Weekends dogs must be on lead between 8am-5pm Off lead at all other times Off lead dog exercise area Off lead at all times *Three sections of the park are designated as temporary off lead areas. The areas will no longer be off lead once sports field are developed. Off lead dog exercise area All times Off lead dog exercise area All times * The southern area is designated as a temporary off lead area. The temporary area will no longer be off lead once tree planting has begun. Prohibited area All times Off lead dog exercise area All times Off lead dog exercise area All times |

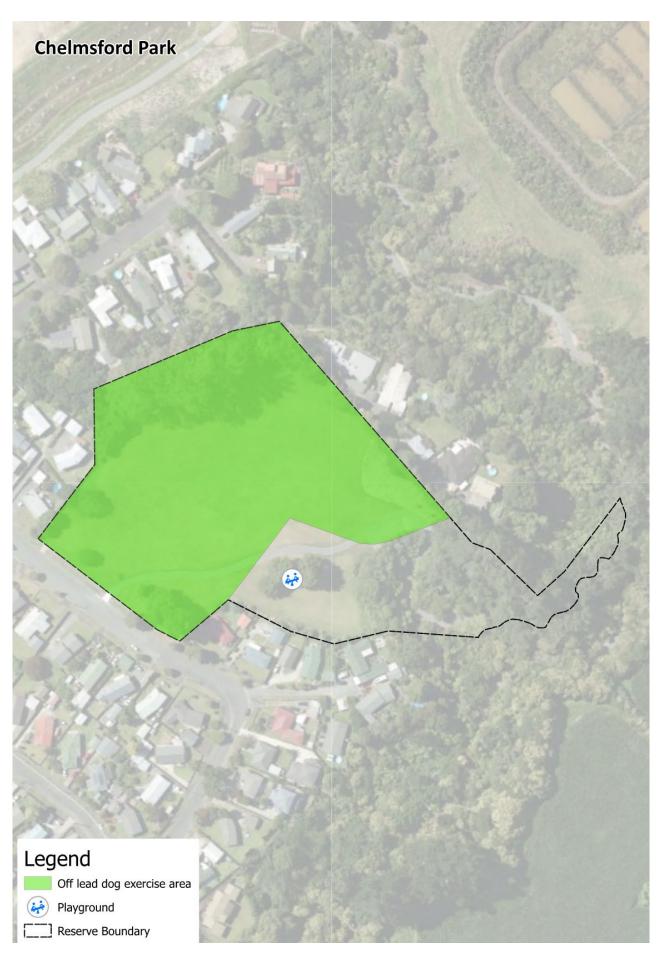
| | Stadium |
|------------------------------|--|
| | Prohibited area |
| | All times |
| Pukete Farm Park | Off lead dog exercise area |
| Pukete Farm Park | All times |
| Balantahi Bark | |
| Rakautahi Park Raymond Park | Off lead dog exercise area |
| | All times |
| | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Resthills Park | Northern area |
| | Off lead dog exercise area |
| | All times |
| | Eastern area |
| | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Tauhara Park | Off lead dog exercise area |
| | All times |
| Te Kootii Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Te Manatu Park* | Off lead dog exercise area |
| | All times |
| | * Centre of the park is designated as a temporary off lead area. |
| | The areas will no longer be off lead once sports field are |
| | developed. It is proposed the surrounding off lead area will |
| | become an off lead dog exercise area (specified times) once the |
| | sports fields are developed. |
| Temple View Reserve | Off lead dog exercise area |
| | All times |
| Till's Lookout | Off lead dog exercise area |
| | All times |
| Waiwhakareke Natural | Prohibited area |
| Heritage Park | All times |
| Waiwherowhero Park | Off lead dog exercise area |
| | All times |
| | |



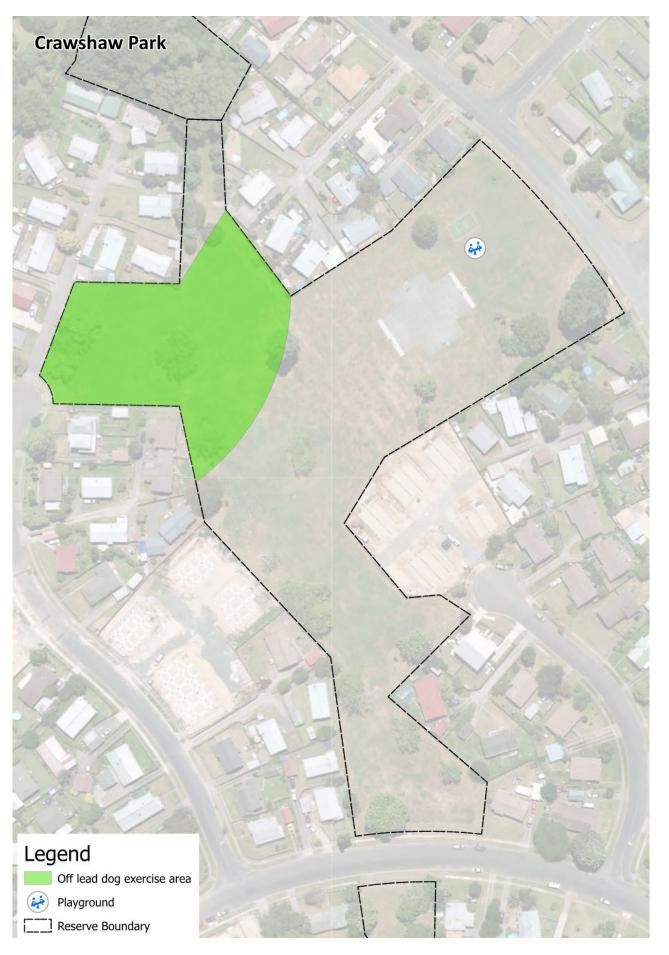








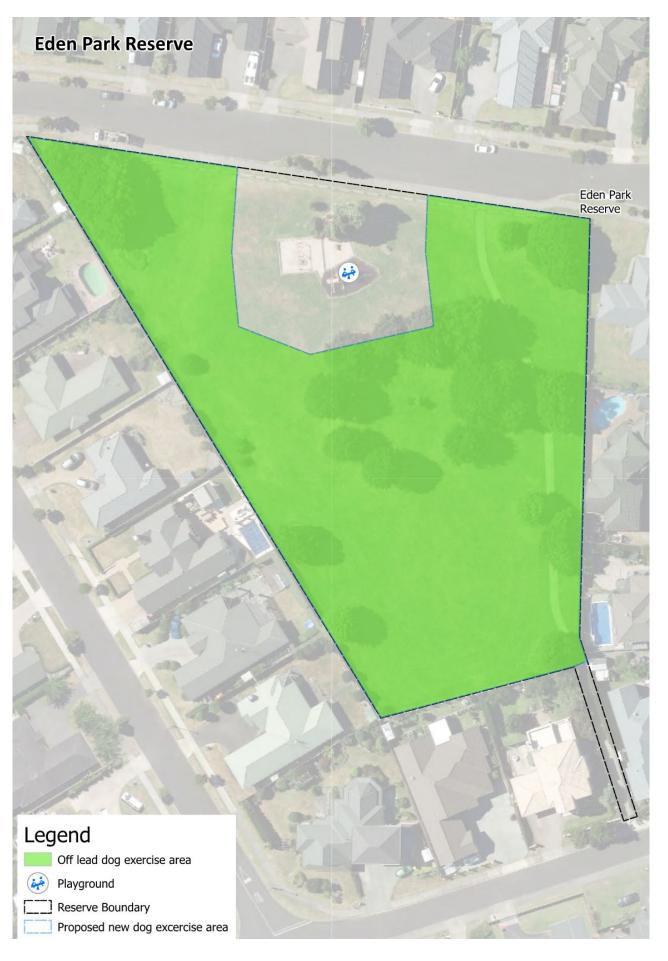


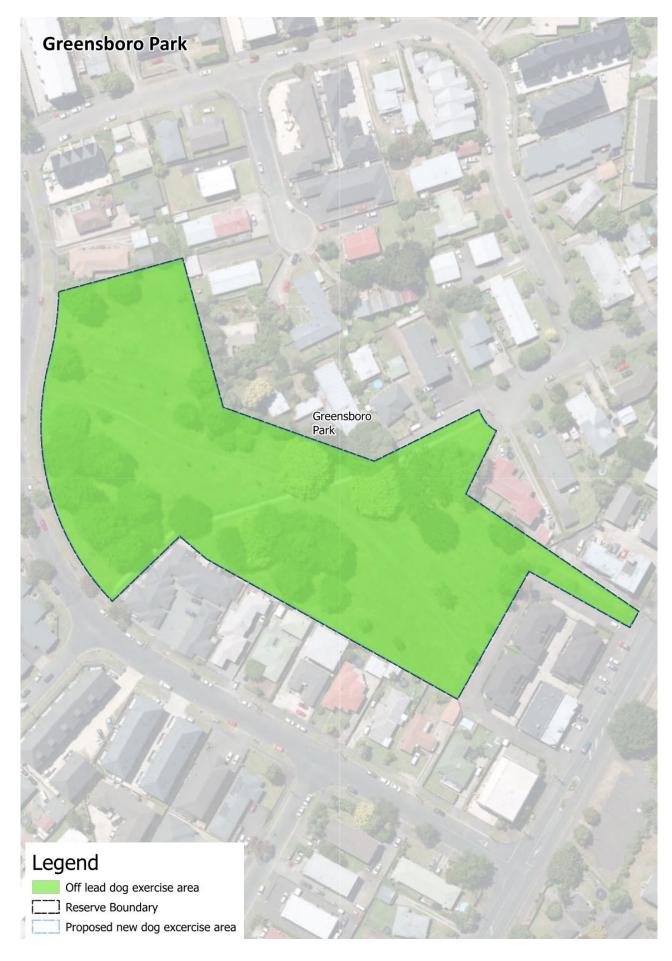


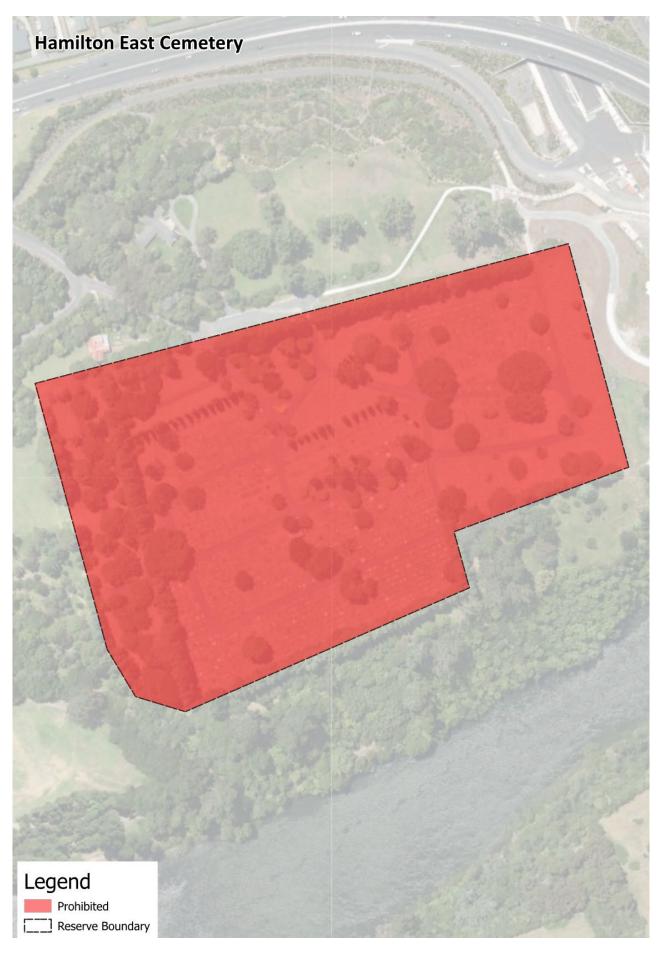


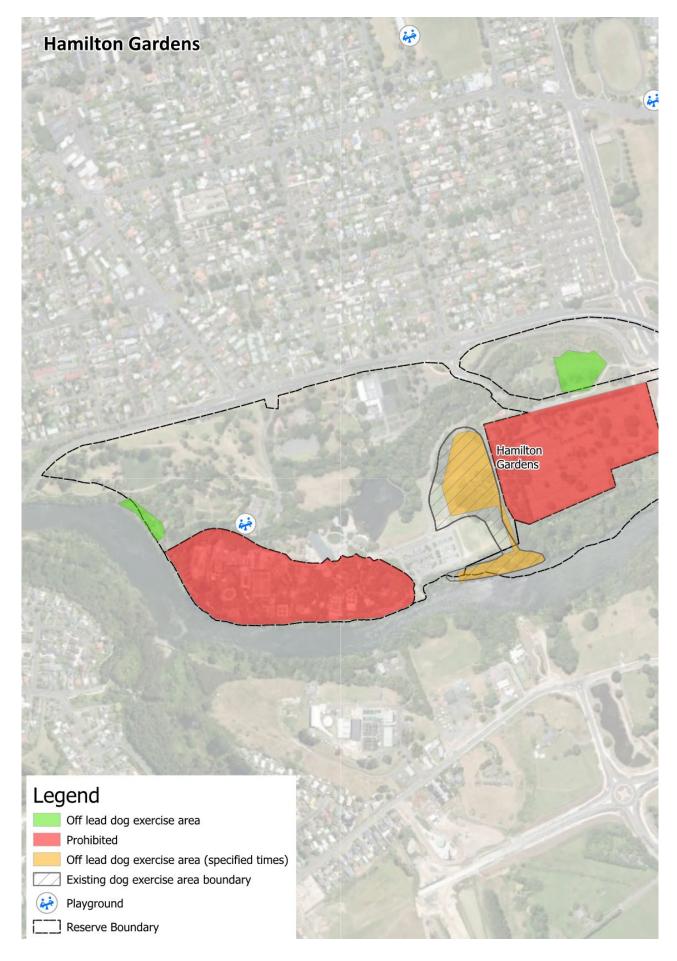


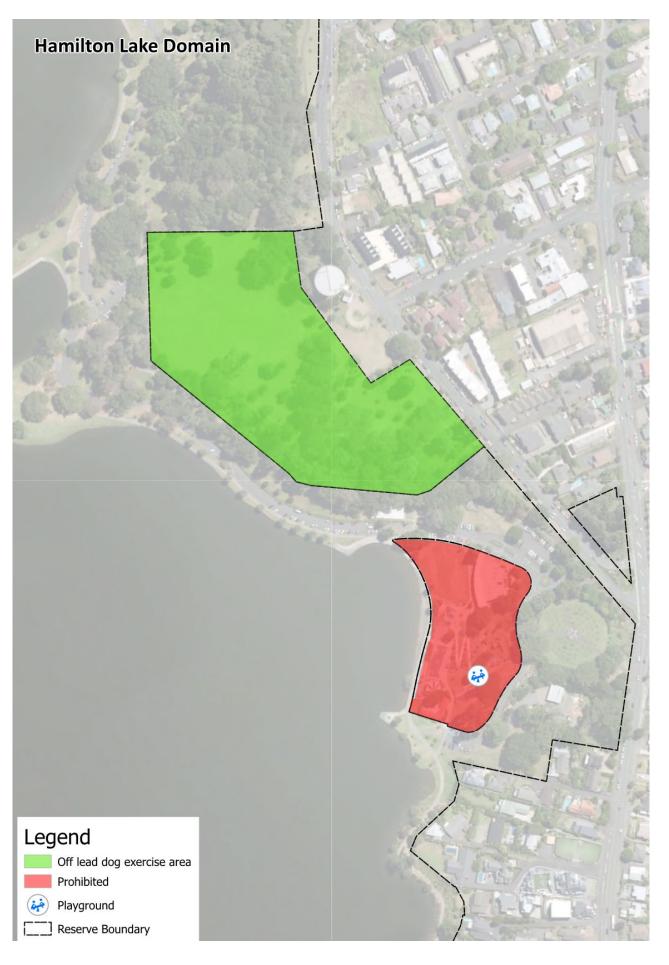


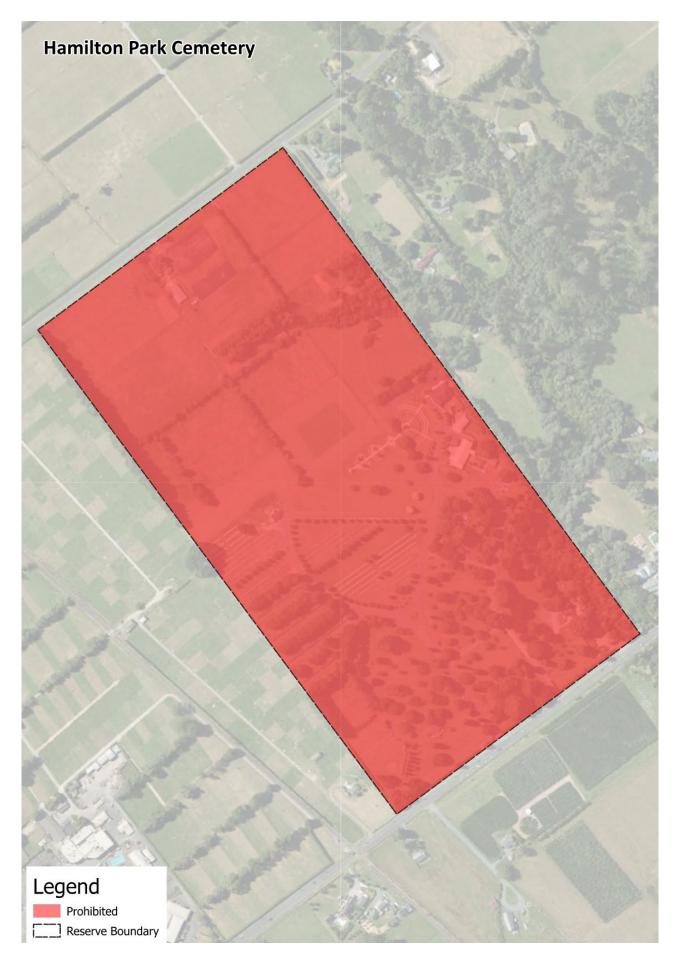




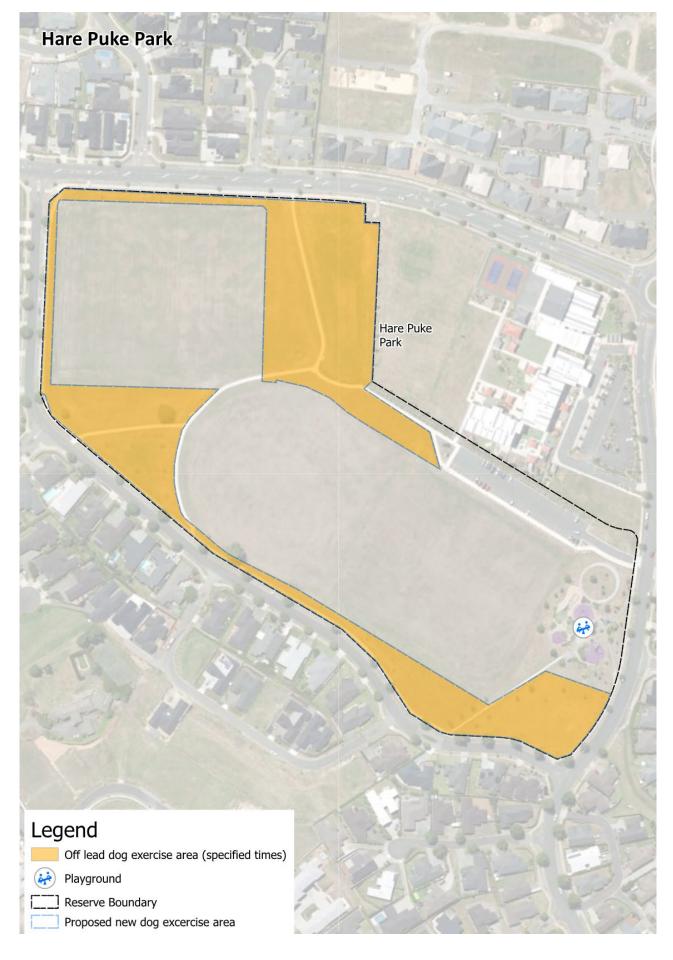










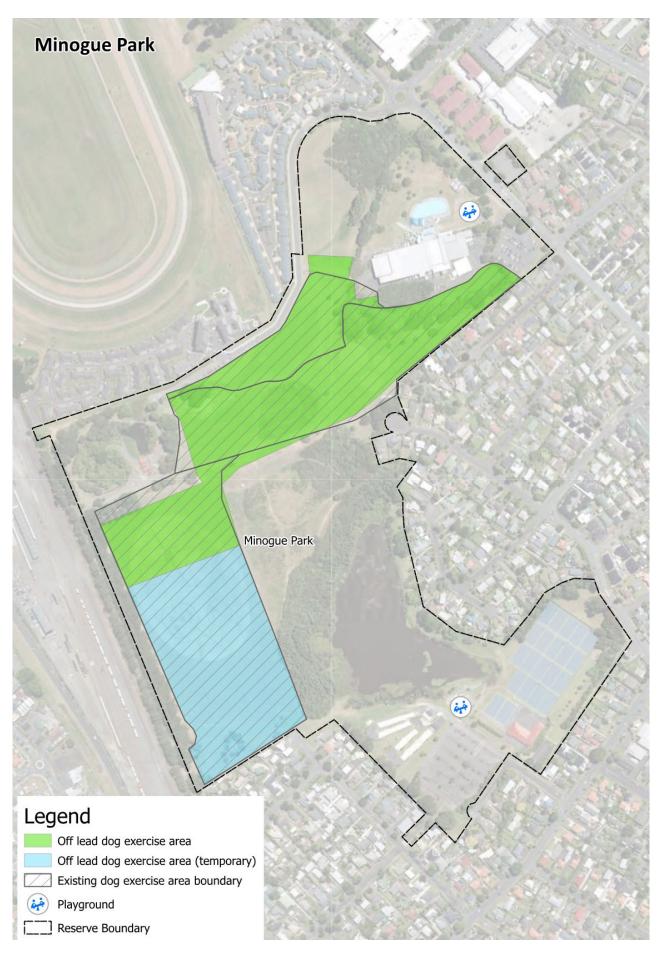






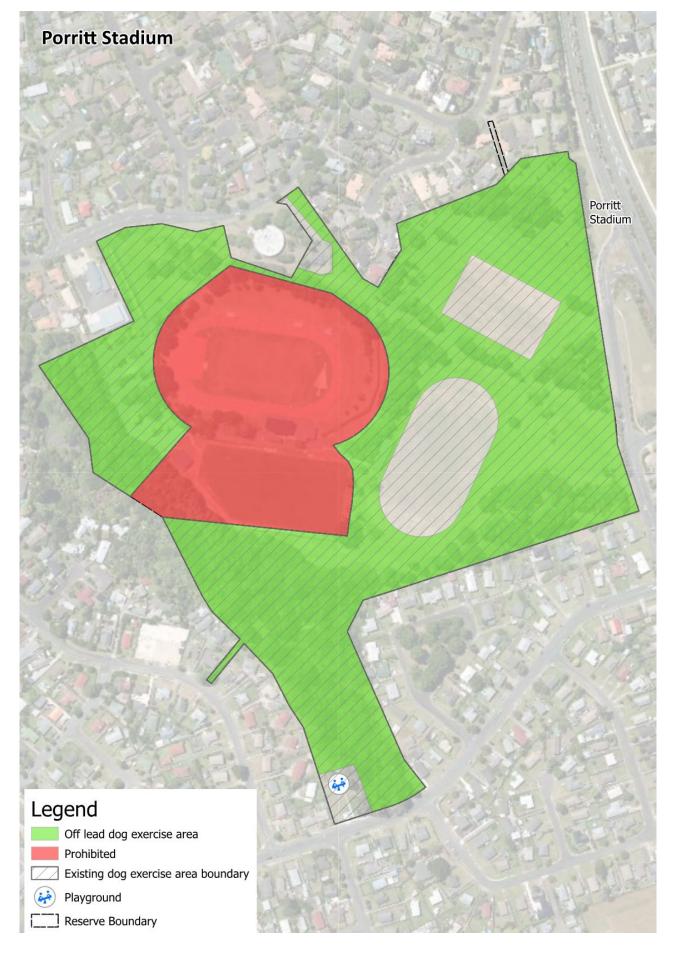








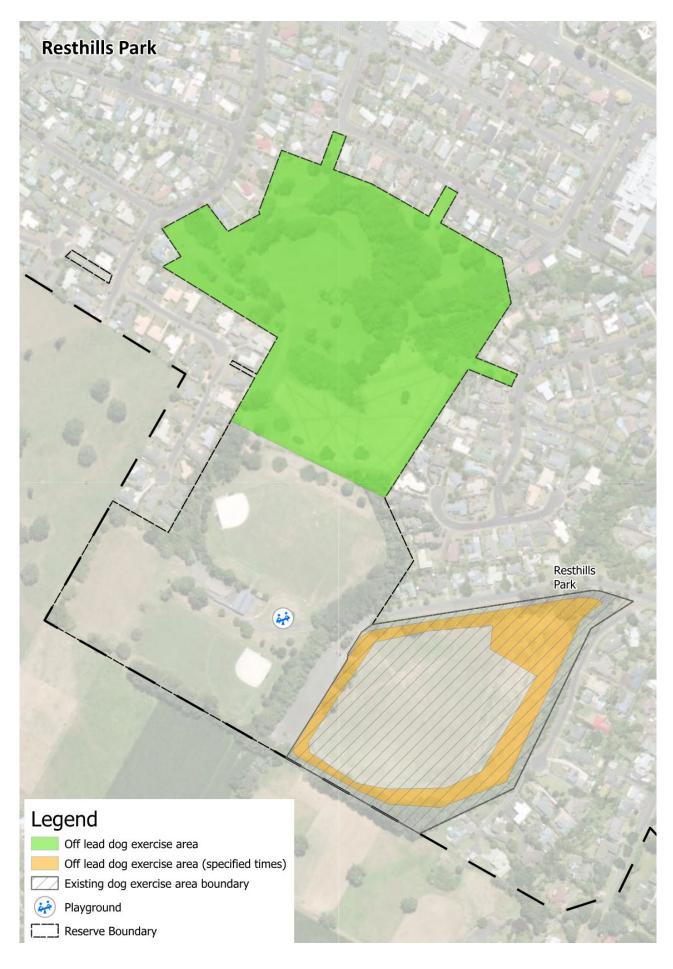












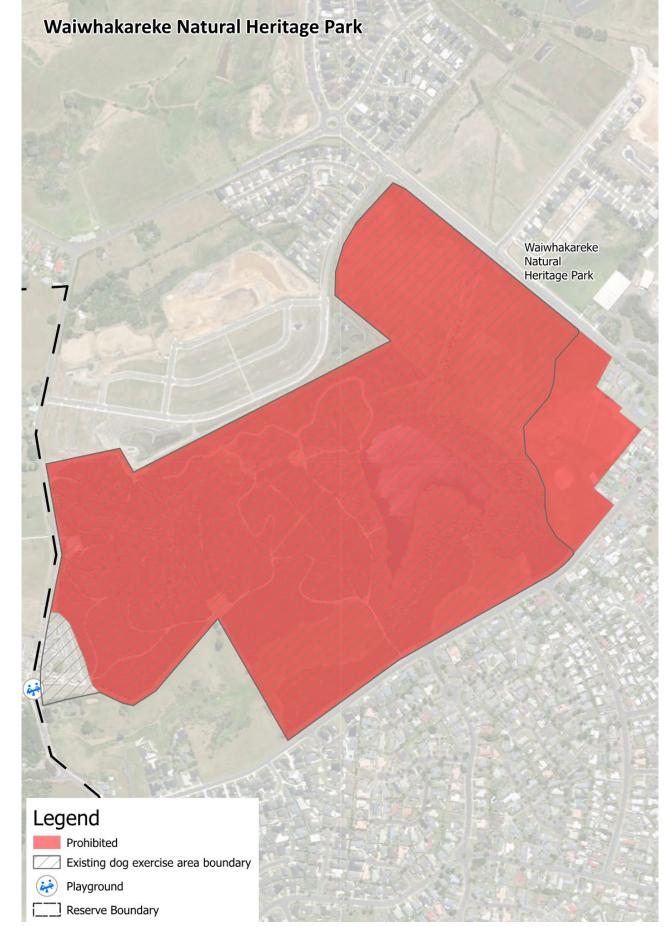
















| Approved by: | Hamilton City Council | Date adopted: | 28 May 2015 |
|------------------|-----------------------|-------------------|-------------|
| Date In Force: | 1 July 2015 | Reviewed: | |
| Version history: | | Next review date: | |

HAMILTON DOG CONTROL BYLAW 2015 (amended 20XX) Ture-aa-Rohe Whakataki Kurii

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1. Short title, commencement, and application

- 1.1. This bylaw may be cited as the Hamilton Dog Control Bylaw 2015 (amended 20XX).
- 1.2. This bylaw shall apply to the district of Hamilton City.
- 1.3. The bylaw comes into force on 1 July 2015.
- 1.4. Amendments to this bylaw come into force on XX XXX 20XX.

2. Purpose

- 2.1. The purpose of the bylaw is:
 - 2.1.1.To give effect to council's dog control policy.
 - 2.1.2.To protect and maintain public safety.
 - 2.1.3.To address how council will fulfil its functions and duties pursuant to the dog control act

3. Definitions

3.1. In this bylaw except where inconsistent with the context:

| Control or Controlled | In relation to a dog, means that the owner is able to obtain an immediate desired response from the dog by use of a lead and, when not on a lead, by using direct commands. | |
|--------------------------|---|--|
| Council | Means Hamilton City Council. | |
| Dog control officer | Has the same meaning as defined in the Dog Control Act 1996. | |
| Owner | Has the same meaning as defined in section 2 of the Dog Control Act 1996. | |
| Neuter or neutered | Has the same meaning as defined in the Dog Control Act 1996 | |
| Private way | Has the same meaning as defined in section 315(1) of the Local Government Act 1974. | |
| Public place | Has the same meaning as defined in the Dog Control Act 1996. | |
| Registered address | Means the address listed in the dog's registration, or another address which the council has agreed to in writing for the purpose of clause 8. | |

4. Control of dogs in public places

- 4.1. Every owner of a dog must exercise control over it and must prevent it from being or remaining at large in any public place or private way.
- 4.2. Except as provided in clauses 4.3 and 5.1, every owner of a dog must ensure the dog is under control on a lead in any public place or private way.

Has the same meaning as defined in section 2 of the dog control act 1996.

4.3. Dogs in the process of immediately accessing game hunting areas are exempt from the lead requirements outlined in clause <u>4.2</u> above, however the dog must be kept under control of the owner at all times.

5. Dog exercise areas

Working dog

Hamilton City Council | Hamilton City Dog Control Bylaw 2015 (Amended 20XX)

the



- 5.1. Dogs may be exercised free of restraint in the locations specified in the Off Lead Dog Exercise and Prohibited Areas Register (Schedule 1) as designated dog exercise areas. The owner must have continuous control of the dog and remain within the dog exercise area while the dog is off lead.
- 5.2. The owner of a dog must carry a lead when in a designated dog exercise area with their dog.
- 5.3. Council may amend a designated dog exercise area, following a period of appropriate public consultation.

6. Prohibited areas

- 6.1. Dogs are prohibited from the public places specified in the Dog Control Off Lead Exercise and Prohibited Areas Register as prohibited areas.
- 6.2. Clause 6.1 does not apply to any working dog entering or remaining in a prohibited area for the purpose of working.
- 6.3. Council may amend a prohibited area following ga period of appropriate consultation.

7. Minimum standards for accommodation

- 7.1. The owner of a dog must:
 - 7.1.1. ensure that the dog has access at all times to:
 - 7.1.1.1. a kennel or place of confinement that:
 - 7.1.1.1.1 is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
 - 7.1.1.1.2. is fully shaded, dry, and ventilated; and
 - 7.1.1.1.3. provides the dog protection from extremes of heat and cold;
 - 7.1.1.2. clean water;
 - 7.1.1.3. an area in which to urinate and defecate away from its lying area; and
 - 7.1.1.4. ensure that faeces or urine do not accumulate in any area in which the dog is kept.
- 7.2. Dogs must not be tethered adjacent to a fence or other structure, or otherwise confined, in a manner that may become injurious to the health of the dog.
- 7.3. If accommodations have become or are likely to become a nuisance or injurious to health, the Dog Control Officer may, by written notice, require the owner to take action to minimise or remove the nuisance.

8. Prevention of public nuisance

- 8.1. The owner or any person in possession of any dog that defecates in a public place, or on land or premises occupied by anyone other than the owner, must immediately remove the faeces and dispose of them in a hygienic manner.
- 8.2. Every owner of a dog that has a contagious disease must ensure that it is confined at all times within its registered address, or when not at this address fully contained and secured within a cage or vehicle that prevents contact with other animals, domestic or otherwise.
- 8.3. Every owner of a dog must prevent the dog from attacking any person or any other animal, and must take all reasonable steps to ensure the dog does not injure, endanger or intimidate any person by aggressive behaviour including, but not limited to, aggressive barking or aggressive rushing.



- 8.4. The owner or any person in possession of any dog in a public place must prevent the dog from interfering with the use or enjoyment of other persons in that public place.
- 8.5. A female dog in season may only be allowed outside the registered address when under the direct control of the dog owner or a person over the age of 16 and must be on lead at all times.
- 8.6. Despite clause 5.1 a female dog in season must not be exercised off lead in any area of Hamilton including the dog exercise areas specified Off Lead Dog Exercise and Prohibited Areas Register, and game hunting areas. This clause does not relieve the dog owner of responsibility to provide adequate exercise as required by section 54(1)(b) of the Dog Control Act 1996.
- 8.7. No person may intentionally cause a dog distress nor provoke, tease or annoy any dog in any manner that may cause the dog to become a nuisance, aggressive or unmanageable.

9. Limitation on number of dogs

- 9.1. No person shall keep, or permit to be kept, on or within any premises more than two dogs of greater age than three months, unless the premises have been approved by a dog control officer and a permit issued. Such permit will be subject to a fee approved and set by council.
- 9.2. Approval by a dog control officer of the above permit will only be given subject to compliance by the owner with any reasonable requirements imposed by the dog control officer.
- 9.3. Any approval given in clause 9.1 may be reviewed by a dog control officer. The approval may be modified or revoked in the event of non-compliance with any condition of approval over the period of the permit under review.
- 9.4. Variations to a permit, required for additional dogs, will be subject to a fee set by Council.
- 9.5. Permits are specific to the approved premises, if the owner moves premises a new permit must be applied for.

10. Menacing dogs

10.1. Any dog that council classifies as menacing pursuant to the Dog Control Act 1996 must be neutered within one month after the receipt of the notice of classification. If the dog is not in a fit condition to be neutered within the specified time, the owner must produce a certificate from a registered veterinarian certifying that the dog is not in a fit condition to be neutered, and if the condition continues, produce a new certificate as specified within section 33E of the Dog Control Act 1996.

11. Probationary owners

11.1. If any owner of a dog is classified as a probationary owner pursuant to the Dog Control Act 1996, Council may require at its discretion the person to complete at his or her expense, a dog owner education and/or dog obedience programme.

12. Impoundment of dogs

- 12.1. Any dog found at large in any public place or private way, whether or not the dog is wearing a collar with the proper registration label or disc attached, may be impounded by a dog control officer.
- 12.2. The owner of any impounded dog shall pay to the Council the reasonable impoundment, sustenance and administration fees set by Council.



13. Requirement to neuter an uncontrolled dog

13.1. The council may require the owner of a dog to cause that dog to be neutered if that owner has breached, on more than one occasion within a 12-month period, any of the sub-clauses 4.1, 4.2, 5.1 or 6.1 in respect of that dog. It is sufficient if the same sub-clause is breached twice or if two different sub-clauses are breached.

14. Objection to requirement to neuter uncontrolled dog

- 14.1. If Council requires a dog be neutered under clause 13.1, the owner of that dog may, within 14 days of receiving the notice, object in writing to the Council and has the right to be heard in support of the objection.
- 14.2. When considering an objection under clause 14.1 Council must have regard to:
 - 14.2.1. the evidence which formed the basis for the requirement; and
 - 14.2.2. the matters relied upon in support of the objection; and
 - 14.2.3. any other relevant matters.
- 14.3. The Council will, as soon as practicable, give written notice to the owner of the decision and the reasons for its decision.

15. Effect of requirement to neuter an uncontrolled dog

- 15.1. If a dog is required to be neutered, the owner of that dog must, within 1 month after receipt of the notice produce to the Council a certificate issued by a veterinarian certifying:
 - 15.1.1. that the dog is or has been neutered; or
 - 15.1.2. that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
 - 15.1.3. must, if a certificate under clause 15.1.2 is produced, within 1 month after the date specified in that certificate, cause the dog to be neutered and produce a further certificate under clause 15.1.1.

16. Penalties

- 16.1. Any person who acts in breach of this bylaw commits an offence and is liable upon conviction to a penalty, as provided for under the local government act 2002.
- 16.2. Additionally, any person who acts in beach of this Bylaw may be served with an infringement fee in accordance with the Dog Control Act, and as set out in Schedule 1 of that Act.







| Approved by: | Hamilton City Council | Date adopted: 28 May 2015 | |
|------------------|-----------------------|---|--|
| Date In Force: | 1 July 2015 | Reviewed: | |
| Version history: | | Next review date: To be reviewed by 28- May 2020 | |

HAMILTON DOG CONTROL BYLAW 2015

(amended 20XX)
Ture-aa-Rohe Whakataki Kurii

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1. Short title, commencement, and application

- 1.1. This bylaw may be cited as the Hamilton Dog Control Bylaw 2015 (amended 20XX).
- 1.2. This bylaw shall apply to the whole of the district of administered by Hamilton City. council. and other locations that are controlled by hamilton city council, now and in the future.
- 1.3. The bylaw comes into force on 1 July 2015.
- 1.4. Amendments to this bylaw come into force on XX XXX 20XX.

2. Purpose

- 2.1. The purpose of the bylaw is:
 - 2.1.1.To give effect to council's dog control policy.
 - 2.1.2. To protect and maintain public safety.
 - 2.1.3.To address how council will fulfil its functions and duties pursuant to the dog control act 1996.

This bylaw gives effect to the dog control policy for the city, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally.

This bylaw shall apply to the whole of the district administered by Hamilton City council, and other locations that are controlled by hamilton city council, now and in the future.

5.3. Definitions

3.1. In this bylaw except where inconsistent with the context:

| Control or | In relation to a dog, means that the owner is able to obtain an immediate desired |
|------------|---|
| Controlled | response from the dog by use of a lead and, when not on a lead, by using direct |
| | commands. |

Means Hamilton City Council. Council

Dog control Has the same meaning as defined in the Dog Control Act 1996.

officer

Has the same meaning as defined in section 2 of the Dog Control Act 1996. Owner

Has the same meaning as defined in the Dog Control Act 1996 Neuter or

neutered

Has the same meaning as defined in section 315(1) of the Local Government Act Private way

Public place Has the same meaning as defined in the Dog Control Act 1996.

Registered Means the dog owner's property, the address listed in the dog's registration, or address another address which the council has agreed to in writing for the purpose of

Working dog Has the same meaning as defined in section 2 of the dog control act 1996, but

excluding (b)(ii) - 'kept solely or principally for the purposes of herding or driving stock', (b)(v) - 'owned by a property guard as defined in section 9 of the private security personnel and private investigators act 2010 or a property guard employee as defined in section 17 of that act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that act', and

Hamilton City Council | Hamilton City Dog Control Bylaw 2015 (Amended 20XX)



(b)(vi) — declared by resolution of the territorial authority to be a working dog for the purposes of this act', or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or Principally for the purposes specified in the resolution.'.

6.4. Control of dogs in public places

- 6.1.4.1. Every owner of a dog must exercise control over it and must prevent it from wandering being or remaining at large or free-in any public place or private way.
- 6.2.4.2. Except as provided in clauses 4.3 and 4.45.1, every owner of a dog <u>must ensure the</u>
 dog is under control on a lead in any public place or private way. <u>must secure the dog by an</u>
 effective lead or similar contrivance which keeps the dog under continuous control.
- 6.3. Dogs may be exercised free of restraint in those locations specified in the dog control off lead exercise and prohibited areas register, part 1 as designated off lead dog exercise areas. The owner must maintain continuous control over the dog and remain within the dog exercise area while the dog is off its lead.
- 6.4.4.3. Dogs in the process of immediately accessing game hunting areas are exempt from the lead requirements outlined in clause 4.2 above, however the dog must be kept under the direct control of the owner at all times.

7.5. Dog exercise areas

- 5.1. Dogs may be exercised free of restraint in the those locations specified in the Off Lead Dog Exercise and Prohibited Areas Register (Schedule 1) dog control register as being designated off lead dog exercise areas. The owner must have continuous control of the dog and remain within the dog exercise area while the dog is off its lead.
- 7.1.5.2. The owner of a dog must carry a lead when in a designated dog exercise area with their dog.
- 7.2. The dog control off lead exercise and prohibited areas register, part 1, lists each off lead dog exercise area with the date from which each area is available to be used and any rules that apply to its use as such.
- 7.3.5.3. Council may, by resolution, amend the commencement date of a designated of lead dog exercise area, following a period of appropriate public consultation. within the dog control register.

8.6. Prohibited areas

- 6.1. Dogs are prohibited from not allowed to enter the public places specified in part 2 of the Dog Control Off Lead Exercise and Prohibited Areas Register as being prohibited areas, whether under control or not.
- 6.2. Clause 6.1 does not apply to any working dog entering or remaining in a prohibited area for the purpose of working.
- 6.3. Council may amend a prohibited area following ga period of appropriate consultation.

 However, the owner of a working dog may enter with that dog into any prohibited area.

7. Minimum standards for accommodation

- 7.1. The owner of a dog must:
 - 7.1.1.ensure that the dog has access at all times to:
 - 7.1.1.1. a kennel or place of confinement that:



- 7.1.1.1.1 is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
- 7.1.1.1.2. is fully shaded, dry, and ventilated; and
- 7.1.1.1.3. provides the dog protection from extremes of heat and cold;
- 7.1.1.2. clean water;
- 7.1.1.3. an area in which to urinate and defecate away from its lying area; and
- 7.1.1.4. ensure that faeces or urine do not accumulate in any area in which the dog is kept.
- 7.2. Dogs must not be tethered adjacent to a fence or other structure, or otherwise confined, in a manner that may become injurious to the health of the dog.
- 8.1.7.3. If accommodations have become or are likely to become a nuisance or injurious to health, the Dog Control Officer may, by written notice, require the owner to take action to minimise or remove the nuisance.

9.8. Prevention of public nuisance

- 9.1.8.1. The owner or any person in possession or control of any dog that defecates in a public place, or on land or premises occupied by anyone other than the owner, of the dog must immediately remove the faeces and dispose of them in a hygieniclegal manner.
- 9.2.8.2. Every owner of a dog that has a contagious disease must ensure that it is confined at all times within its registered address, or when not at this address fully contained and secured within a cage or vehicle that prevents contact with other animals, domestic or otherwise, or fully enclosed and secured within a vehicle.
- 9.3.8.3. Every owner of a dog must prevent it the dog from attacking any person or any other animal, and must take all reasonable steps to ensure the dog does not injure, endanger or intimidate any person by aggressive behaviour including, but not limited to, aggressive barking or aggressive rushing.
- 8.4. The owner or any Every person in possession of must prevent any dog in a public place must prevent the dog within their care and/or control-from interfering with the use or enjoyment of any park by other persons in that public placepark.
- 9.4.8.5. A bitch-female dog in season may only be allowed outside the registered address when under the direct control of the dog owner or a person over the age of 16, and must be on a-lead at all times.
- 9.5.8.6. Despite clause 5.14.3 a bitch-female dog in season must not be exercised off lead in any area of Hamilton including the off lead-dog exercise areas specified in part 1 of the dog control-Off Lead Dog Exercise and Prohibited Areas Register, and game hunting areas. This clause does not relieve the dog owner of responsibility to provide adequate exercise as required by section 54(1)(b) of the Dog Control Act 1996.
- 9.6.8.7. No person may intentionally cause a dog distress nor provoke, tease or annoy any dog in any manner that may cause the dog to become a nuisance, aggressive or unmanageable.

40.9. Limitation on number of dogs

10.1.9.1. No person shall keep, or permit to be kept, on or within any premises within the city, more than two (2) dogs of greater age than three months, unless such the premises have been approved by a dog control officer and a permit issued. Such permit will be subject to a fee approved and set by council, through the annual plan process and will be subject to renewal annually.

Hamilton City Council | Hamilton City Dog Control Bylaw 2015 (Amended 20XX)



- 10.2.9.2. Approval by a dog control officer of the above permit will only be given subject to compliance by the owner with any reasonable requirements imposed by the dog control officer for the purpose of ensuring proper care and control of the dogs and the prevention of any nuisance.
- 9.3. On the expiry of any permit or at any other time, aAny approval given during that year in clause 9.1 for any person to keep more than two (2) dogs on their premises may be reviewed by a dog control officer. On review, tThe approval may be modified or revoked in the event of non-compliance with any condition of approval over the period of the permit under review.
- 9.4. Variations to Renewal of a permit, required for additional dogs, will be subject to a fee set by Council-through the annual plan process.
- 10.3.9.5. Permits are specific to the approved premises, if the owner moves premises a new permit must be applied for.

41.10. Menacing dogs

11.1.10.1. Any dog that council classifies as menacing pursuant to the Dog Control Act 1996 must be neutered within one month after the receipt of the notice of classification. If the dog is not in a fit condition to be neutered within the specified time, the owner must produce a certificate from a registered veterinarian certifying that the dog is not in a fit condition to be neutered, and if the condition continues, produce a new certificate as specified within section 33E of the Dog Control Act 1996.

12.11. Probationary owners

12.1.11.1. If any owner of a dog is classified as a probationary owner pursuant to the Dog Control Act 1996, Council may require at its discretion the person to complete at his or her expense, a dog owner education and/or dog obedience programme-and/or dog obedience course.

13. Dogs within parks

- 14.0.1.1. Every person must prevent any dog within their care and/or control from interfering with the use or enjoyment of any park by other persons in that park.
- 15.0. An owner of a dog that is not a working dog as defined in this bylaw, must prevent his or her dog from entering any place specified in part 2 of the dog control register

46.12. Impoundment of dogs

- 16.1.12.1. Any dog found at large in any public place or private way, whether or not the dog is wearing a collar with having the proper registration label or disc attached; or found at large in any public or private way in breach of this bylaw, may be impounded by a dog control officer.
- 16.2.12.2. The owner of any impounded dog impounded shall pay to the Council the reasonable impoundment, sustenance and administration fees set by Council. for the sustenance of the dog and for the giving of notice to the owner, together with a poundage fee as set through the annual plan process.

47.13. Requirement to neuter an uncontrolled dog

47.1.13.1. The council may require the owner of a dog to cause that dog to be neutered if that



owner has breached, on more than one occasion within a 12-month period, any of the sub-clauses 4.1,_-4.24, or 5.1 or 6.1 in respect of that dog. It is sufficient if the same sub-clause is breached twice or if two different of the sub-clauses are breached.

48.14. Objection to requirement to neuter uncontrolled dog

```
18.1. If a dog is Council require d a dog to be neutered under clause 13.1, the owner of that dog—
18.1.2. __mMay, within 14 days of receiving the notice, object in writing to the Council council in regard to the requirement; and
```

18.1.3.14.1. Hhas the right to be heard in support of the objection.

18.2.14.2. When The Council when considering an objection under sub-clause (1)14.1 Council may uphold or rescind the requirement, and in making its determination must have regard to—:

18.2.1.14.2.1. the evidence which formed the basis for the requirement; and

the matters relied upon in support of the objection; and

18.2.3. any other relevant matters.

14.2.3.

18.2. The Council willmust, as soon as practicable, give written notice to the owner of—

18.2.5. Its determination of the objection; decision and t

18.2.6.14.3. The reasons for its <u>decisiondetermination</u>.

21.15. Effect of requirement to neuter an uncontrolled dog

21.1.15.1. If a dog is required to be neutered, the owner of that dog must, within 1 month after receipt of the notice of the requirement, produce to the Council a certificate issued by a veterinarian certifying—:

21.1.1.15.1.1. that the dog is or has been neutered; or

<u>21.1.2.15.1.2.</u> that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and

21.1.3.15.1.3. must, if a certificate under clause 15.1.2 is produced, within 1 month after the date specified in that certificate, cause the dog to be neutered and produce a further certificate under clause 15.1.1.

22.16. Penalties

- <u>16.1.</u> Any person who acts in breach of this bylaw commits an offence and is liable upon conviction to a penalty, as provided for under the local government act 2002.
- 16.2. Additionally, any person who acts in beach of this Bylaw may be served with an infringement fee in accordance with the Dog Control Act, and as set out in Schedule 1 of that Act.



The foregoing bylaw was duly made by the hamilton city council by a resolution passed on the 28 of may 2015 following consideration of submissions received during the special consultative procedure. This bylaw repeals and replaces the hamilton city dog control bylaw 2009. The hamilton dog control bylaw 2015 was ordered to come into force on the 1 july 2015.

The common seal of the hamilton city council

Was hereunto affixed in the presence of:



Schedule 1 – Off lead dog exercise and prohibited areas register

This schedule details all parks identified as off lead dog exercise areas, including those that are designated off lead dog exercise only at certain times (Off lead exercise area (specified times)), and prohibited areas within the district of Hamilton City.

Schedule 2 provides detailed maps of the specific areas within the locations listed below where the access areas rules apply.

| <u>Designation</u> | Access Rules |
|--|---|
| Off lead dog exercise area | Are designated dog exercise areas and are priority areas for dogs and their owners. Dogs (excluding female dogs in season) can be off lead but must remain under control. |
| Off lead dog exercise area (specified times) | Are designated dog exercise areas and are shared spaces for all users. Dogs (excluding female dogs in season) can be off lead at certain times but must remain under control. |
| Prohibited area | Dogs are not permitted in these areas. Working dogs are exempt only when working. |

| Location | Designation |
|------------------------|--|
| Aberfoyle Park | Off lead dog exercise area |
| | All times |
| Beetham Park | Off lead dog exercise area |
| | All times |
| Braithwaite Park | Off lead dog exercise area |
| | All times |
| Bristol Park | Off lead dog exercise area |
| | All times |
| Chelmsford Park | Off lead dog exercise area |
| | All times |
| Claudelands Park | Off lead dog exercise area |
| | All times |
| Crawshaw Park | Off lead dog exercise area |
| | All times |
| Days Park | Off lead dog exercise area |
| | All times |
| Derby Park | Off lead dog exercise area |
| | All times |
| Derek Heather Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Eden Park Reserve | Off lead dog exercise area |
| | All times |
| <u>Greensboro Park</u> | Off lead dog exercise area |
| | All times |
| Hamilton East Cemetery | Prohibited area |
| | All times |

| Hamilton Gardens | Area north of Hungerford Crescent: |
|-------------------------|--|
| | Off lead dog exercise area |
| | All times |
| | Hillside Lawn (including southern river area): |
| | Off lead dog exercise area (specified times) |
| | On lead between 10am-6pm |
| | Off lead all other times |
| | Coxhead Flat (western river area): |
| | Off lead dog exercise area |
| | All times |
| | Enclosed Gardens: |
| | Prohibited area |
| | All times |
| Hamilton Lake Domain | Greenspace at reservoir: |
| Trainiton take Bomain | Off lead dog exercise area |
| | All times |
| | Playground and picnic area: |
| | Prohibited area |
| | All times |
| Hamilton Mark Commeters | Prohibited area |
| Hamilton West Cemetery | |
| | All times |
| <u>Hare Puke Park</u> | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Hillcrest Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Innes Common | Area east of Lake Domain Drive |
| | Off lead dog exercise area |
| | Off lead at all times |
| | Area west of lake Domain Drive |
| | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Mangaiti Park* | Off lead dog exercise area |
| | Off lead at all times |
| | *Three sections of the park are designated as temporary off |
| | lead areas. The areas will no longer be off lead once sports field |
| | are developed. |
| Melville Park | Off lead dog exercise area |
| IVICIVIIIC I dik | All times |
| Minogue Park* | Off lead dog exercise area |
| ivillogue raik | All times |
| | |
| | * The southern area is designated as a temporary off lead area. |
| | The temporary area will no longer be off lead once tree planting |
| Adinavilla Dana | has begun. |
| Miropiko Reserve | <u>Prohibited area</u> |
| | All times |

| Manufish Drive December | Off land day everying area |
|-------------------------|--|
| Moonlight Drive Reserve | Off lead dog exercise area |
| Porritt Stadium | All times |
| Porritt Stadium | Park surrounding |
| | Off lead dog exercise area |
| | All times |
| | Stadium |
| | Prohibited area |
| Pulata Farma Paula | All times |
| Pukete Farm Park | Off lead dog exercise area |
| 0.1 . 1.10 . 1 | All times |
| Rakautahi Park | Off lead dog exercise area |
| | All times |
| Raymond Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Resthills Park | Northern area |
| | Off lead dog exercise area |
| | All times |
| | Eastern area |
| | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Tauhara Park | Off lead dog exercise area |
| | All times |
| Te Kootii Park | Off lead dog exercise area (specified times) |
| | Weekdays dogs must be on lead between 4pm-10pm |
| | Weekends dogs must be on lead between 8am-5pm |
| | Off lead at all other times |
| Te Manatu Park* | Off lead dog exercise area |
| | All times |
| | * Centre of the park is designated as a temporary off lead area. |
| | The areas will no longer be off lead once sports field are |
| | developed. It is proposed the surrounding off lead area will |
| | become an off lead dog exercise area (specified times) once the |
| | sports fields are developed. |
| Temple View Reserve | Off lead dog exercise area |
| | All times |
| Till's Lookout | Off lead dog exercise area |
| | All times |
| Waiwhakareke Natural | Prohibited area |
| Heritage Park | All times |
| Waiwherowhero Park | Off lead dog exercise area |
| Transmicrownicro Fair | All times |
| | All tillies |



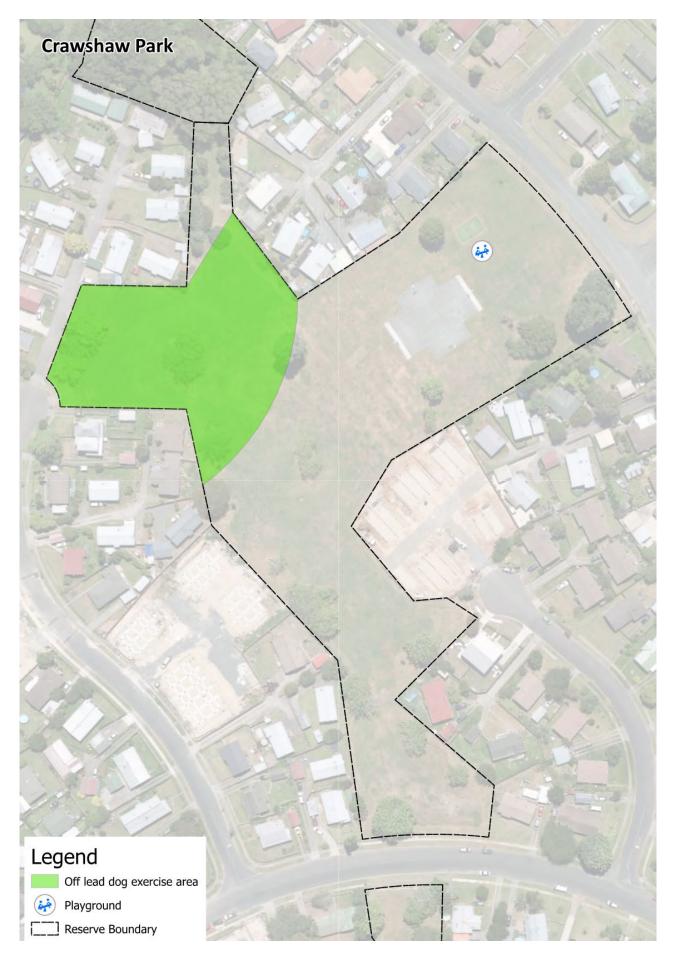












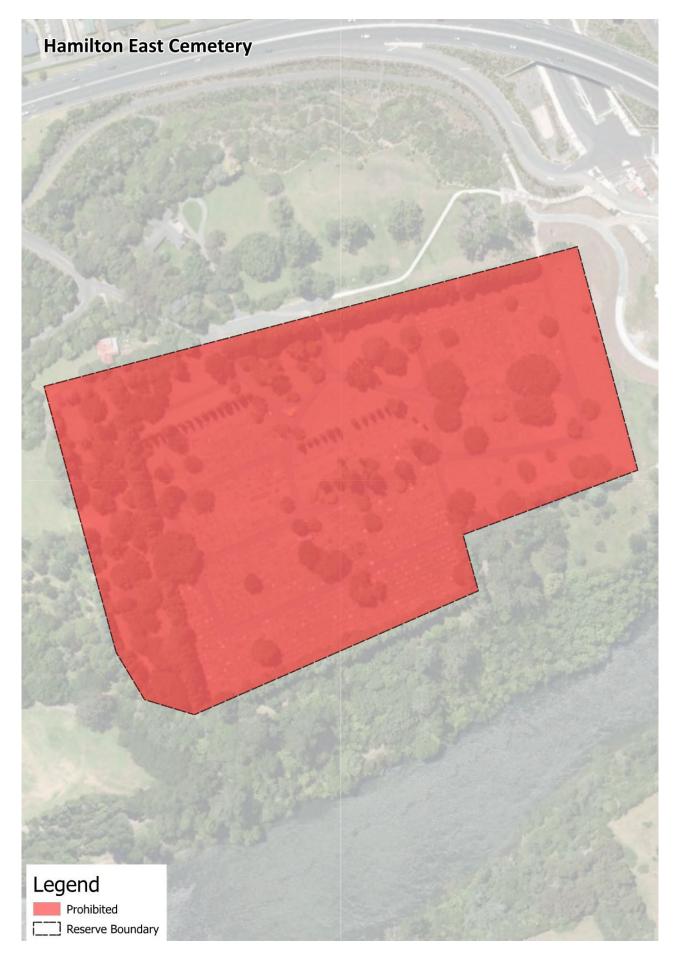


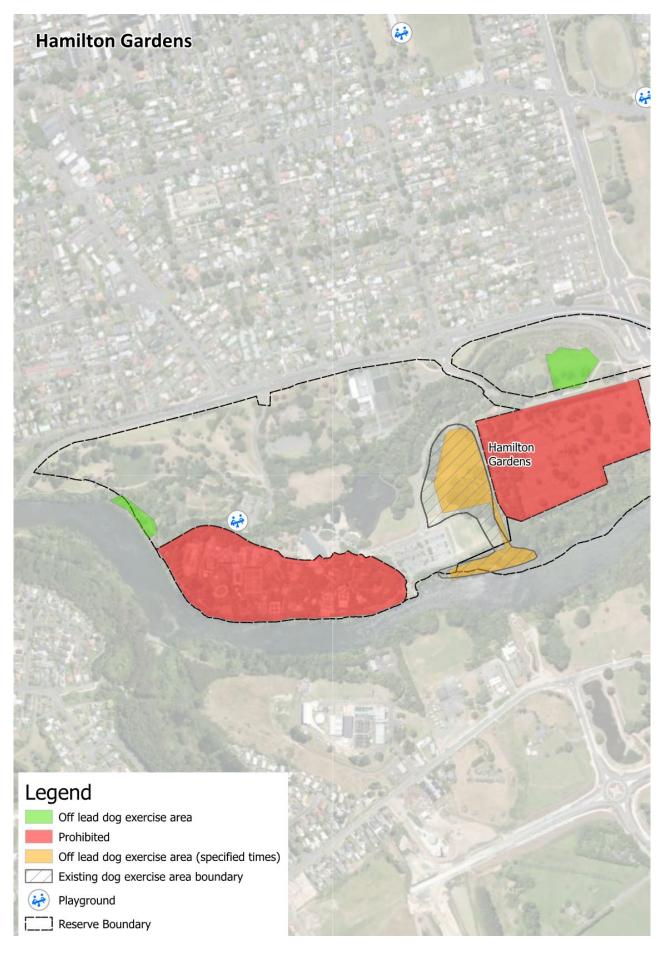


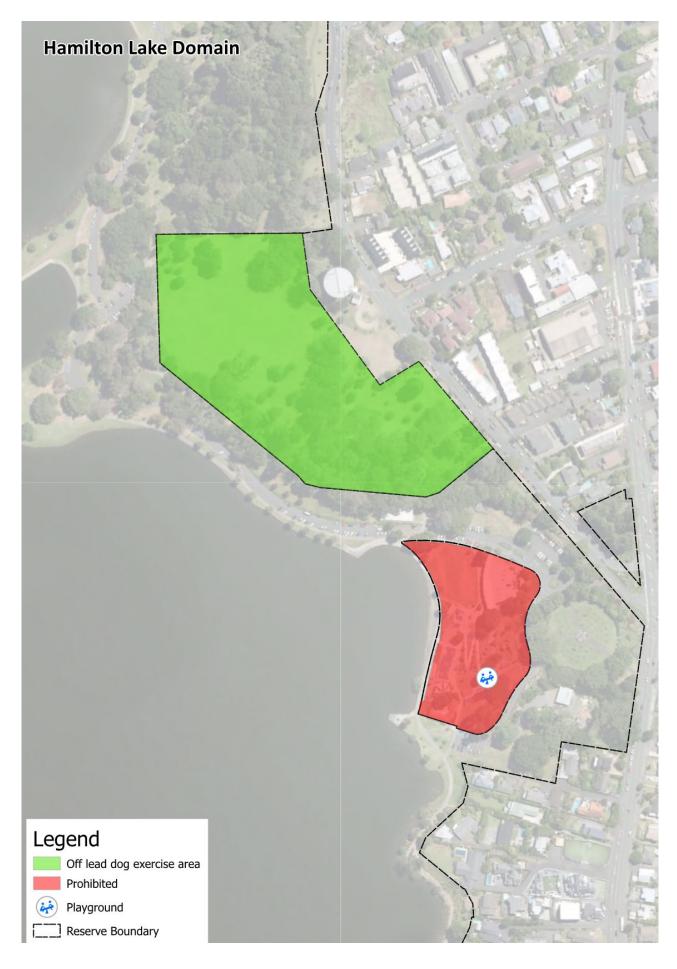




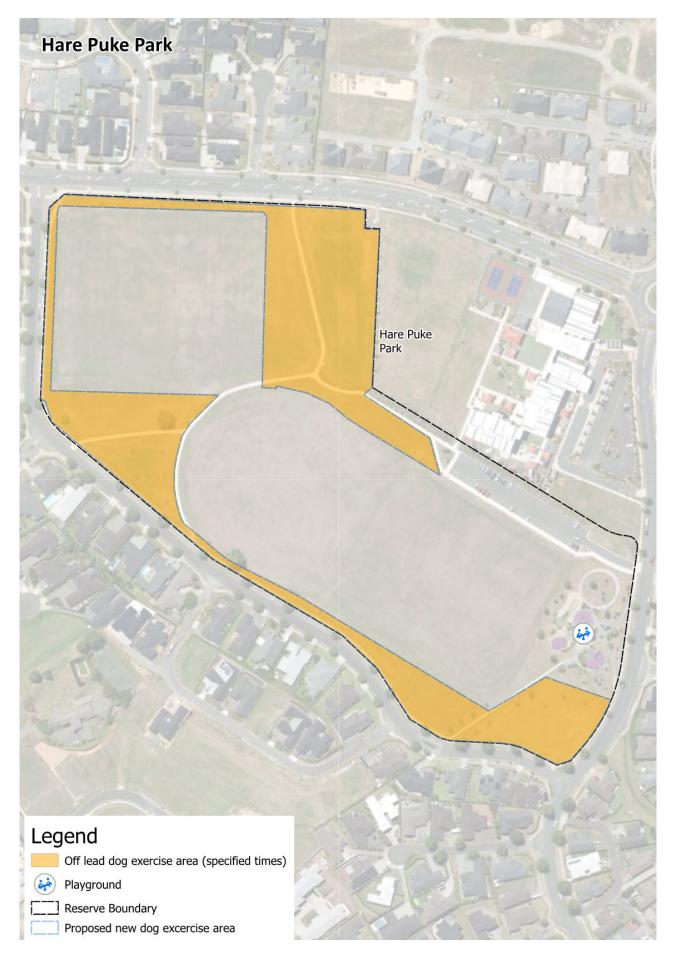










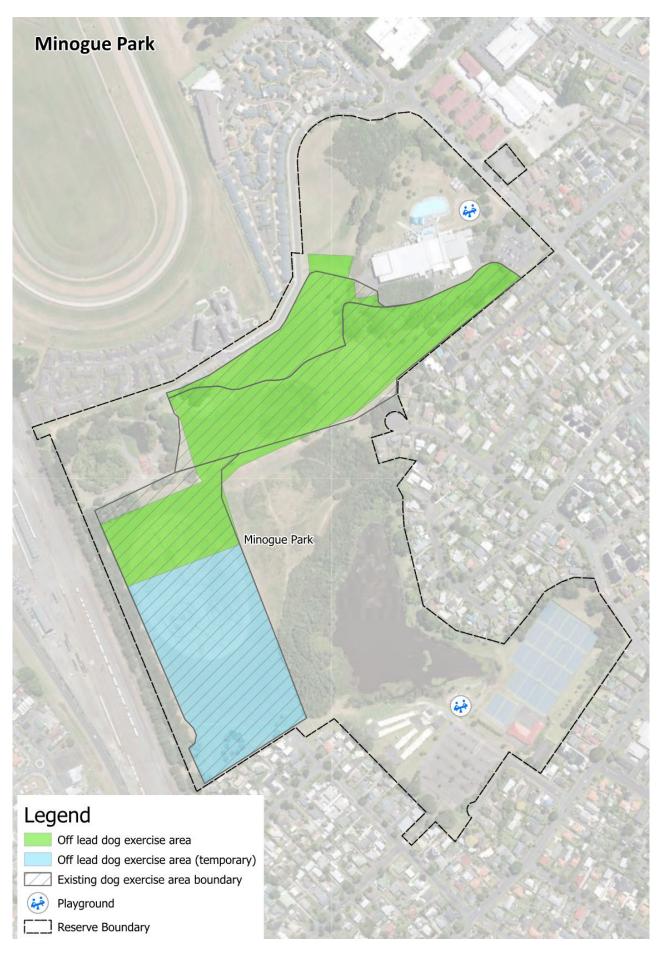






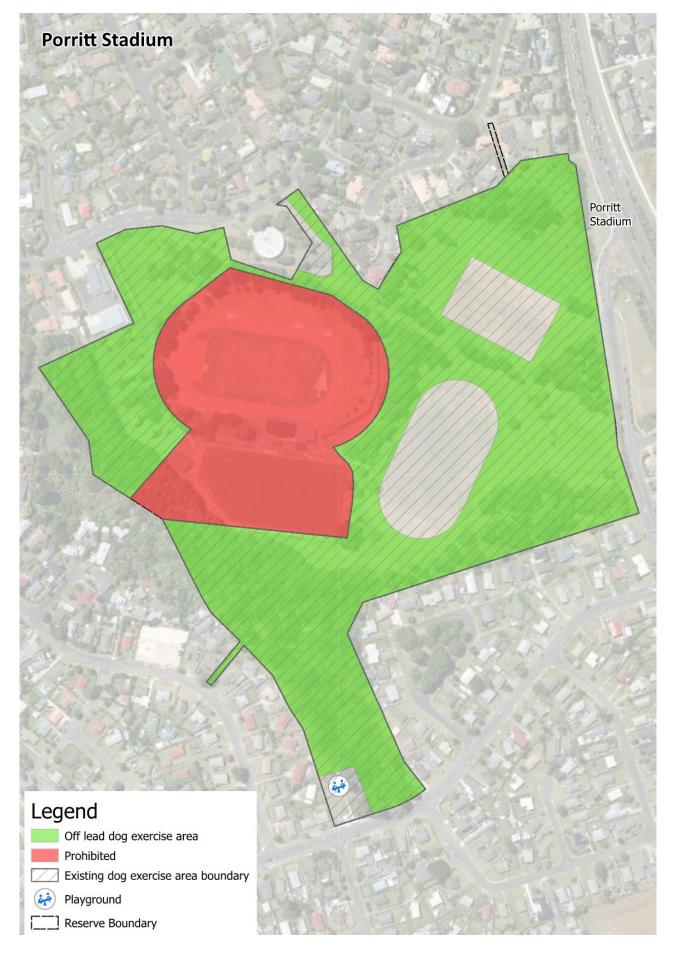








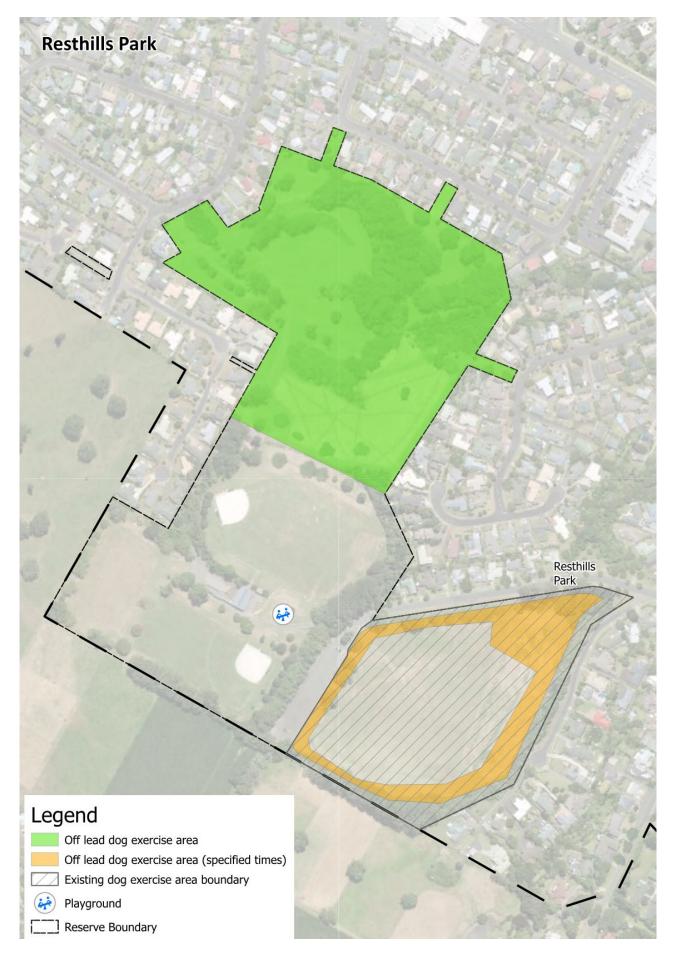












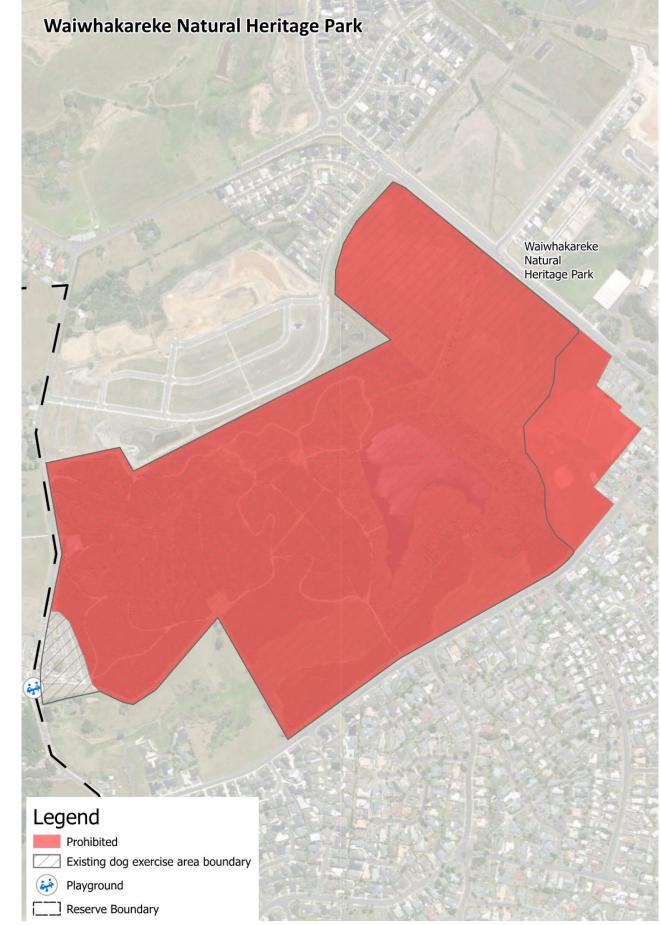
















| Approved By: Council | Date Adopted: 23 May 2013 |
|--|--------------------------------|
| Date In Force: 1 July 2013 | Reviewed: XX XXX XXXX |
| Version history: | Next review date: XX XXX XXXXX |
| Section 6.3 amended 1 November 2013 | |
| Amendments adopted by resolution of Council on XXX and come in force XXXX. | |

Hamilton City Animal Nuisance Bylaw 2013 (amended 20XX)

Ture-aa-rohe Kararehe Poorearea

This bylaw is made by Hamilton City Council pursuant to the Health Act 1956 and the Local Government Act 2002 and any amendments to those acts.

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1. Preamble

1.1. Hamilton City Council recognises the wellbeing benefits of keeping animals. People who keep animals must comply with animal welfare regulations and Council encourages people to follow the best practice standards of caring for animals, including the microchipping and/or neutering of companion animals.

Keeping animals has the potential to cause problems. This bylaw has been developed to protect the community from nuisance and support the maintenance of public health and safety.

(Note: the above preamble does not form part of this bylaw and is intended to be read as an introductory note)

2. Short title, commencement and application

- 2.1. This bylaw may be cited as the Hamilton City Animal Nuisance Bylaw 2013 (amended 20XX).
- 2.2. This bylaw shall apply to the keeping of animals in the district of Hamilton City.
- 2.3. The bylaw comes into force on 1 July 2013.
- 2.4. Amendments to this bylaw come into force on XX XXX XXXX.

3. Purpose

- 3.1. The purposes of this bylaw are:
 - a) protecting the public from nuisance,
 - b) protecting, promoting, and maintaining public health and safety; and
 - c) regulating the keeping of animals.

4. Compliance with other acts

4.1. This bylaw is in addition to, and should be read in conjunction with, relevant legislation, regulations and guidelines for maintaining public health, keeping animals, animal welfare and agricultural practices. Persons who keep animals must comply with the requirements of the National Animal Welfare Advisory Committee (NAWAC) of the Ministry for Primary Industries Manatū Aha Matua for animal welfare issued under the Animal Welfare Act 1999 (Act), and any other applicable legislation, regulations or bylaws.

5. Definitions

5.1. In this bylaw except where inconsistent with the context:

Animals

Means any live member of the animal kingdom that is:

- a) a mammal; or
- b) a bird; or
- c) a reptile; or
- d) an amphibian; or
- e) a fish (bony or cartilaginous); or
- f) any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
- g) any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Act; and includes
- a) any mammalian foetus, or any avian or reptilian pre hatched young, that is in the last half of its period of gestation or development; and
- b) any marsupial pouch young;
- c) bees; but

Does not include:

- a) A human being; or
- b) Except as provided in (b) or (c) of this definition, any animal in the pre-

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natal, pre-hatched, larval, or other such development stage;

c) A dog.

Authorised officer

Means an employee or contractor of the Hamilton City Council appointed or authorised to carry out general or specific duties arising from any of the provisions of this bylaw, and includes a Police Officer and any enforcement officers appointed and warranted by Council under the Local Government Act 2002.

Council

Means Hamilton City Council.

Nuisance

Without limiting the meaning of the term nuisance, a nuisance shall be created by an animal causing unreasonable trouble or annoyance, or unreasonable interference with the peace, comfort or convenience of any person or persons.

Without limiting the meaning of the term "nuisance", the following situations shall be deemed a nuisance:

- a) Where any accumulation or deposit is in such a state or so situated as to be offensive.
- b) Where any cages, buildings or premises used for the keeping of animals are so constructed, situated, used, or kept, or are in such a condition, as to be offensive.
- c) Where any noise emitted by an Animal that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person.

6. Keeping of animals

- 6.1. Every person who owns or keeps any animal on private property must ensure that the
 - a) Does not create a nuisance to any person; and
 - b) Is kept in conditions that do not create a nuisance to any person.
- 6.2. Cages, buildings, or premises used for the keeping of animals must be within the boundaries of the owner's private property.
- 6.3. No person shall keep a rooster in any part of the district of Hamilton without the prior written approval of an authorised officer. Approval if given may be subject to conditions.
- 6.4. Without limiting clause 6.1, no person may keep any animal on the premises, if in the opinion of the authorised officer, the keeping of such animals is causing a nuisance.

7. Enforcement

- 7.1. Where an authorised officer has reasonable grounds for suspecting that a nuisance exists, an authorised officer may, by written notice, require the owner or person keeping the animal to take such action as the authorised officer considers necessary to mitigate or eliminate the nuisance within a timeframe specified in the notice.
- 7.2. An authorised officer may seize or impound any animal causing a nuisance if the owner or person keeping the animal has not adequately mitigated or eliminated the nuisance within the timeframe specified in the written notice issued by the authorised officer under clause 7.1 above.

8. Penalties and offences

Hamilton City Council | Hamilton City Animal Nuisance Bylaw 2013 (amended 20XX)



- 8.1. A person commits a breach of this bylaw who:
 - a) Permits or allows any condition to exist or continue to exist contrary to this bylaw;
 - b) Fails to comply with any lawful notice of direction given under this bylaw.
 - c) Where required, fails to obtain written approval or having obtained written approval fails to abide by the conditions (if any).
- 8.2. Obstructs or hinders any authorised officer f r o m performing any duty or exercising any power conferred by this bylaw.
- 8.3. Pursuant to section 242 of the Local Government Act 2002, any person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
- 8.4. Under section 163 of the Local Government Act 2002 the Council or an authorised officer may remove or alter any work or thing that is in breach of this Bylaw.
- 8.5. The 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.
- 8.6. Under section 162 of the Local Government Act 2002 the Council may apply to the District Court for the grant of an injunction restraining a person from committing a breach of this Bylaw.
- 8.7. The 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.
- 8.8. The council will return and may dispose of property seized and impounded in accordance with sections 167 and 168 of the Local Government Act 2002.



| Approved By: Council | Date Adopted-: 23 May 2013 |
|--|--------------------------------|
| Date In Force: 1 July 2013 | Reviewed: XX XXX XXXX |
| Version history: | Next review date: XX XXX XXXXX |
| Section <u>6.3</u> 8.2 <u>amended</u> 1 November 2013 | |
| Amendments adopted by resolution of Council on XXX and come in force XXXX. | |

Hamilton City Animal Nuisance Bylaw 2013

(amended 20XX)

Ture-aa-rohe Kararehe Poorearea

This bylaw is made by the Hamilton City Council under the powers given to it by pursuant to the Health Act 1956 and the Local Government Act 2002 and any amendments to those that acts.

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1. Preamble

1.1. Hamilton City Council recognises the wellbeing benefits of keeping animals. People who keep animals must comply with animal welfare regulations and Council encourages people to follow the best practice standards of caring for animals, including the microchipping and/or neutering of companion animals.

Keeping animals has the potential to cause problems. This bylaw has been developed to protect the community from nuisance and support the maintenance of public health and safety.

(Note: the above preamble does not form part of this bylaw and is intended to be read as an introductory note)

1.1. The purpose of this bylaw is to ensure that the keeping of animals, birds and bees within the Council's boundaries does not create a nuisance and if a nuisance does arise then the Council has appropriate regulatory powers to take relevant action.

2. Short title, commencement and application

- 2.1. This bylaw may be cited as the Hamilton City Animal Nuisance Bylaw 2013 (amended 20XX).
- 2.2. This bylaw shall apply to the keeping of animals on private property in the district of Hamilton City Council.
- 2.3. The bylaw comes into force on 1 July 2013.
- 2.4. Amendments to this bylaw come into force on XX XXX XXXX.

3. Revocation of existing bylaws

- 3.1. The Hamilton Animal Nuisance Bylaw 2008 is hereby revoked.
- 3.2. All matters and proceedings commenced under the bylaw listed in section 3.1 and pending or in progress on the coming into operation of this bylaw may be continued, completed and enforced under this bylaw.

4.3. Purpose

- 4.1.3.1. The purposes of this bylaw are:
 - a) protecting the public from nuisance,
 - b) protecting, promoting, and maintaining public health and safety; and
 - c) regulating the keeping of animals.

5. Scope

5.1.1.1. This bylaw shall apply to the keeping of animals on private property in the district of Hamilton City Council.

6.4. Compliance with other acts

6.1.4.1. This bylaw is in addition to, and should be read in conjunction with, relevant legislation, regulations and guidelines for maintaining public health, keeping animals, animal welfare and agricultural practices. Persons who keep animals must comply with the requirements of the National Animal Welfare Advisory Committee (NAWAC) of the Ministry of Agriculture and Forestry Ministry for Primary Industries Manatū Aha Matua for animal welfare issued under the Animal Welfare Act 1999 (Act), and any other applicable legislation, regulations or bylaws.

7.5. Definitions

7.1.5.1. In this bylaw except where inconsistent with the context:

Animals

a) Means any live member of the animal kingdom that is:
b)a) a mammal; or

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- e)b) a bird; or
- d)c) a reptile; or
- e)d) an amphibian; or
- f)e) a fish (bony or cartilaginous); or
- g)f) _____any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
- h)g) any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Act; and includes
- a) Includes any mammalian foetus, or any avian or reptilian pre hatched young, that is in the last half of its period of gestation or development; and
- a)
- b) Includes any marsupial pouch young;
- b)
- c) Includes bees; but

Does not include:

- Ha) A human being; or
- H.b) Except as provided in (b) or (c) of this definition, any animal in the prenatal, pre-hatched, larval, or other such development stage;
- HI.c)_A dog.

Authorised Oofficer

Means an employee or contractor of the Hamilton City Council appointed or authorised to carry out general or specific duties arising from any of the provisions of this bylaw, and includes a Police Officer and any enforcement officers appointed and warranted by Council under the Local Government Act 2002.

Council

Means Hamilton City Council.

Enforcement Officer

Means the same as Authorised Officer.

Nuisance

Without limiting the meaning of the term nuisance, a nuisance shall be created by an animal causing unreasonable trouble or annoyance, or unreasonable interference with the peace, comfort or convenience of any person or persons.

Without limiting the meaning of the term "nuisance", a nuisance shall be deemed to be created in any of the following situations shall be deemed a nuisance cases, that is to say:

- a) Where any accumulation or deposit is in such a state or so situated as to
- b) Where any <u>cages</u>, buildings or premises used for the keeping of animals are so constructed, situated, used, or kept, or are in such a condition, as to be offensive.
- c) The term "nuisance" meansWhere any noise emitted by an Animal that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person.

8.6. Keeping of animals

- 8.1.6.1. Every person who owns or keeps any animal on private property must ensure that the animal:
 - a) Does not create a nuisance to any person; and
 - b) Is kept in conditions that do not create a nuisance to any person.

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- 6.2. Cages, buildings, or premises used for the keeping of animals must be within the boundaries of the owner's private property.
- 8.2.6.3. No person shall keep a rooster in any part of the district of Hamilton without the prior written approval of an authorised officer. Approval if given may be subject to conditions.
- 8.3.6.4. Without limiting clause 86.1, no person may keep any animal on the premises, if in the opinion of the authorised officer, the keeping of such animals is causing a nuisance.

9.7. Enforcement

- 7.1. Where an authorised officer has reasonable grounds for suspecting that a nuisance exists, an authorised officer may, by written notice, require the owner or person keeping the animal to take such action as the authorised officer considers necessary to mitigate or eliminate the nuisance within a timeframe specified in the notice.
- 9.1.7.2. An authorised officer may seize or impound any animal causing a nuisance if the owner or person keeping the animal has not adequately mitigated or eliminated the nuisance within the timeframe specified in the written notice issued by the authorised officer under clause 97.1 above.

10.8. Penalties and offences

- 10.1.8.1. A person commits a breach of this bylaw who:
 - a) Permits or allows any condition to exist or continue to exist contrary to this bylaw;
 - b) Fails to comply with any lawful notice of direction given under this bylaw.
 - Where required, fails to obtain written approval or having obtained written approval fails to abide by the conditions (if any).
- 10.2.8.2. Obstructs or hinders any authorised officer from in the performingance of any duty to be discharged by that officer under or in exercisingses of any power conferred by this bylaw;
- 10.3.8.3. Pursuant to section 242 of the Local Government Act 2002, any person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
- 10.4.8.4. Under section 163 of the Local Government Act 2002 the Council or an authorised officer may remove or alter any work or thing that is or has been constructed in breach of this Bylaw.
- 10.5.8.5. The Council may recover the costs of removing or altering the work or thingthis 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.
- 10.6.8.6. Under section 162 of the Local Government Act 2002 the Council may apply to the District Court for the grant of an injunction restraining a person from committing a breach of this Bylaw.
- 10.7.8.7. The 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.
- 10.8.8.8. The council will return and may dispose of property seized and impounded in accordance with sections 167 and 168 of the Local Government Act 2002.



The COMMON SEAL of the HAMILTON CITY COUNCIL was hereunto affixed in the presence of:

Councillor:

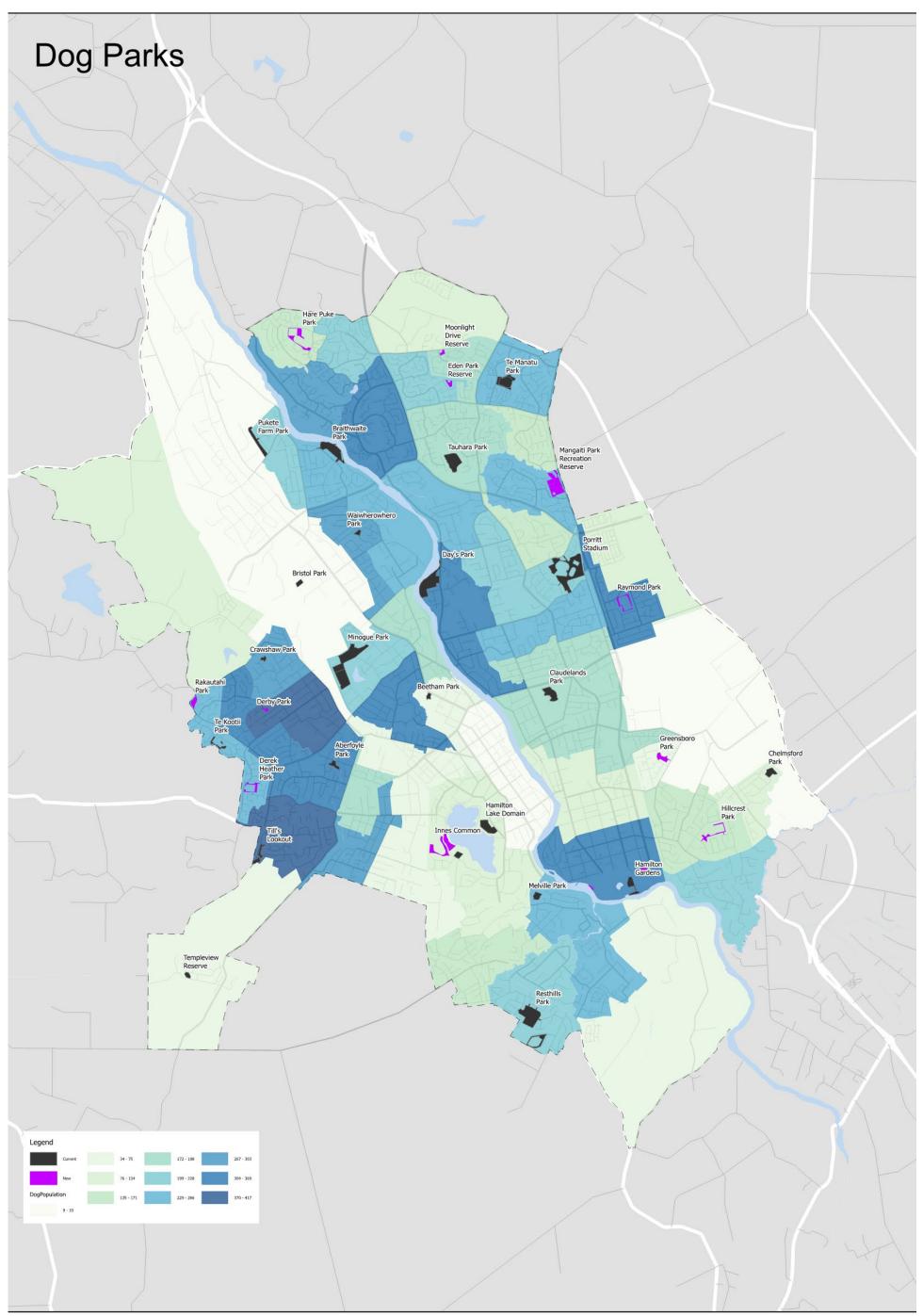
Councillor:

Chief Executive:



Hamilton City Council | Hamilton City Animal Nuisance Bylaw 2013 (amended 20XX)

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DOG PARKS IN KIRIKIRIROA: ENGAGEMENT AND INSIGHTS REPORT

Report prepared by:

Piper Shields, Research and Insights Advisor Paris Williams, Communication and Engagement Advisor March 2024.

Report reviewed by:

Dan Silverton; Communication and Engagement Manager; Partnerships, Communication and Maaori March 2024.

EXECUTIVE SUMMARY

Hamilton is home to many dog parks that are well-loved and cherished by the community. With the need to update our Dog Control Policy and Dog Control Bylaw on the horizon, Council took this opportunity to better understand what people think about Hamilton's dog parks — what we currently do well, what we can do better, and what they would like to see in future.

The engagement was hosted online using Social Pinpoint, and the community could provide feedback through both a survey and by placing comments on a map of Hamilton, which showed local parks.

The engagement was live from 30 January to 27 February. We received 347 survey responses and 122 comments where pins were placed on the map.

Feedback from the 347 survey responses:

- 58% of respondents were supportive of seasonal restrictions, and 23% were opposed
- 77% of respondents would like to see more dog parks; 19% were satisfied with the current provision of dog parks
- Hillcrest Park was the most common response to where respondents would like to see a new dog park in Hamilton
- 37 respondents believe seasonal restrictions would make parks safer, for both dogs and humans; 26 respondents mentioned they felt unsafe or uncomfortable with sharing spaces with dogs.

Feedback from the 122 pin-dropped comments:

- the comments covered 33 of Hamilton's parks and green spaces
- Days Park received the most comments (29 comments)
- the most common feedback was that the community loves to visit the parks (51 comments), the
 parks are large/spacious (26 comments), a desire for drinking fountains that can be used by both
 dogs and humans (14 comments) and the need for better signage of on-/off-leash areas (14
 comments).

SUBMISSIONS INSIGHTS

By engaging with the community, Council aims to gather information on user's experiences with our dog parks. These results will not only inform the updating of the Dog Control Policy and Dog Control Bylaw, but will also be used to advise future Council decisions on dog park management.

Community feedback was collected via Social Pinpoint, a platform which allowed respondents to fill out a survey and place pin-dropped comments on a map. This allows respondents to report general, overarching thoughts in the survey, while additionally being able to leave multiple, location-specific comments using the map tool. The community could access the survey via QR codes on corflute signs at major dog parks, as well as through social media posts and advertisements. We also hosted a drop-in session at Minogue Park, where the community could share their thoughts in person.

This engagement was live from 30 January to 27 February. We received 122 pin-dropped comments alongside 347 survey responses.

To see all pin-dropped comments and the map used, please go to the survey's Social Pinpoint page here.

FEEDBACK THROUGH SOCIAL PINPOINT

Survey responses

While this survey was open to all community members, most respondents were current dog owners residing in Hamilton (309, 89% of responses). A further 15 respondents have previously owned a dog in Hamilton, 12 had owned a dog outside of Hamilton, and 10 have never been dog owners.

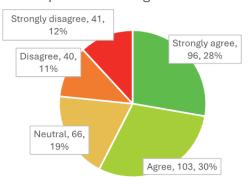
We received a high response rate from those in East Area 3 (11% of respondents who live in Hamilton, but 6% of the Hamilton population). East Area 3 includes Chartwell, Chedworth and Queenwood, and is home to Days Park.

Support for seasonal restrictions

We asked respondents if they would be supportive of introducing seasonal restrictions on parks to create more shared spaces with dogs and other users. Seasonal restrictions would allow owners to walk their dogs off-leash in certain parks during certain hours, for example between 9am-5pm.

200 of the 347 (58%) respondents were supportive of the concept of seasonal restrictions. 81 (23%) were opposed.

Would you be supportive of introducing seasonal restrictions on parks to create more shared spaces with dogs and other users?



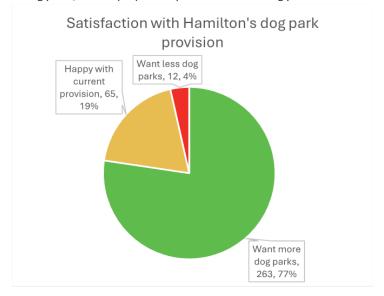
We invited respondents to provide a reason for their stance. 275 respondents left comments. The most common themes from these comments were:

- Hamilton needs more dog friendly areas (50 comments)
 - "I would be supportive of being able to take my dog to more parks and other areas.
 There's not many places we can take her. She's part of our family and doesn't bother anyone. I'd like to be able to take her everywhere we go"
- Desire more off-leash areas (40 comments)
 - "Every park, as far as possible, should have a dogs off leash area. There are several, for example, Featherstone Park that is under used because of its terrain but it would be ideal for dogs and has access to the river."
- Creates a safe spaces for both humans and dogs (37 comments)
 - "Having set times [for dogs] increases safety for all."
- Concern that seasonal restrictions would reduce Hamilton's dog friendly spaces (36 comments)
 - "Agree with this as long as it enables dogs to be off-leash at more parks across hamilton.
 I would disagree if it would restrict the off-leash time at the current dog parks."
- Makes dog spaces more accessible/won't need to travel to dog parks/provides more options (36 comments)
 - "Hamilton has great dog parks but they don't service all areas. I would love to not have to drive to a dog park and so the idea of having parts of other parks that can be used (even with restricted hours) would be great"
- Timings of restrictions can be difficult for dog owners to manage (31 comments)
 - "Some people can only walk their dogs first thing in the morning or late in the evening, due to things such as, disability, jobs, preference of it being quieter etc."
- General support/love the idea (29 comments)
 - o "I love being able to take my dog places with me. She has great recall and I love the idea that she can be a dog and run around and get proper exercise."

- Perceive sharing spaces with dogs as unsafe (26 comments)
 - "Off leash creates more chances for dog fights and irresponsible owners who cannot control or recall their dogs"
- Seasonal restrictions are a good use of unused/quiet park space (25 comments)
 - "During school time, the parks are mostly empty and allowing dogs at certain times when parks are quiet is a good use of the open space"
- Too restrictive/limiting for owners (14 comments)
 - o "No restrictions. Dogs should be allowed off leash at all times."
- Seasonal restrictions can be confusing (12 comments)
 - o "I feel that this confuses the public around which park are for dogs and which are not."
- Desire more fenced dog parks (12 comments)
 - "Having more shared spaces for dogs would be great, however I do think it's important to have more fenced parks for dogs."
- Depends on the behaviour of dogs and their owners (11 comments)
 - "If a dog's recall is good, there is no reason for them to be on lead when outside. As long as they behave, it's a great idea."

Satisfaction with provision of dog parks in Hamilton

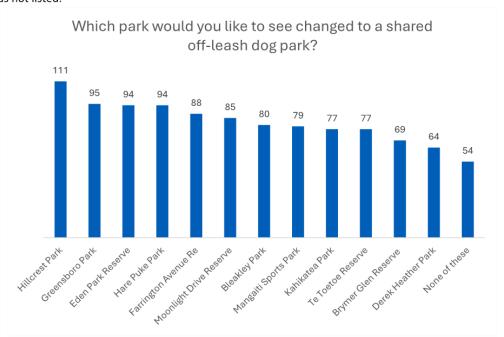
We asked respondents how they feel about Hamilton's current provision of dog parks. 65 respondents (19%) of the 340 who answered this question were happy with the current provision of dog parks, 263 (77%) desire more dog parks, and 12 (4%) would prefer to see less dog parks.



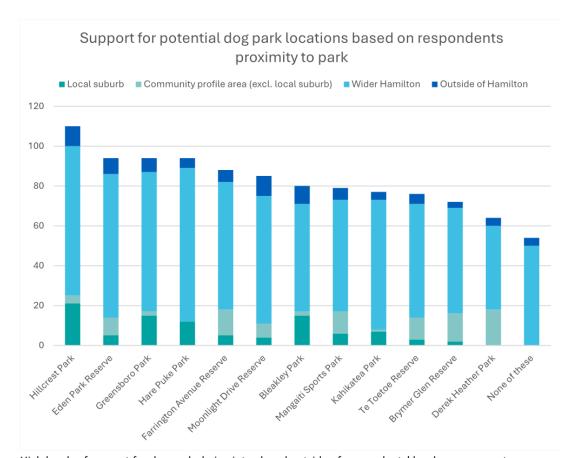
Support for location of potential new dog park

We asked respondents if the Council was able, which park they would prefer to become a new shared off-leash dog park. Council provided respondents with a pre-determined list of potential parks, from which they could select any they would like to see become dog parks.

Overall, Hillcrest Park was the most frequently chosen park to become a potential future dog park. Greensboro Park, Eden Park Reserve and Hare Puke Park were also popular choices. 54 respondents did not want to see any of the listed parks become dog parks; of these, 35 mentioned previously that they would like to see more dog parks in Hamilton, so it's possible they would prefer another location which was not listed.



Respondents were open to selecting parks outside of their immediate area. Hillcrest Park was popular amongst both locals and those further afield; 85 of the 111 proponents for Hillcrest Park reside outside of the park's Community Profile Area, including 10 who live outside of Hamilton. (To find out more about Hamilton's Community Profile Areas, see Council's community profiles webpage here.) A similar pattern of support from non-locals emerged for all proposed parks.



High levels of support for dog parks being introduced outside of respondents' local areas suggests many are willing to travel to access their desired dog parks. This correlates with supporters of seasonal restrictions citing not needing to travel as a key benefit. It is worth keeping in mind that most suburbs had individually low response rates, therefore data based on single suburbs alone should be considered within context.

Key theme: Perceptions of safety of shared spaces with dogs

The Dog Control policy and the Dog Control Bylaw are intended to allow people to enjoy the benefits of dog ownership while minimising nuisance to the community. To aid the drafting of the updated bylaw and policy, perceptions of safety of shared spaces with dogs have been extracted as a key theme for analysis.

37 respondents mentioned that adding seasonal restrictions would create safe spaces for both dogs and humans to enjoy. All but one of these respondents currently or have previously owned a dog.

 "I think for safety reasons (both human and canine), some seasonal restrictions should be looked into."

- "[Seasonal restrictions] are a good idea to keep dogs without recall and dogs with recall safe."
- "Everyone can use the places and I don't want my dogs walk ruined because someone wanted to drive their electric toy car or let their kids run all over the place."

26 respondents mentioned they perceive sharing spaces with dogs as unsafe.

- "Some dogs are too out of control."
- "Too many off the lead dogs attacking both humans and other dogs."
- "People are too irresponsible with off leash dogs as it is."

Eight of these concerned respondents described a specific personal experience with a dog in Hamilton which made them feel uncomfortable or unsafe.

- "I've seen people knocked over by dogs rushing around not listening to their owners. It certainly isn't a place to walk with preschoolers or elderly."
- "I often walk with my kids through Days Park regularly and am approached by aggressive dogs off leash, no muzzle, who snarl and bark and terrify my little people."
- "I was bitten by a dog in Resthills Park."

Of those who perceived sharing spaces with dogs as unsafe (n = 26), all but one currently or have previously owned a dog.

Pin-dropped comments

To see the map used and all pin-dropped comments, please go to the survey's Social Pinpoint page here.

Social Pinpoint allows respondents to provide location-specific feedback using a map tool. For this engagement, the Social Pinpoint page provided respondents with a digital map of Hamilton which outlined the current off leash dog parks. Respondents could place pins anywhere on the map - either green "this dog park is good" pins (thumbs up) or red "this dog park isn't quite right" pins (exclamation point), and then leave a comment explaining their thoughts. Also on this page, respondents were asked to fill out a survey on their general thoughts on Hamilton's dog parks.

We received 122 pin-dropped comments, which covered 33 of Hamilton's parks and green spaces. 68 (56%) of the pins dropped were green "this dog park is good" pins, while 54 (44%) were red "this dog park isn't quite right" pins.

Comments which mentioned dogs have been summarised and analysed below.

Days Park

This park received 29 comments; alongside these comments were 13 green "this dog park is good" pins, and 16 red "this dog park isn't quite right" pins. Of the 15 commentors who left their location details, one was from the park's local suburb (Chartwell), while 14 were from further afield and had to travel to visit this park.

The feedback received from comments was (comments occurred once unless specified):

• park users, including dogs, are friendly/conscientious (4 comments)

- desires a drinking station for humans and dogs (4 comments)
- add a fenced area for dogs
- desire a separate area for big and small dogs
- owners need to pick up after their pets
- space is well-shared here by dogs and humans

Minogue Park

This park received 16 comments; alongside these comments were five green "this dog park is good" pins, and 11 red "this dog park isn't quite right" pins. Of the ten commentors who left their location details, one was from the park's local suburb (Huntington), while the other nine lived further afield and had to travel to visit this park.

The feedback received from comments was (comments occurred once unless specified):

- desire an agility course/dog exercise equipment (4 comments)
- desire separate areas for small and large dogs (3 comments)
- owners need to better pick up after their pets (3 comments)
- concerned about unsafe/uncontrolled dogs here

Resthills Park

This park received eight comments from seven unique respondents.

The feedback received from comments was (comments occurred once unless specified):

- desires a drinking station for humans and dogs (2 comments)
- concern for dogs getting into pest-control traps

Hamilton Gardens

This green space received seven comments. Of the three commentors who left their location details, one was from the garden's local suburb (Hamilton East), while two were from further afield and had to travel to visit this park.

The feedback received from comments was (comments occurred once unless specified):

- concern for cars driving through/parking near where dogs roam (4 comments)
- should be on-leash only
- space is well-shared here by dogs and humans

Jubilee Park

This park received six comments from four unique respondents. Two respondents were from the park's local suburb (Fairfield), while two were from further afield and had to travel to visit this park.

The feedback received from comments was (comments occurred once unless specified):

- concern for cars driving through/parking near where dogs roam (2 comments)
- should be on-leash only

Tauhara Park

This park received six comments from five unique respondents. The four respondents who mentioned where they live neighbour the park (Chartwell and Flagstaff).

The feedback received from comments was (comments occurred once unless specified):

- concerned about unsafe/uncontrolled dogs here
- desire agility course/dog exercise equipment here
- provide poo bags to park owners
- should be an off-leash dog park

Pukete Farm Park

This park received five comments from four unique respondents. Only one respondent was from the park's local suburb (Pukete).

The feedback received from comments was (comments occurred once unless specified):

- desires a drinking station for humans and dogs (2 comments)
- · should have seasonal restrictions

Innes Common

This green space received four comments from three unique respondents.

The feedback received from comments was (comments occurred once unless specified):

desires a drinking station for humans and dogs

Mangaiti Park

This park received four comments from four unique respondents. Only one respondent was from the park's local suburb (Huntington).

The feedback received from comments was (comments occurred once unless specified):

- should be an off-leash park (2 comments)
- should be on-leash only (2 comments)
- desires a drinking station for humans and dogs
- the park is good for reactive dogs

Porritt Park

This park received four comments from four unique respondents. Only one respondent was from the park's local suburb (Chartwell).

The feedback received from comments was (comments occurred once unless specified):

- desires a drinking station for humans and dogs
- concern about antisocial behaviour in the area.

Braithwaite Park

This park received three comments. One commentor lives in the park's local suburb (Pukete).

The feedback received was (comments occurred once unless specified):

• the park is excellent/great to visit (2 comments)

- · desire for more bins
- there should be better signage.

Featherstone Park

This park received three comments. Two commentors live in the park's local suburb (Flagstaff).

- The feedback received was (comments occurred once unless specified):
 - desire for an agility course here
 - desire for a fenced area

Hamilton Lake Domain

This green space received two comments.

The feedback received was (comments occurred once):

- · desires a drinking station for humans and dogs
- should be on-leash only

Hillcrest Park

This park received two comments. One commentor lives outside of Hamilton, the other did not disclose their location.

One respondent suggested this park become an off-leash dog park; the other respondent recommended it remain on-leash only.

Waiwherowhero Park

This park received two comments. One comment suggested the park become only for small dogs, the other comment recommended the dog park is separated from the nearby playground with a fence.

Parks with one comment

The 15 parks which received one comment have their feedback summarized in the table below.

| Park | Feedback from commentor |
|------------------------|--|
| Ashurst Park | Suggests this park should have seasonal restrictions to allow dogs |
| Beetham Park | Was not aware this park was off-leash |
| Edinburgh Park | Should be an off-leash dog park, due to the limited access points and large green area |
| Fitzroy Park | Great space for dogs. Desires provided poo bags and drinking water |
| Galway Reserve | Quiet and well-fenced dog park |
| Gower Park | Great shared area with dogs and humans |
| Hamilton Train Station | Did not realise this space was dog friendly; think it's a great spot for dog walking |
| Hammond Park | Their dog loves going for walks here |
| Raymond Park | Inconsistency from website to park signage as to whether this is a dog park |
| Te Kootii Park | Desires a drinking station for humans and dogs |
| Te Manatu Park | Confusion as to whether this is an on or off leash area |
| Till's Lookout | Desires better fencing around the park |

FEEDBACK THROUGH SCHEDULED MEETINGS

Council held an information session to discuss Hamilton's dog parks. This was held on 17 February at Minogue Park.

The most common themes which emerged from this session were:

- About Minogue Park:
 - o add weight limit to fenced area
 - o concern for amount of dog poo; suggested signs promoting cleaning up after dogs
 - o desire drinking fountains
 - o happy with the provision of rubbish bins
 - o like that the park is fenced
 - o like the availability of seating
 - o like the shade
 - o love this park
 - o owners are attentive
 - o the park is too small
 - would like Council to provide poo bags.
- About dog parks more generally:
 - o desire for dog park for exclusively small dogs
 - o dog owners are often inattentive or distracted
 - o dogs love the water, even puddles
 - o Hamilton has a good offering of dog parks
 - o rubbish bins are often full
 - o should have a paddling pool for dogs
 - o want dog waste bins rather than general rubbish bins
 - o water sources should be kept outside of fenced areas.
- Other parks attendees mentioned they loved to visit:
 - o Days Park
 - Mangaiti Park
 - Porritt Park
 - Resthills Park
 - o Tauhara Park.
- Other comments not related to dog parks:
 - o want more information on website when registering dogs
 - o wondered how often Council maintained our parks, e.g. cleaning up dog poo.

FEEDBACK FROM SOCIAL MEDIA

In addition to analysing the feedback provided on Social Pinpoint, Council staff also analysed comments made on Hamilton City Council Facebook posts relating to the engagement.

Hamilton City Council made one Facebook post in relation to this engagement. This post received 45 comments from the public, of which 30 were relevant to the engagement on dog parks within Hamilton. The most common themes from comments were:

- discomfort with dogs being off-leash (11 comments)
- ideas and suggestions for ways to alter dog parks (5 comments)
- desire for an agility course (4 comments).

ENGAGEMENT TACTICS

Purpose

To collect feedback from the local dog owner community in Hamilton to understand their experiences with Hamilton's dog parks.

Goal

To collect feedback from the community about their thoughts on Hamilton dog parks.

Objectives

- More than 100 people share their thoughts on Social Pinpoint
- Inform the community of the upcoming policy and bylaw review
- Understand what the community like and dislike about the current dog parks

Engagement Outcome

- Use the feedback we gather to inform the upcoming policy and bylaw review for Dog Control
- Gather future ideas from the community regarding our dog parks

Engagement Campaign Review

Campaign tactics were:

- Elected Member update
- Email to stakeholders (dog obedience groups)
- Email to iwi
- Organic social post
- Sponsored Facebook ads
- Posters at Libraries and Council facilities (animal Education and Control)
- Drop-in session at Minogue Dog Park
- A1 signs at Minogue Dog Park with QR codes to the survey
- Moorena Mail story

ENGAGEMENT RESULTS

SUBMISSION FORM (ONLINE)

We received 347 responses to the Social Pinpoint survey and 122 comments where pins were placed on the map. As the survey platform is online only, there are no results for hard copy responses.

SOCIAL MEDIA

We did one organic post and paid advertisements on social media. The organic post has approximately 8470 and reached approximately 7530 accounts. There were 63 link clicks to the Social Pinpoint survey. The organic post had 60 comments and 8 shares.



The targeted advertisements reached approximately 27,355 accounts on social media during the consultation period. There were 904 link clicks through to the Social Pinpoint survey. There were 86 comments on the targeted advertisement including some replies from Hamilton City Council.



The comments from both the organic and paid posts are captured in the submissions insights section.

Drop-in session

We held a two-hour drop-in session at Minogue Dog Park on Saturday 17 March. We had approximately ten individuals or families visit us at the drop-in session to share their thoughts.

Emails

We emailed 11 stakeholders about the Dog Park consultation including iwi, dog agility groups and doggy day cares.

WHAT'S NEXT

After reviewing the community's viewpoint on Hamilton's dog parks, Council will present the draft Dog Control Policy and Dog Control Bylaw to the community for feedback later in 2024.

Council Report

Committee: Community and Natural **Date:** 10 September 2024

Environment Committee

Author: Hannah Jonson **Authoriser:** Helen Paki

Position: Graduate - Business and **Position:** General Manager Customer

and Community

Report Name: Reserve Classification and Naming

Planning

| Report Status | Open |
|---------------|------|
|---------------|------|

Purpose - Take

1. To seek a recommendation from the Community and Natural Environment Committee to the Council concerning the proposal to classify and name seven reserves accordance with Council's Naming of Roads, Open Spaces and Council Facilities Policy (the Policy).

Staff Recommendation - Tuutohu-aa-kaimahi (Recommendation to the Council)

- 2. That the Community and Natural Environment Committee:
 - a) receives the report; and
 - b) recommends that the Council:
 - approves the classification of the reserves set out in Schedule One as recreation reserves, subject to the Reserves Act 1977, and approves the names, in accordance with Council's Naming of Roads, Open Spaces and Council Facilities Policy:

Schedule One: Recreation Reserves

| Proposed Reserve | Area (ha) | Legal Description | Attachment | New Reserve or Addition |
|------------------|-----------|--|------------|-------------------------|
| Name | | | Reference | to Existing Reserve |
| Tuna Kai Park | 0.1201 | Lot 200 DP504587 | Map 1 | New Reserve |
| Whakapakari Park | 6.4427 | Section 6 SO 478480 Section 7 SO 478480 | Map 2 | New Reserve |

- ii. approves the classification of the reserves set out in Schedule Two as local purpose (esplanade) reserves, subject to the Reserves Act 1977;
- iii. approves the proposed names, in accordance with Council's Naming of Roads, Open Spaces and Council Facilities Policy:

Schedule Two: Local Purpose (Esplanade) Reserves

| Proposed Reserve | Area | Legal Description | Attachment | New or Addition to |
|------------------|--------|-------------------|------------|---------------------------------|
| Name | (ha) | | Reference | Existing Reserve |
| Mangaiti Park | 0.2845 | Lot 13 DP 494366 | Мар 3 | Addition to Existing Reserve |

| Mangakotukutuku Esplanade Reserve | 4.7283 | Section 2 SO 544662, Section 2 SO 514748 Section 2 SO 517435 | Map 4 | Addition to Existing Reserve |
|--------------------------------------|--------|--|-------|---------------------------------|
| Te Awa O Katapaki Esplanade | 3.2215 | Lot 20 DP 490815, Lot 28 DP 481186 | Map 5 | Addition to Existing Reserve |
| Mangaharakeke Esplanade | 0.2845 | Lot 13 DP 494366 | Map 6 | Addition to Existing Reserve |
| Mangaonua Esplanade | 0.115 | Lot 4 DP 513776 | Map 7 | Addition to Existing Reserve |

Executive Summary - Whakaraapopototanga matua

- 3. Council has acquired new reserve land through subdivision consents. This includes two new reserves and five additions to existing reserves. Location plans are attached to this report in **Attachment 1**.
- 4. Classification is a mandatory process for reserves held by Council.
- 5. This report seeks approval to classify and name these reserves following in accordance with the Reserves Act 1977 and the Council's Naming of Roads, Open Spaces and Council Facilities Policy.
- 6. Staff recommend that the names, as detailed in **Schedule One** and **Two**, are recommended by the Committee for adoption by Council, noting that additions to the existing reserves are the same as existing reserves, and that names for the two new reserves were sought from mana whenua representatives, THaWK and Waikato-Tainui.
- 7. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.
- 8. Staff recommend that the Committee approve the naming and classification of the reserves in **Schedule One** and **Schedule Two**, as detailed in paragraph 17 below.
- 9. Staff consider the low significance and that the recommendations comply with the Council's legal requirements.

Background - Koorero whaimaarama

- 10. Council has acquired new reserve land through growth and the subdivision process over the last few years.
- 11. Section16(2)(A) of the Act states that where any reserve was created under Part 10 of the RMA and remains vested in Council, Council must by resolution, classify the reserve according to its primary purpose.
- 12. The Act provides eight classifications to choose from:
 - i. recreation,
 - ii. historic,
 - iii. scenic, nature,
 - iv. scientific,
 - v. government purpose and,
 - vi. local purpose

- 13. Classifying by primary purpose helps direct the management, usage and development of reserves, and provides a layer of legislative protection under the Reserves Act.
- 14. Section16(10) of the Act provides for reserves to be named at the time of classification.
- 15. Council's Naming of Roads, Open Spaces and Council Facilities <u>Policy</u> (the Policy) provides guidelines for naming reserves and requires naming by resolution.

Discussion - Matapaki

- 16. Schedule One and Two show two new reserves and 5 parcels of land that are additions to existing reserves. All reserves are shown in location plans in **Attachment 1**.
- 17. Staff recommend the reserves in Schedule One (below) are classified as recreation reserves, to enable use and development of these reserves for passive and active recreation.

Schedule One: Recreation Reserves

| Proposed Reserve Name | Area (ha) | Legal Description | Attachment Reference | New Reserve or Addition to Existing Reserve |
|--------------------------|--------------|--|-------------------------|---|
| Tuna Kai Park | 0.1201 | Lot 200 DP504587 | Map 1 | New Reserve |
| Whakapakari Park | 6.4427 | Section 6 SO 478480 Section 7 SO 478480 | Map 2 | New Reserve |

18. Staff recommend the reserves in Schedule Two (below) are classified as Local Purpose (esplanade) Reserve to enable Council to manage and develop them in a way that is consistent with conservation values, provision of public access and/or recreation use.

Schedule Two: Local Purpose (Esplanade) Reserves

| Proposed Reserve Name | Area (ha) | Legal Description | Attachment Reference | New or Addition to Existing Reserve |
|--------------------------------------|--------------|--|-------------------------|-------------------------------------|
| Mangaiti Park | 0.2845 | Lot 13 DP 494366 | Мар 3 | Addition to Existing Reserve |
| Mangakotukutuku Esplanade Reserve | 4.7283 | Section 2 SO 544662, Section 2 SO 514748 Section 2 SO 517435 | Map 4 | Addition to Existing Reserve |
| Te Awa O Katapaki Esplanade | 3.2215 | Lot 20 DP 490815, Lot 28 DP 481186 | Мар 5 | Addition to Existing Reserve |
| Mangaharakeke Esplanade | 0.2845 | Lot 13 DP 494366 | Мар 6 | Addition to Existing Reserve |
| Mangaonua Esplanade | 0.115 | Lot 4 DP 513776 | Мар 7 | Addition to Existing Reserve |

- 19. Section16(5)(c) of the Act provides that public notice is not necessary where the proposed classification is a consent condition. On this basis, public notification is not required.
- 20. Following approval by the Council, staff will notify the Department of Conservation and arrange publication of a notice in the Gazette.

Proposed Names of Two New Reserves

- 21. Where the reserve is an addition to an existing reserve, the proposed name is the same as the existing reserve. For the new reserves, the proposed names have been developed considering the following criteria in the Policy:
 - i. The cultural significance of the area to Mana Whenua.
 - ii. People important in the history of an area.
 - iii. The identity of Hamilton and/or local identity
 - iv. The historical significance of the location
 - v. Events, people and places significant to a community or communities locally, nationally or internationally.
 - vi. Flora and Fauna significant or important to the history of an area.

Tuna Kai Park

22. Tuna Kai Park is the proposed name for a small neighbourhood and amenity park, located in Tenille Street, Rototuna (Map 1, **Attachment 1**). The proposed new name roughly translates to 'Harvest of Eel'. Tuna (eel) was a popular food source for Tupunga Maaori and in the Rototuna area tuna was a plentiful and stable food source.

Whakapakari Park

- 23. Whakapakari Park is the proposed name for a sports park located on Rotokauri Road, in Rotokauri (Map 2, **Attachment 1**). Whakapakari is 'to enhance one's, or a thing's, ability to endure'. In using the name Whakapakari for the park the connotations are around strength and resilience as a people. The word is derived from one of KingTawhio's tongi kura (laments/proclamation) after the Waikato Wars. It was an incitement to his wartorn people to grow strong and to rebuild. 'Me Whakatupu Ki Te Hua Ote Kawariki, Me whakapakari Ki Te Hua Ote Rengarenga'.
- 24. If the recommendation is not approved the parks will not be classified and remain unnamed.

Financial Considerations - Whaiwhakaaro Puutea

- 25. The costs incurred to date include approximately 10 staff hours.
- 26. There is a one-off cost to gazette each of the reserves of approximately \$750-1,500 each (\$5,250 \$10,500) which is a regular operating activity funded through the Long-Term Plan.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

- 27. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements, specifically section Section16(5)(c) of the Reserves Act 1977 and Council's Naming of Roads, Open Spaces and Council Facilities Policy.
- 28. The land parcels described in Schedule 1 and Schedule 2 have been created and vested to Council subject to the Reserves Act 1977 (the Act). They were created and vested under Part 10 of the Resource Management Act 1991 (RMA) as part of the subdivision consent process.
- 29. The legal process to change the name of Jesmond Park is set out in The Reserves Act 1977.

Climate Change Impact Statement

30. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

- 31. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 32. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
- 33. The recommendations set out in this report are consistent with that purpose.

Social

- 34. The parks are important facilities for emerging communities. Providing official names for the park will help to build a sense of identity and ownership of the space by local residents and the wider public and is an important step in building social wellbeing for the space.
- 35. Classification of parks will also ensure that the local communities will use the open spaces as intended.

Economic

The official naming of the parks can improve economic wellbeing through its value to the community as a common asset. The official naming of the park increases identity and allows the space to be better integrated into their respective local areas, which can have a positive impact on economic outcomes.

Environmental

36. Environmental wellbeing will be improved through park classification and naming by providing an increased identity that raises awareness by the local community of the value of open space. Having an official name will place an identity on the space which can create long term environmental value on it for the community. Having land classified will ensure that the use of that land will be managed accordingly.

Cultural

- 37. Council staff have engaged with mana whenua (THAWK and Waikato Tainui) early to ensure their input and support for the park name.
- 38. The naming of the two new parks is an opportunity for mana whenua to express their values and identity. In doing so, this establishes a broader community identity and develops a sense of place to a new and growing local community.

Risks - Tuuraru

39. There are no known risks associated with the decisions required for this matter.

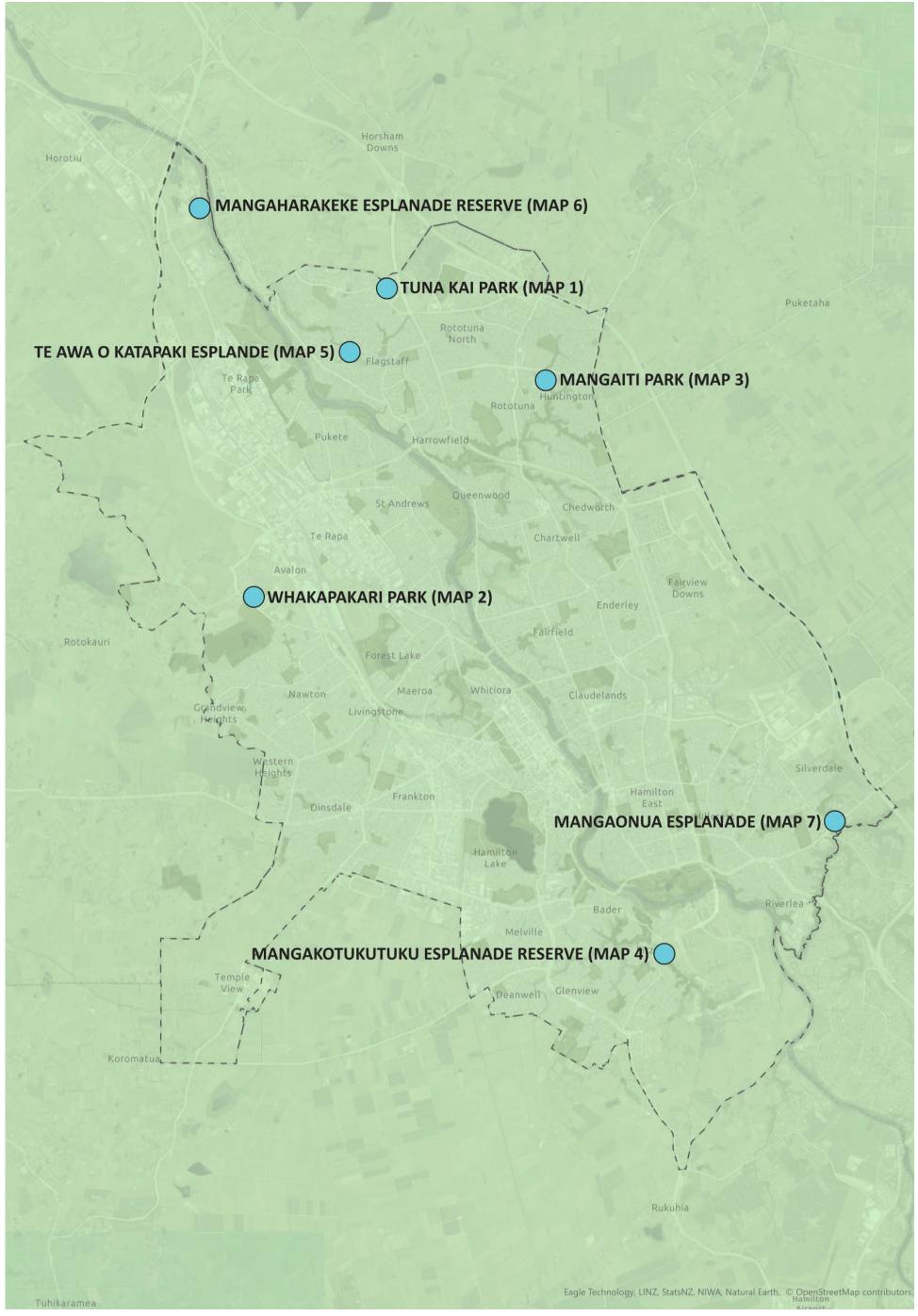
Item 1

Significance & Engagement Policy - Kaupapa here whakahira/anganui

- 40. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.
- 41. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - Ngaa taapirihanga

Attachment 1 - Location Plans



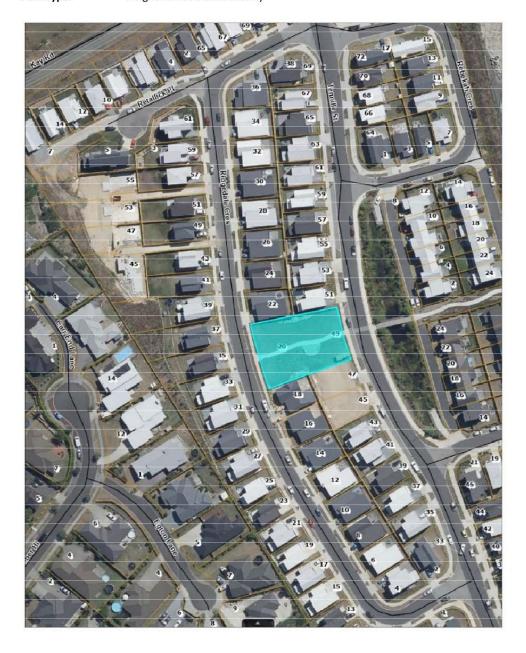
MAP 1 Tuna Kai Park

Location: Tenille Street, Rototuna

Area (ha): 0.1201 ha

Legal Description: Lot 200 DP 504587

Park Type: Neighbourhood and Amenity



MAP 2 Whakapakari Park

Location: Rotokauri Road, Rotokauri

Area (ha): 6.4427 ha

Legal Description: Section 6 SO 478480 and Section 7 SO 478480

Park Type: Sports



MAP 3 Mangaiti Park

Location: Forge Street, Rototuna

Area (ha): 0.2845 ha
Legal Description: Lot 13 DP 494366
Park Type: Esplanade



MAP 4 Mangakotukutuku Esplanade Reserve

Location: Peacockes Road, Edgeview Crescent and Dixon Road

Area (ha): 4.7283 ha

Legal Description: Section 2 SO 544662, Section 2 SO 514748 and Section 2 SO 517435

Park Type: Esplanade



MAP 5 Te Awa O Katapaki Esplanade

Location: Mataroa Crescent, Flagstaff

Area (ha): 3.2215 ha

Legal Description: Lot 20 DP 490815, Lot 28 DP 481186

Park Type: Gully Esplanade



MAP 6 Mangaharakeke Esplanade Reserve

Location: Hutchinson Road, Rototuna

Area (ha): 0.2845 ha
Legal Description: Lot 13 DP 494366
Park Type: Esplanade



MAP 7 Mangaonua Esplanade

Location: Silverdale Road, Hillcrest

Area (ha): 0.115 ha
Legal Description: Lot 4 DP 513776
Park Type: Esplanade

