



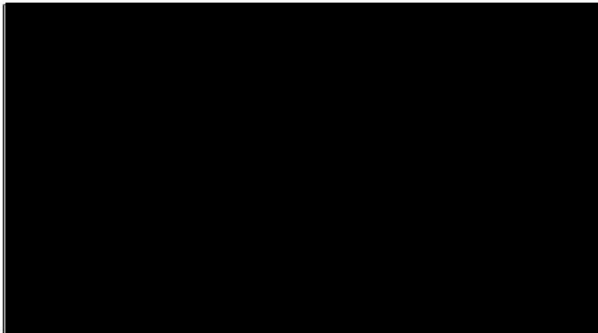
Ref: [REDACTED]

Civic House, 110 Trafalgar Street
PO Box 645, Nelson 7040, New Zealand

P (03) 546 0200

E LGOIMA@ncc.govt.nz
nelson.govt.nz

5 December 2024



OFFICIAL INFORMATION REQUEST FOR INFORMATION IN RELATION TO NELSON CITY COUNCIL'S APPROACH TO PENGUINS – PROTECTION, DOG ATTACKS AND VEHICLE STRIKES

Thank you for your official information request dated 7 November 2024 in relation to penguins, and the Council's approach to planning, regulation, protection, and monitoring of impacts relating specifically to the hoiho and kororā.

In reviewing your questions, I have themed these into topics relating to planning, monitoring and regulation/enforcement.

The responses to your questions are in italics below:

1. Planning:

- Details of rules/policies/objectives in your district plan designed to avoid adverse effects of dog attacks and vehicle strike on penguins (specifically hoiho and kororā).
- Decision making materials that underpin the making of the district plan (including any plan changes) where the need to give effect to the New Zealand Coastal Policy Statement (NZCPS) was considered.

Response:

Adverse effects of activities of dogs and vehicles in relation to penguins is not specifically addressed in the Nelson Resource Management Plan (NRMP).

Dog behaviour is managed by the [Dog Control Policy](#)

Vehicle/driver behaviour is managed by NZ Police, however the location of roads and parking areas is managed by the NRMP regarding vehicle access points/crossing, impact on transport network and layout of car parking on site (as outlined in the Land Development Manual).

Recent NMRP plan making processes (PPC28, PPC30 and PC29) have been completed as per the legislative requirements of the Resource Management Act 1991(RMA). As such, any plan changes need to acknowledge statutory instruments/documents, such as the

Internal Document ID: [REDACTED]

NZCPS as a higher order document. I note there has been no recent plan changes within the Coastal Marine Area that would warrant consideration of the NZCPS.

2. Monitoring:

- Details of any other actions taken by the Council to protect penguins
- Details of council monitoring of penguin populations and documents that contain monitoring results (including published reports under s35(2A) RMA).

Response:

Nelson City Council currently supports several initiatives that support penguins.

Council supports volunteers on Haulashore Island who currently run a predator control program. Council has supported this group with an environmental grant to purchase an audio system to play continuous penguins calls. This has likely played a role in anchoring penguins to the Island and subsequent breeding on the island. Council has also supported this group to get a Wildlife Act permit so they can handle birds as part of a larger scale research project by the New Zealand Penguin Initiative.

Council also supports ecological restoration projects on private property that aim to improve the quality of penguin habitat and/or reduce predator numbers. Council supports predator trapping programs across North Nelson with supply of traps or advice around predator control. Support for predator control has been provided to landowners at Oananga Bay, Omakau Bays, Delaware Bay, Glenduan.

Habitat restoration and/or predator control is progressing on Council reserves such as Haulashore Island, Oyster Island, Tahunanui Beach, Airport Peninsula and Wakapuaka sandflats. Except for Haulashore Island, a known breeding location for penguins, these reserves have potential to support breeding penguins. While restoration work at these locations is intended for restoration of the entire ecosystem, penguins will also benefit from increasing vegetation diversity and reduction of predator numbers.

Council currently does not have a penguin specific monitoring program for Nelson. However, recommendations from a coastal bird survey carried out in 2020 (Nikki McArthur 2021) indicated that Council should initiate regular Korora surveys to build a better picture of the status of populations across Nelson.

3. Regulation/Enforcement:

- Details of any bylaws or other local measures that protect penguins from dog attacks or vehicle strike.
- Reports received by the Council on dog attacks and vehicle strikes on penguins in the last 3 years.

Response:

[The Dog Control Act 1996, Section 57](#) addresses matters relating to dogs attacking persons or animals. And [the Nelson City Council Dog Control Policy](#) provides for the local policy approach to support the management of dogs in public places, dog registration and enforcement of dog behaviour.

Council has no recorded dog attacks or vehicle strikes on penguins in the last 3 years.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact me on clare.piper@ncc.govt.nz.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'Clare Piper', is positioned above the printed name.

Clare Piper

Manager Planning and Development

P 03 546 0343