



Dog Control Policy

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1.0 Policy Summary

- 1.1 This policy details the approach taken by Waitomo District Council (WDC) to controlling dogs so that people can enjoy the benefits of dog ownership without adversely affecting other members of the community.

2.0 Policy Background

- 2.1 The Dog Control Act 1996 (Act) places the following statutory responsibilities on dog owners:

- a) To ensure that dogs are registered in accordance with the Dog Control Act.
- b) To ensure that dogs are kept under control at all times.
- c) To ensure that dogs receive proper care and attention and are supplied with proper and sufficient food, water and shelter.
- d) To ensure that dogs receive adequate exercise.
- e) To take all reasonable steps to ensure that dogs do not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means.
- f) To take all reasonable steps to ensure that dogs do not injure, endanger, or cause stress to any person.
- g) To take all reasonable steps to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wild life.
- h) To take all reasonable steps to ensure that dogs do not damage or endanger any property belonging to any other person.
- i) To comply with the requirements of the Dog Control Act 1996 and of all regulations and bylaws made under that Act.

- 2.2 The Act requires Council to have in place a dog control policy.

- 2.3 The policy must have regard to the following matters:

- a) The need to minimise danger, distress, and nuisance to the general community.
- 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.
- 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.
- d) The exercise and recreational needs of dogs and their owners.

3.0 Interpretation

- 3.1 **THE ACT** shall mean the Dog Control Act 1996.
- 3.2 **COUNCIL** shall mean the elected members that form the governing body (Council) of the District Council.
- 3.3 **WAITOMO DISTRICT COUNCIL (WDC)** shall mean the organisation established to administer Council affairs, conduct operations and bring effect to Council policy and strategies.
- 3.4 **PLANS** shall mean Council's Annual Plan, District Plan and Long Term Council Community Plan (LTCCP) or Strategic Plan.
- 3.5 **CONTINUOUS CONTROL** means the owner has sufficient control over the dog to prevent the dog causing a nuisance to other animals and members of the public or damage to property.
- 3.6 **DOG CONTROL OFFICER** means a Dog Control Officer appointed by the Waitomo District Council under Section 11 of the Dog Control Act 1996.
- 3.7 **DOG EXERCISE AREA** means a public place which has by resolution of Council pursuant to Section 20 (1)(d) of the Dog Control Act 1996 being designated as a dog exercise area.
- 3.8 **WORKING DOG** shall have the meaning contained in the Dog Control Act 1996.
- 3.9 **INFRINGEMENT OFFENCE** means an offence specified in the First Schedule of the Dog Control Act 1996.
- 3.10 **LEASH** means a lead which is capable of physically restraining a dog.
- 3.11 **OWNER** shall have the meaning contained in the Dog Control Act 1996.
- 3.12 **PUBLIC PLACE** means a place that, at any material time, is open to or being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place.
- 3.13 **DISTRICT** shall mean the Waitomo District as constituted under Schedule 2 of the Local Government Act 2003.

4.0 Policy Statements

- 4.1 WDC will enforce minimum standards of dog care and control required by the Dog Control Act 1996, through a Dog Control Bylaw.
- 4.2 WDC will maintain regular contact with dog owners to access and promote high standards of dog care and to verify dog registration information.
- 4.3 WDC will require leash control of dogs in public places within the District through the provisions of its Dog Control Bylaw.
- 4.4 WDC will prohibit dogs from certain public places within the District through the provisions of its Dog Control Bylaw.
- 4.5 WDC will designate certain specific areas in its Dog Control Bylaw as dog exercise areas in which dogs can be exercised at large.
- 4.6 WDC will not allow any dog, other than a working dog being worked, in a public place, (not being a dog exercise area) unless the dog is controlled on a leash.

- 4.7 WDC will ensure that dog control activities are principally funded by dog owners.
- 4.8 WDC shall structure annual dog registration fees to promote responsible dog ownership.
- 4.9 WDC shall set pound fees as it sees fit.
- 4.10 WDC will ensure all urban properties where dogs are kept are inspected annually.
- 4.11 WDC will ensure that 10% of rural properties where dogs are kept are inspected annually.
- 4.12 WDC will use its best endeavours to ensure:
 - a. The control of dangerous and aggressive dogs
 - b. Dogs are prevented from roaming
 - c. Dogs are prevented from fouling in public places

5.0 Dog Control Bylaw

- 5.1 Councils Dog Control Bylaw 2009 gives effect to the issues addressed in this Policy and additional matters envisaged in Section 20 of the Act:
 - a. Control of dogs in public places
 - b. Dog prohibited areas
 - c. Leash areas
 - d. Dogs on beaches
 - e. Dog exercise areas
 - f. Temporary designations
 - g. Seizure of dogs
 - h. Confinement of dogs
 - i. Number of dogs permitted
 - j. Standards for accommodation of dogs
 - k. Mangy or diseased dogs
 - l. Aggravation of dogs
 - m. Fouling by dogs
 - n. Impounding
 - o. Setting of dog control fees.
- 5.2 The bylaw will apply throughout the entire Waitomo District except in areas under management and control of the Department of Conservation.

6.0 Dogs In Public Places

6.1 Application of Policy

- 6.2 This Policy will identify public places in all areas of the District, except for areas under management and control of the Department of Conservation, in which dogs are to be prohibited or be required to be controlled on a leash.

6.3 Leash Control

- 6.4 All dogs other than working dogs being worked and disability assist dogs being used or trained for their specific purpose must be controlled on a leash in all public places not identified as dog exercise areas.

6.5 Dog Prohibited Areas

6.6 Dogs will be prohibited from any land or premises used as a public school, kindergarten, playcentre, private school and public swimming baths, unless the person or body in charge of such prohibited area has granted prior permission in writing to take or allow the dog within the limits of such prohibited area.

6.7 Dogs will further be prohibited in the following areas:

- a. The central business area of Te Kuiti.
- b. The area known as the Flower Pot Mokau (between 1 December each year and 31 March the following year).

6.8 Dog Exercise Areas

6.9 The following areas will be designated as Dog Exercise Areas:

- a. The eastern bank of the Mangaokewa River between Lawrence Street and the Te Kuiti Bowling Club.
- b. Ward Street Reserve Te Kuiti.
- c. Mangaokewa Scenic Reserve

6.10 Disability Assist Dogs

6.11 Restrictions on dogs in public places and the prohibition on dogs entering and remaining on premises registered under Regulations made pursuant to Section 120 of the Health will not apply to disability assist dogs accompanying a disabled person or being trained for that purpose subject to reasonable conditions imposed by the person in charge of such premises.

7.0 Menacing Dogs

7.1 All dogs classified by Council as menacing dogs and dogs classified by other Local Authorities as menacing dogs and registered with the Council, will not be required to be neutered unless the Council, or Manager - Regulatory Services, considers that the dog may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of:

- a) Any observed or reported behaviour of the dog; or
- b) Any characteristics typically associated with the dog's breed or type.

8.0 Procedures

8.1 WDC will contract out the provision of animal control services.

8.2 WDC shall review this policy at least every three years.