

## STATEMENT OF PROPOSAL

# DOG CONTROL BYLAW & POLICY REVIEW 2025



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# OVERVIEW

It's time to review our Dog Control Bylaw and Dog Control Policy.

We're seeking feedback on the Draft Dog Control Bylaw 2025 and Draft Dog Control Policy 2025 in accordance with the Local Government Act 2002 (LGA 2002) and the Dog Control Act 1996 (the DCA 1996).

Under the DCA 1996, the Council is required to adopt and maintain a bylaw for dog control within the district. Additionally, the Council must establish a policy to support this bylaw, outlining the process for enforcement of the regulations that help manage public safety.

For the report on the section 155 determinations required by the LGA, see the Council report [HERE](#) (item 19, pages 87-116) which was considered at the 25 February 2025 Council Meeting, and Council Minutes on page 5: Council Agenda [File 1](#) Review of the Dog Control Policy and Bylaw and Determinations Report.

# BACKGROUND

Waitomo District Council uses a combination of education and enforcement to ensure the safety of our community.

We endeavour to find a balanced approach to managing dogs in our district, making sure everyone can enjoy our spaces safely. We understand the desire for more dog-friendly areas, like allowing dogs on the main street and creating more off-leash spaces. However, our priority is to reduce the potential risks to the public. Our goal is to keep both dogs and people safe, ensuring everyone can experience our greenspaces and town centres with peace of mind.

Council understands how much fun off-leash exercise areas are for your dog to run free. However, research shows that off-leash areas can sometimes lead to unexpected and risky situations, particularly around children. Dogs off-leash can easily get distracted, frightened, or take off, which may put the dog, owner, and others at risk. Our priority is everyone's safety. So, we're proposing keeping dogs on leash's in most areas to help prevent accidents and ensure a safer environment for everyone.

We'd love to offer more secure, fenced dog areas, but they can be costly to install and maintain. Unfortunately, this presents a significant financial challenge for our community, and it's something we're unable to provide for at the moment.

Council strives to create a welcoming environment for dogs and owners. The current review we're undertaking confirms that these principles remain relevant today.

# WHY WE'RE DOING THE REVIEWS

Regular reviews and monitoring of trends provides an opportunity for Council to check in with the community on how these documents are working and consider feedback from people living in the district.

The current Waitomo District Council Dog Control Bylaw and Dog Control Policy were adopted 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 and Bylaw are reviewed in tandem to ensure consistency between the two documents.

Council wants your feedback on this Bylaw & Policy review. Tell us what you think!





## SUMMARY OF THE PROPOSED CHANGES

### THE CHANGES WE'RE PROPOSING

CHANGE TO THE FOLLOWING CLAUSE/S	WHAT <u>WE'RE</u> PROPOSING	...AND <u>WHY</u>
Permit and Special Owner clauses	We propose updating and clarifying the permit and special owner clauses	<p>The changes outlined below aim to improve transparency, streamline the process, help dog owners understand their responsibilities, and enhance public safety.</p> <ul style="list-style-type: none"> <li>• <b>Clarification of Permit Ownership:</b> Currently, permits can involve two owners and are tied to the property. This update will clarify that any change in ownership—whether it involves a change of owners, dogs, or properties—will require a new application for the permit or special owner status.</li> <li>• <b>Ensuring Accountability:</b> Requiring inspections ensures that properties and owners continue to meet the necessary standards for responsible dog management, promoting the safety and well-being of both the dogs and the community.</li> <li>• <b>Consistency and Compliance:</b> This will ensure that each new owner or dog is assessed under the same criteria, reducing risks and maintaining high standards of care and control. Reapplying for the permit or special owner status will ensure continued compliance with regulations, especially when circumstances change.</li> </ul> <p><b>We will manage this process by keeping permits up to date and aligned with any changes in ownership or property.</b></p>

Ward Street Reserve	We propose making Ward Street Reserve an on-leash area only	<ul style="list-style-type: none"> <li>• <b>Lack of Containment:</b> Unlike Redwood Park, which is fully enclosed with secure fencing, Ward Street Reserve lacks the necessary infrastructure to safely contain dogs. Without proper fencing, there is an increased risk of uncontrolled interactions. While there is no budget for this currently, it could be considered for future LTPs if the community expresses interest in more off-leash areas.</li> <li>• <b>Proximity to a Playcentre:</b> With a nearby playcentre, the area is home to young children who are particularly vulnerable. Unleashed dogs can pose a risk, especially in environments where noise and activity might attract their attention.</li> <li>• <b>Unfenced Bordering Properties:</b> The reserve borders properties with no fencing, increasing the risk of dogs running into yards where children or family pets may be playing, potentially leading to dangerous encounters.</li> <li>• <b>Future Development Plans:</b> The area is undergoing further development, which will likely increase the number of people using the space. As the community grows, it's essential that we proactively manage the safety of all visitors.</li> </ul> <p><b>By making this reserve an on-leash area, we are prioritising the safety and well-being of children, pets, and the wider community, while still ensuring the reserve remains an enjoyable space for everyone.</b></p>
Centennial Park dog area	We propose making Centennial Park a prohibited dog area	<ul style="list-style-type: none"> <li>• <b>Lack of Awareness:</b> Many people are currently unaware that dogs are required to be on-leash in this area. Without this clear understanding, there's a higher risk of uncontrolled interactions between dogs and park users.</li> <li>• <b>Increased Activity from Development:</b> With plans for further development of sports facilities, the park will see a significant rise in numbers of people. More people in the area means a greater chance of incidents, particularly if dogs are off-leash in such a busy space.</li> <li>• <b>Proximity to a School:</b> The park is located near a school, where children—especially younger, more vulnerable ones—may be playing. The noise and activity can easily attract the attention of unleashed dogs, increasing the likelihood of unwanted interactions.</li> <li>• <b>Hygiene Concerns on Sports Fields:</b> Allowing dogs in the park - especially on sports fields - raises significant hygiene issues. Dogs' toileting in these areas not only creates health risks but also disrupts the quality of play and enjoyment for those using the fields.</li> </ul> <p><b>By making Centennial Park a dog-prohibited zone, we ensure the safety, cleanliness, and enjoyment of the park for all members of the community, particularly children, sports people/players, and families.</b></p>
Any Prohibited dog areas	Exceptions for Council-run events.	<p>Our primary goal is prioritising the safety and well-being of park users. However, exceptions may be granted for certain events that can be held under controlled conditions.</p> <p><i>For example: The Council has previously hosted free vaccination events at Centennial Park. This location is ideal because it allows dogs to remain safely in their vehicles while being attended to.</i></p> <p>This exemption would also apply to other events, such as the Great NZ Muster and the Christmas parade, in Te Kūiti.</p>
Mangokewa Reserve	This will be removed from the Bylaw	This will be removed from the bylaw as it's not under WDC control. A formal review is not required to make this change.
Note the following exceptions		Beaches remain dog-friendly, with the exception of part of Mōkau Beach ( <i>as per map in schedule 1</i> ). This part of the beach is closed to dogs during the summer months due to the high number of people using the area.





# KEY REASONS FOR THE PROPOSED CHANGES

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

- Increasing the need for safety within dog parks.
- Increasing the need for safety out and about in the community.
- Improving clarity for owners about their rights and obligations.
- Improving clarity around Council's responsibilities and enforcement functions.
- Continuing to meet our obligations under the Dog Control Act 1996.
- Dog Control Bylaw and Dog Control Policy have been updated to a new template

We have updated the maps in Schedule 1 to reflect the proposed changes.

For clarity, we have highlighted in yellow the area on Rora Street where dogs may be walked on a leash. This area is commonly used by visitors who stop to use the facilities, and we want to clearly indicate where dogs are allowed on-leash on the grass.

A similar yellow-shaded area is shown for Kara Park in Piopio. Please note that this is not a change to the rules—dogs are already allowed on-leash in all areas that are not specifically prohibited.

## OPTIONS CONSIDERED

### 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:**

- Clarity on permit and Special Owner applications
- Ward Street reserve becomes an on-leash area increasing public safety in the area
- Centennial Park all areas prohibited to dogs increasing public safety in the area.
- Standard exemptions for Council run events in prohibited dog areas.

**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:

- Owners may not realise their permit or Owner status has lapsed
- Ward Street remaining off-leash – would require more monitoring by WDC staff
- Centennial Park southern end remains on-leash – would require more monitoring by WDC staff
- Approval for Council events involving dogs required in each instance.



### DOG CONTROL POLICY OPTIONS

The Policy must align with the Bylaw. Therefore, if any amendments are made to the Bylaw, the Policy will also be updated accordingly. If the Bylaw remains unchanged, the Policy will also stay the same.





## KEY DATES

1 MAY  
2025

Submissions OPEN

31 MAY  
2025

Submissions CLOSE

10 JUNE  
2025

HEARINGS (should  
people wish to speak  
to their submissions)

30 JUNE  
2025

DELIBERATIONS: Council  
discusses feedback from  
the community. Changes  
are agreed, if appropriate.

30 JUNE  
2025

Council ADOPTS the final  
Bylaw

## NEXT STEPS

A Hearing will be held on 10 June 2025. Submitters who want to speak to their written submission will be able to do so at this meeting.

Waitomo District Council will analyse all feedback from written and verbal submissions.

The analysis of this feedback will be presented at the Council meeting on 30 June 2025.

Council will consider the feedback and decide on the Bylaw and Policy.

## HAVE YOUR SAY



We want to hear from you!

The proposed changes are not yet finalised, and your feedback is crucial in helping us make the best decision for our district.

These changes are intended to improve transparency, accountability, and safety for everyone, but we need your input to ensure that the final decision reflects the needs and concerns of the community.

Your voice matters! Please share your thoughts so we can make a well-informed decision.



## FORMAL SUBMISSION FORM - HAVE YOUR SAY

## DRAFT DOG POLICY &amp; BYLAW REVIEW 2025

You can share your views by:

- Completing this submission form and returning it to us by: 31 May 2025.
  - o **Visiting** our Customer Service Centre, 160 Rora Street, Te Kūiti. 9am - 4pm. Monday - Friday.
  - o **Emailing** it to: [haveyoursay@waitomo.govt.nz](mailto:haveyoursay@waitomo.govt.nz) (scan and pdf or take a photo)
  - o **Posting** to: FREEPOST 112498, Waitomo District Council, PO Box 404, Te Kūiti 3941.
- Visiting our **website**: [www.waitomo.govt.nz/council/haveyoursay](http://www.waitomo.govt.nz/council/haveyoursay) and filling in an online submission form.

SUBMISSIONS CLOSE 31 MAY 2025

NAME \_\_\_\_\_ PHONE \_\_\_\_\_

ORGANISATION (if responding on behalf of) \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL \_\_\_\_\_

## 1. Do you agree with the proposal to make Ward Street reserve an on-leash area

☐ Yes ☐ No If 'no', why not? \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_

## 2. Do you agree with the proposal to make all Centennial Park a dog prohibited area

☐ Yes ☐ No If 'no', why not? \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_

## 3. Do you have any other feedback or suggestions?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I wish to speak to Council about my submission.

(Hearings are scheduled for 10 June 2025. We will contact you to arrange a time.)

☐ Yes ☐ No

*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 (such as address / email address) will be removed from the public copy.*

**Draft**

**Waitomo District Council**

**Dog Control Bylaw 2025**



First Adopted	<b>15 December 2015</b>
Document Number	<b>821038 Version #</b>
Review History	<b>September 2020, June 2025</b>
Next Review	<b>June 2035</b>
Responsibility	<b>Regulatory Group</b>
Adopted by:	<b>Council on [date]</b>
Associated Documents	<b>Dog Control Policy 2025</b>

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## INTRODUCTION | KUPU ARATAKI

This Bylaw gives effect to the Dog Control Policy for the Waitomo District, 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.

The initial resolution to make this Bylaw was passed by the Waitomo District Council at an ordinary meeting of the Council held 25 March 1997 and was adopted following amendment to the General Bylaw 1993, by Special Order of the Council. The Bylaw came into force on 1 May 1997.

The Bylaw was reviewed making minor changes in 2004, 2008 adding the location of the dog pound and 2009. The Bylaw was reviewed again in March 2014 requiring licence for more than two dogs in urban zones and some other minor updates. A more significant review was completed in August 2015 with the prohibited and on leash and dog exercise areas updated and maps included within the Bylaw, sections were combined for general keeping of dogs and requirements in public spaces.

The on leash and prohibited areas were reviewed in April 2025 and consulted during the month of May through special consultative procedure.

The Bylaw was adopted by Council resolution on [date] 2025.

## BYLAW | PĀERO

### 1. TITLE | TAITARA

This Bylaw may be cited as the Dog Control Bylaw 2025.

### 2. COMMENCEMENT | TĪMATA

This Bylaw will come into effect once adopted by Council with the commencement date being part of the Council resolution.

#### Guidance note:

This Bylaw comes into force on [date / month] 2025 by order of Council.

This Bylaw remains in force until [date/month] 2035, unless reviewed or repealed earlier.

This Bylaw repeals and replaces the Waitomo District Council Dog Control Bylaw 2015.

### 3. PURPOSE AND SCOPE | TE ARONGA ME TE KORAHĪ

The purpose of the bylaw is:

- a) To give effect to Council's Dog Control Policy;
- b) To protect and maintain public safety; and
- c) To address how Council will fulfil its functions and duties pursuant to the Dog Control Act 1996.

This bylaw shall apply to the whole of the district administered by the Waitomo District Council.

### 4. DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

<b>Council</b>	Means Waitomo District Council
<b>Animal Control Officer</b>	Has the same meaning as Dog Control officer defined in the Dog Control Act 1996
<b>Chief Executive</b>	Means the Chief Executive of Waitomo District Council

<b>Disability Assist Dog</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Dog Exercise Areas</b>	Means those areas identified in clause 6.1
<b>Owner</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Neutered</b>	To have a dog spayed or castrated but does not include to have a dog vasectomised
<b>Private Way</b>	Has the same meaning as defined in Section 315(1) of the Local Government Act 1974
<b>Probationary Owner</b>	Means a person classified as a probationary owner pursuant to section 21 of the Dog Control Act 1996
<b>Prohibited Areas</b>	Means those areas identified in clause 7.1
<b>Public Place</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Registered Address</b>	Means the dog owner's property which is the address listed in the dog's registration, or another address which the Council has agreed to in writing for the purpose of clause 6.
<b>Waitomo District</b>	Means the District of Waitomo as administered by the Waitomo District Council
<b>Working Dog</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Special Owner</b>	Special owner status acknowledges exemplary dog owners and their dog-safe properties by offering reduced registration fees. This is subject to completion of an application and demonstration that the criteria listed in Dog Control Policy 2025 are met.

- 4.1 Unless the context requires another meaning, a term of expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 4.2 Any guidance or explanatory notes do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 4.3 To avoid doubt, the Legislation Act 2019 applies to this Bylaw.

## 5. Control Of Dogs in Public Places

- 5.1 Every owner of a dog must exercise control over it and must prevent it from wandering or remaining at large or free in any public place or private way.
- 5.2 Except as provided in clauses 4.1 and 4.2 and subject to clause 5, every owner of a dog in any public place or private way must secure the dog by an effective lead or similar contrivance which keeps the dog under continuous control.
- 5.3 Dogs may be exercised free of restraint in Dog Exercise Areas.

## 6. Dog Exercise Areas

- 6.1 Dogs may be exercised free of restraint in the following locations:

- ~~Ward Street Reserve~~

- ~~Mangaokewa Scenic Reserve~~

- The reserve adjacent to Redwood Forest (identified on the attached map); and
- All beaches in the Waitomo District with the exception of the area shaded pink on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year).

Maps identifying the boundaries of the Dog Exercise Areas are included in Schedule 1.

- 6.2 The owner must have continuous control of the dog while it is free of restraint and must remain within the dog exercise area while the dog is off its lead.

## 7. Prohibited Areas

- 7.1 With the exception of Disability Assist dogs, dogs are not allowed to enter the following public places, whether under control or not:

- The part of the Central Business District of Te Kuiti shaded red on the map attached in Schedule 1 unless the dog is attending any veterinary clinic located in this area or the dog is contained within or on any vehicle and is securely confined within or on that vehicle so as not to constitute a nuisance or endanger any person;
- The area shaded pink on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year);
- 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;
- The whole area of Centennial Park shaded red on the map attached in Schedule 1;
- Redwood Park;
- In the immediate vicinity of any public playground;
- The area of Kara Park, Piopio –shaded red on the map attached in Schedule 1; and
- Village Green, Piopio.

- 7.2 Maps identifying the site specific area boundaries are included in Schedule 1.

- 7.3 The Council may at its discretion:

- Provide for any public area not already being a prohibited area to be a prohibited area for a specified time; or
- Suspend the designation of a prohibited area for a specified period for Council events; or
- Restrict the number of dogs for a specified time period in a specified area.

### Advisory note:

Disability Assist Dogs are exempt from any restrictions and dogs authorised by Council to be part of the event.

## 8. Prevention of Public Nuisance or Health Issues

- 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 legal 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 within a cage that prevents contact with other animals, domestic or otherwise, or fully enclosed and secured within a vehicle.
- 8.3 Every owner of a dog must prevent it from attacking any person or any other animal.
- 8.4 The owner of a bitch shall keep the dog confined but adequately exercised whilst such dog is in season.



- 8.5 If in the opinion of the Animal Control Officer, any dog or dogs or the keeping thereof on such premises has become, or is likely to become a nuisance or injurious or hazardous to health, property or safety, the Animal Control Officer may by notice in writing require the owner or occupier of the premises within a time specified in such notice to do all or any of the following:
- To reduce the number of dogs kept on the premises.
  - To construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain dogs.
  - To require such dog or dogs to be tied up or otherwise confined during specified periods.
  - To take such other action as the Animal Control Officer deems necessary to minimise or remove the likelihood of nuisance or hazard or injury to health, property or safety.

## **9. Limitation on Number of Dogs**

- 9.1 No person/s shall keep, or permit to be kept, on or within any premises, other than that zoned rural more than two (2) dogs of greater age than three months unless such premises have been approved by the Chief Executive and a permit issued. Such permit will be subject to a fee approved and set as part of the Fees and Charges process.
- 9.2 Approval ~~by the Chief Executive Officer~~ will only be given subject to compliance by the owner/s with all reasonable requirements for the purpose of ensuring proper care and control of the dogs and the prevention of any nuisance. As a minimum an applicant for a permit must meet the following criteria:
- Have the physical suitability of land to hold more than two dogs;
  - Meet the Special Owner criteria set out in the Dog Control Policy;
  - Have written approval of neighbours on all sides of the applicants property;
  - All dogs must be currently registered;
  - Kennels must be kept clean and sited a minimum of 1 metre from the boundary fence;
  - Dogs must be kept under control at all times; and
  - Dogs must not create a nuisance (barking and howling etc).
- 9.3 The **Animal Control Officer** may impose any additional terms or special conditions on the granting of a permit that is considered appropriate.
- 9.4 A permit to keep more than two (2) dogs of greater age than three months is not transferrable between properties. When owners and dogs change address, a new application must be submitted for the new address.
- 9.5 **The permit is only valid for the dogs specified on the permit.** If a permit holder acquires any further dogs or any dog is disposed of the Animal Control Officer must be immediately notified of the change and **a new application must be submitted.**
- 9.6 **All dog owners on property must apply for a permit. The permit is issued to the property, not the owner.**
- 9.7 Any approval given for any person to keep more than two (2) dogs on their premises may be reviewed at any time. On review, 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. Non-compliance will include but not be limited to:
- The dog or dogs on land specified in the permit have caused injury or a nuisance to any person engaged in their lawful activity; or
  - The keeping of such dog or dogs has caused a detrimental effect upon the surrounding neighbourhood; or
  - There has been a failure to comply with all or any of the terms, conditions and restrictions of the permit, or any subsequent notice.
- 9.8 Any application by the occupier of any land in respect of which an application has been declined or a permit revoked pursuant to Clause 5.7 will not be reconsidered before expiration of two years after the date of that refusal or revocation.

- 9.9 Nothing in this section shall remove the need for any land use consent if this is required in accordance with the District Plan, i.e., boarding kennels, dog daycare.

## **10. Minimum Standards for Housing Dogs**

- 10.1 The owner of any dog shall provide adequate accommodation for the dog. Kennels are to be sited on a hard surface, provide shelter from the elements and be free from dampness. Kennels are to be kept in a clean condition. If a kennel is not provided, dogs are to be confined inside premises with an adequate sleeping area provided.
- 10.2 Every person commits an offence, who, being the owner of a dog keeps it beneath the ground floor of a residential building.

## **11. Dogs to be Kept Minimum Distance from Boundary**

- 11.1 No person shall permit or allow a dog to be housed, confined or restrained on any private premises within one metre of the boundary of the premises. Council may dispense with the requirements of this clause if the written consent of the affected neighbour has been first obtained.

## **12. Probationary Owners**

- 12.1 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 programme and / or a dog obedience course.

## **13. Dogs Within Parks and on Beaches**

- 13.1 Every person must prevent any dog within their care and / or control from interfering with the use or enjoyment of any park / beach by other persons in that park / beach.
- 13.2 An owner, or any person in charge of a dog, may be ordered to remove such dog from any beach or bathing reserve if the presence of the dog is considered likely to cause annoyance, inconvenience, danger or be hazardous to health of the public for the time being using such beach or bathing reserve.

## **14. Impoundment of Dogs**

- 14.1 Any dog found at large in any public place, whether or not the dog is wearing a collar having the proper registration label, is microchipped or has a disc attached; or found at large in any public or private way in breach of this bylaw, may be impounded.
- 14.2 The owner of any dog impounded shall pay to Council reasonable fees for the sustenance of the dog and for the giving of notice to the owner, together with a poundage fee as set through the Council's Fees and Charges process.
- 14.3 No dog which is for the time being not registered in accordance with the Dog Control Act 1996, shall be released until it is registered, microchipped and fees payable have been paid.

## **15. Requirement to Neuter Dog**

- 15.1 Council requires mandatory neutering of dogs classified as menacing under section 33A of the Dog Control Act 1996.
- 15.2 If a dog has been classified as a menacing dog in another district under section 33A of the Dog Control Act 1996, where it was not required to be neutered, but moves to the Waitomo District, it will be a requirement for the dog to be neutered once residing in the Waitomo District.

- 15.3 Dogs classified as dangerous in accordance with the Dog Control Act 1996 are required to be neutered.
- 15.4 The owner of any dog that has not been kept under their control on two or more occasions may be required by the Chief Executive to have that dog neutered, whether or not the owner of the dog has been convicted of an offence against Section 53 of the Dog Control Act 1996.

## **16. Fees**

- 16.1 Fees in respect of this Bylaw are as set out in Council's Schedule of Fees and Charges which are reviewed annually.

## **17. Penalties**

- 17.1 Section 20(5) of the Dog Control Act 1996 provides that every person who commits a breach of this Bylaw commits an offence and is liable for the penalties described by Section 242(4) of the Local Government Act 2002, which at the date of making the Bylaw, is a fine not exceeding \$20,000.
- 17.2 Section 65 of the Dog Control Act 1996 permits an infringement fee for the amount specified in the First Schedule to that Act to be imposed in respect of each offence described.

### **Common Seal of Waitomo District Council:**

The Common Seal of the Waitomo District Council was hereto affixed in the presence of:

Mayor \_\_\_\_\_

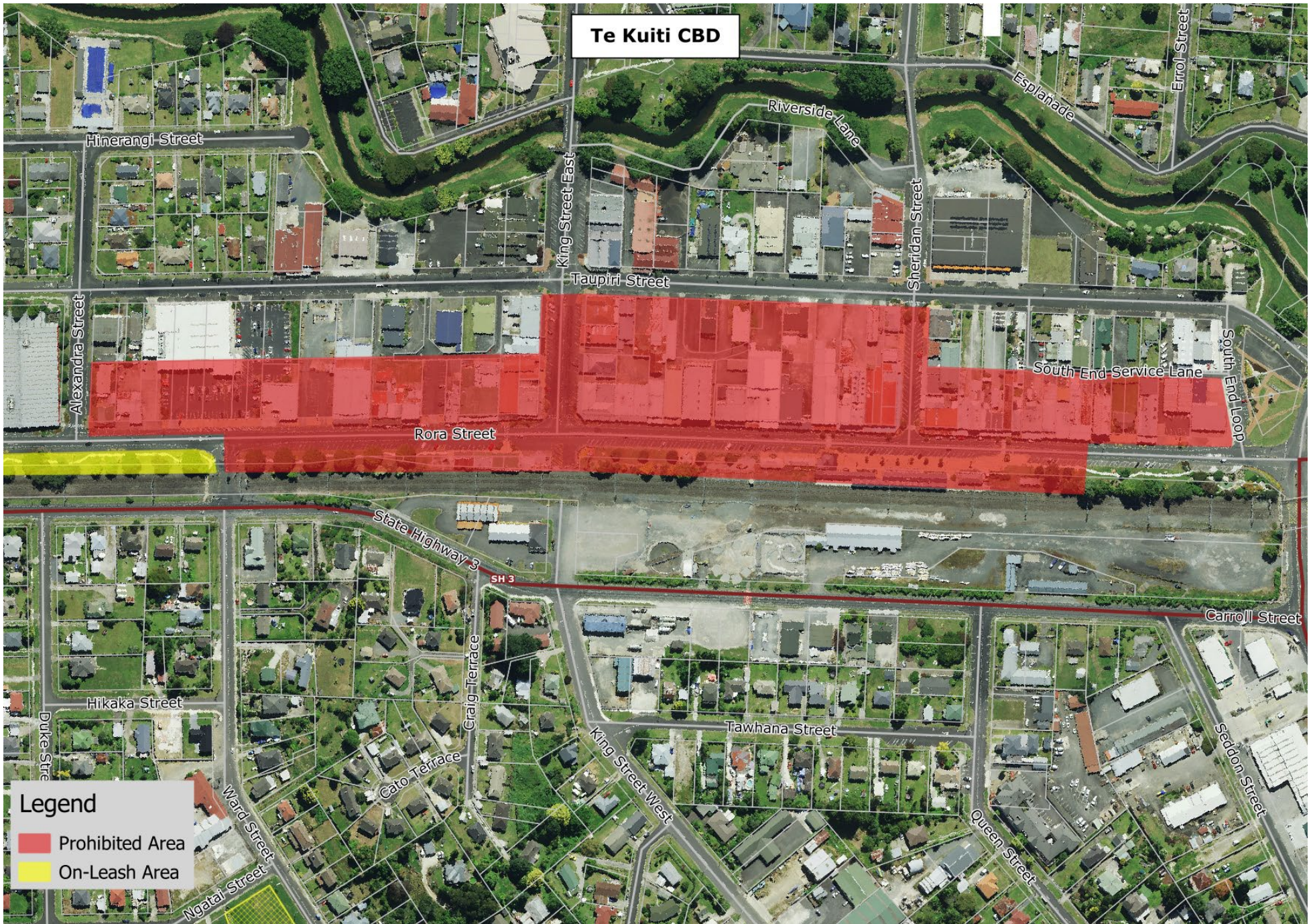
Chief Executive \_\_\_\_\_



Schedule 1 – Dog Exercise and Prohibition Areas

















**Draft**

**Waitomo District Council**

**Dog Control Policy 2025**

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Policy First Adopted	<b>15 December 2015</b>
Document Number	<b>821004, Version #</b>
Review History	<b>September 2020, June 2025</b>
Date of Next Review	<b>June 2035</b>
Responsibility	<b>Regulatory Group</b>
Adopted by	<b>Council on [date]</b>
Associated Documents	<b>Dog Control Bylaw 2025</b>

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## INTRODUCTION | KUPU ARATAKI

Waitomo District Council Dog Control Policy has been adopted pursuant to the functions, duties and powers conferred on Waitomo District Council ("Council") by the Dog Control Act 1996 ([www.legislation.govt.nz](http://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 it 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.

This policy applies to the whole of the district administered by the Waitomo District Council.

## POLICY | KAUPAPA HERE

### 1. PURPOSE AND SCOPE | TE ARONGA ME TE KORAHĪ

The purpose of this policy is to state how Council will fulfil its legislative responsibilities pursuant to the Dog Control Act 1996 and the Dog Control Bylaw 2025.

### 2. DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

<b>Council</b>	Means Waitomo District Council
<b>Chief Executive</b>	Means the Chief Executive of Waitomo District Council
<b>Disability Assist Dog</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Dog Exercise Areas</b>	Means those areas identified in clause 6.1 of this <b>policy</b>
<b>Owner</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Neutered</b>	To have a dog spayed or castrated but does not include to have a dog vasectomised
<b>Prohibited Areas</b>	Means those areas identified in clause 7.1 of this <b>policy</b>
<b>Public Place</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Waitomo District</b>	Means the District of Waitomo as administered by the Waitomo District Council
<b>Working Dog</b>	Has the same meaning as defined in the Dog Control Act 1996
<b>Special Owner</b>	Special owner status acknowledges exemplary dog owners and their dog-safe properties by offering reduced registration fees. This is subject to completion of an application and demonstration that the criteria listed in section 2.26 are met.

### 3. Education

- 3.1 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 education 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.
- 3.2 Council will also seek to enhance the knowledge of the public generally, particularly children, on safety around dogs and other dog-related issues. Liaison with dog obedience clubs and other dog-related service providers in the region is considered an important role for Council.

### 4. Regulation and Enforcement

- 4.1 Council has developed a Dog Control Bylaw that is the primary enforcement mechanism of this policy.
- 4.2 Whilst Council will pursue education of dog owners and the public generally to avoid and minimise dog related issues in the district, enforcement of the provisions of the Dog Control Bylaw is critical to maintain public safety and to minimise danger, distress, and nuisance to the community from dogs.

### 5. Exercise Areas, Prohibited Areas and Dogs on a Leash

- 5.1 Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated areas where dogs may exercise without being on a lead or similar device (see clause 6.1), and areas where dogs are prohibited (see clause 7.1). Maps identifying the site specific designated dog Exercise Areas and Prohibited Areas are included in Schedule 1.

### 6. Off Lead Dog Exercise Areas

- 6.1 Below is a list of parks designated as Dog Exercise Areas where dogs can be exercised off lead:

- ~~• Ward Street Reserve~~
- ~~• Mangaokewa Scenic Reserve~~
- The reserve adjacent to Redwood Forest (identified on the attached map), and
- All beaches in the Waitomo District with the exception of the area shaded pink on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year).

### 7. Areas where dogs are prohibited

- 7.1 Below is a list of locations where dogs are prohibited:

- The part of the Central Business District of Te Kuiti shaded red on the map attached in Schedule 1 unless the dog is attending any veterinary clinic located in this area or the dog is contained within or on any vehicle and is securely confined within or on that vehicle so as not to constitute a nuisance or endanger any person;
- The area shaded pink on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year);
- Any land or premises used as a public school, kindergarten, play centre, 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;
- The whole area of Centennial Park shaded red on the map attached in Schedule 1;
- Redwood Park (identified on the attached map in Schedule 1);



- In the immediate vicinity of any public playground
  - The area of Kara Park, Piopio – shaded red on the map attached in Schedule 1; and
  - Village Green, Piopio.
- 7.2 The restriction on dogs in Prohibited Areas in clause 7.1 does not apply to Disability Assist Dogs.

## 8. Dogs on a Leash

- 8.1 With the exception of Dog Exercise Areas and subject to the Prohibited Areas dogs are only allowed in public places while controlled on a leash. This restriction does not apply to a Working Dog, being worked.
- 8.2 The Council may **at its discretion**:
- **Provide for** any public place not already being a prohibited area to be a prohibited area for a specified time: -or
  - **Suspend** the designation of a prohibited area for a specified period **for Council events;** or
  - **Restrict the number of dogs for a specified time period in a specified area.**

### **Advisory note:**

**Disability Assist Dogs are exempt from any restrictions and dogs authorised by Council to be part of the event.**

## 9. Neutering

- 9.1 It is compulsory for a dog which is classified as dangerous in accordance with the Dog Control Act 1996 to be neutered.
- 9.2 Council requires mandatory neutering of dogs classified as menacing under section 33A of the Dog Control Act 1996. There is evidence that neutering reduces a dogs desire to roam, and may reduce possible aggression.
- 9.3 If a dog has been classified as a menacing dog under section 33A of the Dog Act 1996 in another district, where it was not required to be neutered, but moves to the Waitomo District, it will be a requirement for the dog to be neutered once residing in the Waitomo District.
- 9.4 Dogs that are regularly not under control cause a range of issues. The Chief Executive may require an owner/s to de-sex a dog that has not been kept under control on two or more occasions.

## 10. Probationary Owners

- 10.1 Council may require a person/s that is classified as a probationary owner/s 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.

## 11. Fees and Charges

- 11.1 The Dog Control Act 1996 empowers Council to impose reasonable fees and charges for the registration and control of dogs. 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. The fees and charges will be prescribed each year in Council's Schedule of Fees and Charges.
- 11.2 A discount of the registration fee is available to dog owners who qualify as "Special Owners". In order to qualify as a Special Owner a registered owner must:
1. Make an application for Special Owner status;

2. No outstanding registration or penalty fees or infringements;
3. Have not been the subject of justified complaints or successful prosecutions within the previous 2 years;
4. Have not had a dog impounded within the previous 2 years;
5. Have their dog(s) microchipped if registered for the first time on or after 1 July 2000;
6. Meet the fencing criteria or have alternative means of keeping dogs on the property at all times, (Details of these requirements are included on the application form); and
7. Keep their dog on a property located in an urban area within the district. A property shall be considered to be in an urban area for the purposes of this provision if it is located within a 50 kilometre speed zone.

**8. Final decision is at the discretion of the Animal Control Officer.**

- 11.3 Any applications received before 1 May, if successful, will have the discount applied for the coming dog registration year. Any applications received after 1 May, if successful, will not take effect until 1 July the following year.
- 11.4 The requirement to pay any late registration fee/penalty may be waived where exceptional circumstances can be shown. A decision on when exceptional circumstances apply will be determined by the Chief Executive after taking into account the following:
  1. The dog owner has a good payment history;
  2. The dog owner has not been the subject of any complaints in relation to compliance with the Dog Control Act 1996 and / or Council's Dog Control Policy and / or Bylaw over the last five years;
  3. Financial circumstances of the owner;
  4. Extenuating personal circumstances such as family illness, death or other tragedy; and/or
  5. Failure to receive the registration document due to being absent from the District or for some other legitimate reason.

## **12. Application And Review**

- 12.1 The policy will be implemented using a combination of public education, liaison with other service providers, and where necessary enforcement action.
- 12.2 The Policy is enforced through the Waitomo District Council Dog Control Bylaw **2025**.
- 12.3 This policy shall be reviewed at least every **10** years.



## Schedule 1 – Dog Exercise and Prohibition Areas













