




**HAVE
YOUR
SAY!**

STATEMENT OF PROPOSAL

**PROPOSED DOG CONTROL
BYLAW AND POLICY**

waikatodistrict.govt.nz

0800 492 452



This Statement of Proposal is made
for the purposes of Sections 83, 86 and 156
of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed changes
- 'have your say' details

BACKGROUND

We are reviewing our Dog Control Bylaw and Policy. These are rules made by Council under the Local Government Act 2002. Council must review its bylaws periodically.

The purpose of the Bylaw is to support and give effect to council's dog control policy. The objective of the policy is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, while minimising danger, distress and nuisance to the community generally.

The bylaw contains clauses relating to prevention of nuisance, control of dogs in public places,

neutering of dogs, impounding of dogs, keeping of dogs, as well as those relating to general minimum standards of care.

The policy contains further information relating to obligations of council, responsibilities of dog owners, registration of dogs, management of troublesome dogs and microchipping of dogs.

The policy also tells us where dogs are prohibited, permitted on lead, or can be exercised off leash in dog exercise areas.

The bylaw and policy have been carefully reviewed and we are now seeking community feedback.

REASONS FOR THE PROPOSAL

Council is reviewing the bylaw and policy because this is required by the Local Government Act 2002 and Dog Control Act 1996.

The review of the bylaw also aims to address problems associated with dogs.



SUMMARY OF CHANGES

We are consulting on the bylaw and the policy. The key changes to the bylaw, policy and dog control areas are below.

Bylaw

- Limiting the number of dogs kept in rural properties to two, with some exemptions. Three or more dogs would require a Council permit.
- Still strictly prohibiting dogs on playgrounds, but removing a 10 metre distance requirement, and prohibiting dogs on sport field surfaces, instead of sports fields, and skateparks.

Policy

- A new policy has been created, which expands on Council's and dog owner responsibilities.

New dog exercise areas

- A new dog exercise area is proposed in Tuakau, until the Whangarata Domain becomes a cemetery in 2025
- Two options for a new fenced dog exercise area in Tamahere - Te Awa Reserve, or Tamahere Park

Other changes to dog control areas

- On lead areas (where dogs are required to be on lead) are no longer mapped. This is because dogs are required to be on lead in all public places.
- Seven dog exercise areas are proposed to be removed

DOG CONTROL BYLAW



Restricting the number of dogs on rural properties

What we are currently doing

Currently, there is no limit to the number of dogs that can be kept on rural properties in the Waikato district. However, there is a limit of two dogs on all properties which are not rural.

What we propose

In clause 11 in the bylaw, we propose to limit the number of dogs in rural zones to two dogs per property. Three or more dogs would require a Council permit.

This is because at times large numbers of dogs are being kept unsafely on rural properties. Over the last five years, Council has received 58 complaints about multiple dogs in rural areas. This has led to 156 dogs being found in poor conditions and showing signs of neglect.

Exceptions to this rule would include multi-unit housing and Papakainga housing, boarding kennel or dog day care centres and working dogs.

To assess if a permit will be given, Council animal control officers will inspect properties to ensure these are safe and fit for three or more dogs.

Where dogs are not allowed

What we are currently doing

Currently, dogs are not allowed on and within 10 metres of playgrounds, in five designated prohibited areas (such as Huntly and Ngaruawahia town centre and scenic reserves), and on sport fields. Dogs are not allowed on cemeteries, under our Cemeteries Bylaw 2016. Dogs can be on lead for skateparks.

What we're proposing

While dogs are still strictly prohibited from playgrounds, dogs are no longer prohibited from being within 10 metres of a playground. This is for distance consistency with other prohibited areas.

It is proposed to limit dogs on sport field surfaces, so dogs can be on the sidelines at sport games, but not on the playing surface itself.

It is also proposed to prohibit dogs from cemeteries, to align with our Cemeteries Bylaw 2016. Skateparks proposed to be a prohibited area.



DOG CONTROL POLICY

What we are currently doing

Council's current Dog Control Policy contains three key policy statements: Responsible dog ownership, Provision of dog control services/Regulation and enforcement, and Funding.

Council currently requires a Veterinary Certificate of Death to give a refund for dog registration, if a dog passes away.

What we're proposing

A new policy has been developed. This expands on the responsibilities of both Council and dog owners and how dogs should be registered. It also

explains how Council manages troublesome dog owners and dogs, and requirements to microchip dogs, referring to processes in the Dog Control Act 1996. Extra information on caring for dogs is now included.

These changes do not give Council additional powers but reflect current practice and the requirements of the Dog Control Act 1996.

The policy removes the requirement for a Veterinary Certificate of Death to apply for a refund of a dog registration fee. Instead, a dog owner is required to apply in writing.

PROPOSED NEW DOG EXERCISE AREAS

Whangarata Domain, Tuakau

Whangarata Domain, Tuakau, is proposed as a new dog exercise area, until it becomes a cemetery in approximately 2025.

This is a rural reserve with new roading, parking and is mostly fenced.



Tamahere - what is your preferred option?

Tamahere currently has one dog exercise area - Te Awa Reserve Walkway. This walkway is eroded and is proposed to be removed as a dog exercise area.

Two options have been identified as a possible new dog exercise area in Tamahere:

Option 1 - Grassy, flat area in Te Awa Reserve, Tamahere (Map 29)

This is a grassy area located near an older playground. Currently, the bush next to the reserve is baited for rabbits. New fencing would be required.

Establishing this area as a dog exercise area would require removal or relocation of the playground to another more suitable location in the reserve.



There is no current budget allocated for fencing either proposed dog park.

Funding to fence either area would be sought through the next Long Term Plan.

Option 2 - Tamahere Park, Tamahere (Map 30)

This grassy area is located near Tamahere Community Centre. The proposed dog control area is located next to two sport fields and an exercise track. A playground is also located on the park.

New fencing would also be required to make this area safe because it is located next to a road.



OTHER CHANGES TO DOG CONTROL AREAS

Dog control areas

What we are currently doing

Waikato district has six prohibited areas, where dogs are not allowed to enter. These are mainly in town centres or scenic reserves. Dogs are also not allowed on sports fields, cemeteries and within 10 metres of playgrounds.

Waikato district also has 24 dog exercise areas, where dogs can be exercised freely off lead.

Dogs are required to be on lead in all public places. This includes all roads, footpaths, and boat ramps. Some on lead or leash exercise areas are also mapped.

What we're proposing

We propose to remove the on lead and leash exercise category in our mapping of dog control areas. The only remaining category will be prohibited and dog exercise areas.

This is because the bylaw requires all dogs to be on lead in all public places. Mapping some on lead areas, but not others, created confusion.

Remove seven current 'dog exercise areas'

What we are currently doing

Council has a number of dog exercise areas across the district. Dogs can be exercised off leash on these areas.

What we're proposing

We propose to remove seven current dog exercise areas, for the reasons noted below. These areas will become on lead or prohibited.

Area	Current status	Proposed status	Reason	Map #
Alexandra Redoubt Reserve, Tuakau	Dog Exercise Area	On lead	The reserve is between two cemeteries and alongside a road. The bush next to the dog exercise area is baited.	24
Bob Byrne Park, Taupiri	Dog Exercise Area	On lead	The reserve is close to a road and popular cafe. One dog attack has occurred on this park.	10
Lower Waikato Esplanade, Ngaruawahia	Dog Exercise Area	On lead	The esplanade is well utilised and is part of the Te Awa walk/cycle way. Two dog attacks have occurred in this area	2
Whatawhata Recreation Reserve, Newcastle	Dog Exercise Area	Prohibited on sport surfaces	This is a sports ground and dog owners are not picking up dog droppings, as noted by Council contractors and resident feedback.	20
Te Kowhai Recreation Reserve, Newcastle	Dog Exercise Area	Prohibited on sport surfaces	This is a sports ground and dog owners are not picking up dog droppings.	21
Raglan beach, from Oporu inlet to Aerodome Bridge	Dog Exercise Area	On lead	This area is well utilised for picnics in summer months. The northern dog exercise remains.	3
Te Awa Reserve Walkway, Tamahere	Dog Exercise Area	On lead	The walkway is eroding and is unsafe as a dog exercise area. Two new options are proposed in Tamahere.	31

Amend the footprint of dog control areas

What we are currently doing

Te Kauwhata Recreation Reserve, Fenced AFFCO park Horotiu, and Wainui Reserve, Raglan are dog exercise areas. Huntly town centre is prohibited, which means dog are not allowed.

What we propose

The foot print of these areas are altered slightly, as noted below.

Area	Proposed change	Map #
Te Kauwhata Recreation Reserve	The dog exercise area is reduced so it does not cover the road.	17
Fenced AFFCO park, Horotiu	Due to the close proximity to a children's playground, the dog exercise area by the playground has been removed.	18
Ngarunui Beach, Raglan	The dog exercise area is extended so it begins at the walkway.	15
Central business area, Huntly	Extend the town centre area north and south, to include all the CBD shops, carpark, and Council car park.	1



ENFORCEMENT OF THE BYLAW

The Dog Control bylaw and policy is enforced by Council's Animal Control Officers. Council takes the approach of engagement, education and then enforcement.

As a legislative document, Council is also able to enforce through the use of fines, classifications, or prosecutions.

RELEVANT DETERMINATIONS

This Statement of Proposal has been prepared in accordance with the requirements set out in section 83 of the Local Government Act 2002 (LGA). The Dog Control Act 1996 requires these determinations consider the following objectives:

1. The need to minimise danger, distress, and nuisance to the community generally;
2. 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;
3. 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

4. The exercise and recreation needs of dogs and their owners

Council has determined, as required by section 155 of the LGA that:

- This bylaw is the appropriate way of addressing the perceived problem
- This is the most appropriate form the bylaw
- The bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990



SUBMISSIONS CAN BE:

ONLINE:

[www.waikatodistrict.govt.nz/
dogbylaw](http://www.waikatodistrict.govt.nz/dogbylaw)



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia 3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
“ Dog Control Bylaw and Policy–
Submission”

Huntly Office

142 Main Street, Huntly 3700

Raglan Office

7 Bow Street, Raglan 3225

Tuakau Office

2 Dominion Rd, Tuakau 2121

Te Kauwhata Office

1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

**Council will acknowledge each submission
received in writing, either by letter or email.**

Following the closing of submissions on 16 January 2022, all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a Council meeting in February 2022 (or as soon thereafter as possible). This meeting is open to both submitters and the public to attend.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 1 December 2021

SUBMISSIONS CLOSE – 16 January 2022

HEARING OF SUBMISSIONS – February 2022

If you have any further queries or would like further copies of the proposed Bylaw, please contact Hannah Beaven via email at Hannah.Beaven@waidc.govt.nz