



# **Waitomo District Dog Control Policy 2015**

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Associated Documents	<b>Dog Control Bylaw 2015</b>

## **DOG CONTROL POLICY**

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 2015.

### **1. PURPOSE AND SCOPE**

1.1 This 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.

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

### **2. POLICY**

#### **2.1 Education**

2.2 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.

2.3 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.

#### **2.4 Regulation and Enforcement**

2.5 Council has developed a Dog Control Bylaw that is the primary enforcement mechanism of this policy.

2.6 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.

#### **2.7 Exercise Areas, Prohibited Areas and Dogs on a Leash**

2.8 Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated a number of areas where dogs may exercise without being on a lead or similar device (see clause 2.10), and areas where dogs are prohibited (see clause 2.12). Maps identifying the site specific designated dog Exercise Areas and Prohibited Areas are included in Schedule 1.

## **2.9 Off Lead Dog Exercise Areas**

2.10 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 red on the map of Mokau attached in Schedule 1 (between 1 December each year and 31 March the following year).

## **2.11 Areas where dogs are prohibited**

2.12 Below is a list of locations where dogs are prohibited:

- The part of the Central Business District of Te Kuiti shaded pink 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 red 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 area of Centennial Park shaded red on the map attached in Schedule 1;
- Redwood Park (identified on the attached map);
- 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.

2.13 The restriction on dogs in Prohibited Areas in clause 2.12 does not apply to Disability Assist Dogs.

## **2.14 Dogs on a Leash**

2.15 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.

2.16 The Council may from time to time declare 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 a specified occasion or event.

## **2.17 Neutering**

2.18 It is compulsory for a dog which is classified as dangerous in accordance with the Dog Control Act 1996 to be neutered.

2.19 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.

2.20 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.

2.21 Dogs that are regularly not under control cause a range of issues. The Chief Executive may require an owner to de-sex a dog that has not been kept under control on two or more occasions.

## **2.22 Probationary Owners**

2.23 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.

## **2.24 Fees and Charges**

2.25 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.

2.26 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. Have not been the subject of justified complaints or successful prosecutions within the previous 2 years;
3. Have not had a dog impounded within the previous 2 years;
4. Have their dog(s) microchipped if registered for the first time on or after 1 July 2000;
5. 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
6. 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.

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.

2.27 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.

### **3. APPLICATION AND REVIEW**

- 3.1 The policy will be implemented using a combination of public education, liaison with other service providers, and where necessary enforcement action.
- 3.2 The Policy is enforced through the Waitomo District Council Dog Control Bylaw 2015.
- 3.3 This policy shall be reviewed at least every 5 years.

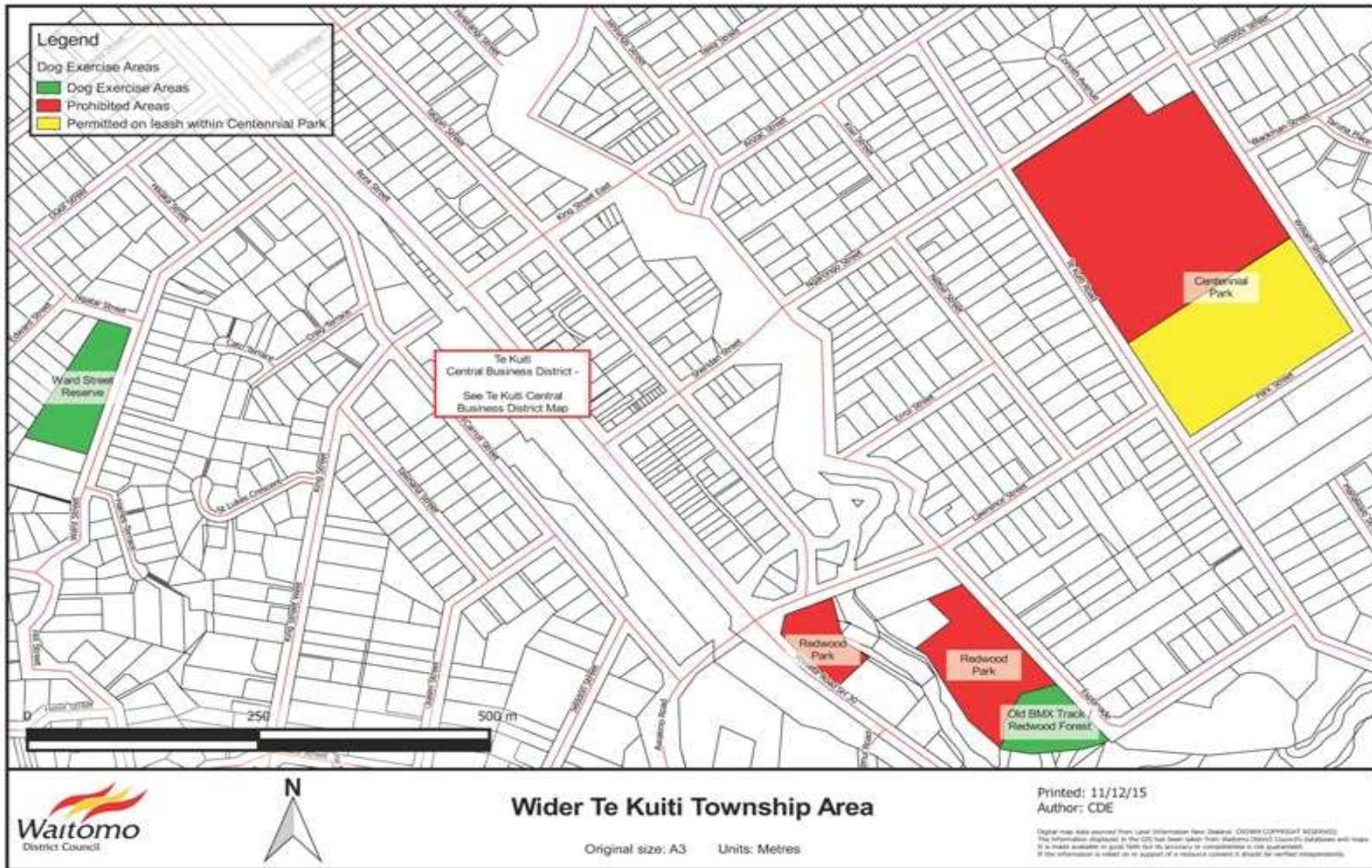
### **4. GLOSSARY OF TERMS**

- 4.1 In this policy except where inconsistent with the context:

<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 2.10 of this bylaw
<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 2.12 of this bylaw
<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



# Schedule 1 – Dog Exercise and Prohibition Areas







### Te Kuiti Central Business District Map

Original size: A3 Units: Metres

Printed: 11/12/15  
 Author: CDE

Digital map data sourced from Land Information New Zealand. OPEN SOURCE LICENSED  
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 If the information is relied on in support of a material consent it should be verified independently.



