



Dog Control Policy

2023

FINAL

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Waipā District Council

Dog Control Policy 2023

1. Purpose and Scope

- 1.1. The Dog Control Act 1996 requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy.
- 1.2. The purpose of the Waipā District Council's Dog Control Policy is to outline how the requirements of the Dog Control Act 1996 will be met. It balances regulatory controls to allow for the recreational needs of dogs and their owners, with appropriate controls to minimise the danger, distress or nuisance that may be caused by dogs.
- 1.3. This policy is also designed as an educational tool to help encourage and facilitate good dog behaviour and good dog ownership.
- 1.4. This policy should be read in conjunction with the Waipā District Dog Control Bylaw 2023 and the Dog Control Act 1996.

2. Definitions

- 2.1. For the purposes of this Policy the following definitions apply:

Term	Definition
Act	means the Dog Control Act 1996.
Civil Defence shelter	means an area used by a Civil Defence Emergency Management Group (as defined in the Civil Defence Emergency Management Act 2002) as temporary communal shelter for the public while a state of emergency is in force in that area, in accordance with the Civil Defence Emergency Management Act 2002.
Control or controlled	in relation to a dog, means that the owner is able to obtain an immediate and desired response from the dog.
Council	means Waipā District Council, and where the context requires includes any Council officer with delegation to exercise the relevant function.
Dangerous dog	means a dog classified as dangerous pursuant to section 31 of the Dog Control Act 1996.
Disability assist dog	means a dog certified by one of the following organisations as being a dog trained to assist (or as being a dog training to assist) a person with a disability:

Term	Definition
	(a) Assistance Dogs New Zealand (b) Hearing Dogs for Deaf People in New Zealand (c) K9 Medical Detection New Zealand (d) K9 Search Medical Detection (e) Mobility Assistance Dogs Trust (f) New Zealand Epilepsy Assist Dogs Trust (g) Perfect Partners Assistance Dogs Trust (g) Royal New Zealand Foundation of the Blind Incorporated (f) Any other organisation specified by Order of Council under Section 78D of the Dog Control Act 1996.
District	means the district of Waipā District Council.
Dog	means any entire or neutered dog.
Dog Exercise Area	means a public place specified in Schedule 2 to this Policy, and further depicted in the maps in Schedule 3 to this Policy, where a dog may be exercised off a leash but under control.
Dog Prohibited Area	means a public place specified in Schedule 1 to this Policy, and further depicted in the maps in Schedule 3 to this Policy, where dogs are prohibited.
Dog ranger	has the same meaning as set out in Section 2 of the Act.
Dwelling	means a separately occupied household unit used in whole or in part for human habitation, and includes: <ul style="list-style-type: none"> (a) any building, tent, vehicle, or other structure, whether permanent or temporary, and whether attached to the soil or not; and (b) any land associated with the dwelling.
Hunting dog	means any dog used for hunting game.
In season	means the oestrus or heat cycle of any bitch.
Licensed game hunter	means a person who has lawful authority to hunt for game or pests in a public place.
Infringement offence	has the same meaning as set out in Section 2 of the Act.
Menacing dog	means a dog classified as menacing pursuant to sections 33A or 33C of the Act.

Term	Definition
Motor vehicle	has the same meaning as set out in Section 2 of the Land Transport Act 1998
Muzzle	means a basket type or similar muzzle that allows panting and drinking when fitted on a dog.
Occupier	in respect to land or dwelling, means the owner, or person residing at the address with the authority of the owner.
Owner	in respect to a dog, has the same meaning as set out in Section 2 of the Dog Control Act 1996.
Premises	premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied. All lands, buildings, and places adjoining each other and occupied together are deemed to be the same premises.
Public place	has the same meaning as specified in section 2 of the Dog Control Act 1996.
Summer hours	means from 2 am on the last Sunday in September each year until 2 am the first Sunday in April of the following year.
Urban area	means land located outside the rural zone as specified in the operative Waipā District Plan.
Winter hours	means from 2 am on the first Sunday in April in each year until 2 am on the last Sunday in September of that year.
Working dog	has the same meaning as set out in Section 2 of the Dog Control Act 1996, and includes a disability assist dog.

3. Guiding Principles

3.1. This policy is written pursuant to section 10 of the Dog Control Act 1996. Council, in adopting this policy, had regard to:

- 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 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.

4. Education

- 4.1. Council places importance on assisting dog owners to meet their obligations. Council will have available at all times a range of information material that is free of charge. All new dog owners, or owners new to the District, will be provided with an information/registration pack or links to relevant online information. Dog owners subject to enforcement action will be provided with relevant advice, and educational material.

5. Dog Prohibited Areas

- 5.1. The areas specified in Schedule 1 are Dog Prohibited Areas under the Dog Control Bylaw 2023. The owner of any dog must not allow that dog to enter any Dog Prohibited Area. This does not apply to working dogs, while working, or, in relation to the Dog Prohibited Areas at the peat lake reserves at Rotopiko, Ruatuna and Rotomanuka, hunting dogs in those Dog Prohibited Areas for the purpose of hunting game and under the control of a licensed game hunter.
- 5.2. Under the Bylaw, the Council may grant consent, on request by any person or organisation, to allow the entry of dogs on to any Dog Prohibited Area, for example for a special event, subject to any conditions imposed. Requests must be made in writing at least six weeks prior to the requirement/event.
- 5.3. The prohibitions do not apply to a Dog Prohibited Area while it is being used as a Civil Defence shelter.

6. Leash Requirements

- 6.1. Dogs must be controlled on a leash in all public places within the district, other than in a Dog Exercise Area. This restriction does not apply to disability assist dogs and other working dogs that are there for the purpose of working – see definition of “working dog” above. It does also not apply to a hunting dog who has been unleashed for the immediate purpose of locating or retrieving game and is under the control of a licensed game hunter.
- 6.2. The Council may grant approval, on request by any person or organisation, to allow dogs to be off-leash in public places in certain cases, for example for a special event, subject to any conditions imposed. Requests must be made in writing at least six weeks prior to the requirement/event.
- 6.3. Walking a dog from a motor vehicle is prohibited.
- 6.4. Dogs must be controlled on a leash while on a private property, unless the owner or occupier agrees otherwise.

7. Dog exercise areas

- 7.1. The areas specified in Schedule 2 are Dog Exercise Areas. These are public places within the District where dogs may be exercised off a leash but under control. Council supports on-going development of Dog Exercise Areas, in particular signage and bins.
- 7.2. No person may, without Council approval, have more than 4 dogs unleashed in a Dog Exercise Area at the same time. For the purpose of maintaining control, we recommend that any one owner does not have more than 2 dogs off leash in a Dog Exercise Area at any one time.

8. Children's playgrounds

- 8.1. All children's playgrounds in public places, and any area within 5 meters of any unfenced children's playground, are included as Dog Prohibited Areas in Schedule 1.
- 8.2. All children's playgrounds located within a designated Dog Exercise Area will be fenced, and the fenced area prohibited to dogs.

9. Limit on number of dogs to be kept

- 9.1. No person may, without Council approval, keep 3 or more dogs over the age of 3 months on premises in the urban area for more than 14 consecutive days.
- 9.2. In addition, no person may, without Council approval, keep 6 or more dogs over the age of 3 months of age on premises outside the urban area for more than 14 consecutive days.
- 9.3. These requirements apply regardless of whether the dogs at the premises have the same owner. They do not apply where a person has a resource consent for keeping more dogs on their premises.
- 9.4. Approvals will only be issued where there is sufficient justification to do so and Council is satisfied no nuisance will arise. Permits will be reviewed every three (3) years or where circumstances change. Owners will be required to comply with all other policies.

10. Fouling

- 10.1. Dog owners must clean up after their dogs immediately if the dog fouls in a public area, or on any private property aside from the property where the dog resides.

11. Dog faeces bins

- 11.1. Dog exercise areas will be provided, where possible, with sufficient litter bins to allow owners to immediately collect and dispose of dog faeces. Other locations will be considered where demand or other factors justify a bin.

- 11.2. Bins will be located at Council's discretion but will not be located on private property or any place not accessible for cleaning, emptying and/or maintaining.
- 11.3. No person may damage or otherwise interfere with, including removing the contents of, any dog faeces bin, without the authority of Council or a Delegated Officer.

12. Nuisances

- 12.1. The owner of a dog is required to take all practicable steps to prevent the dog from being or becoming a nuisance (e.g. by its persistent barking, howling or whining).
- 12.2. Barking or howling of a dog is likely to be considered a nuisance when barking is consistent for more than 15 minutes, on more than two occasions per day, for a period of more than five consecutive days or more than 30 minutes total sporadic barking or howling on any day, for a period of more than five consecutive days.
- 12.3. The owner of a bitch in season must contain that dog within a private property in an area which prevents the dog's escape and entry by other dogs into the area, or within a vehicle or cage (when being transported) to minimise providing an attraction to other dogs.
- 12.4. Dogs with an infectious disease must be confined to the owner's premises at all times.
- 12.5. No person may intentionally tease, annoy or provoke a dog in a manner that may cause distress to the dog, or that may lead to aggression or a nuisance.
- 12.6. The owner of a dog that is on an open deck or open trailer of a motor vehicle in a public place must ensure the dog is secured by a tethered cage, or by a leash that is of sufficient length, to prevent the dog from reaching beyond the deck or trailer but still enables the dog to stand and lie down in a natural position. This requirement does not apply to a working dog while working.
- 12.7. An owner of a dog must take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person.

13. Confinement and control of dogs

- 13.1. Dogs must not be at large in any public place or private way.
- 13.2. Dogs that regularly escape from their premises cause a range of issues. Council may require an owner to neuter a dog that has not been kept under control in compliance with the Bylaw in a public place on two or more occasions in a 12-month period.
- 13.3. An owner may object to a notice to neuter by written notice to Council within 14 days of being given notice to neuter. Council may uphold or rescind the requirement to neuter the dog following such an objection.

14. Menacing dogs and dangerous dogs

- 14.1. Council requires mandatory neutering of dogs classified as menacing in accordance with the provisions of the Act. This prevents breeding and there is evidence that neutering reduces a dog's desire to roam, and may reduce possible aggression.
- 14.2. If a dog has been classified as a menacing dog in another district, where it was not required to be neutered, but moves to the Waipā District, it will be a requirement for the dog to be neutered once residing in the Waipā District.
- 14.3. Menacing dogs are also required to wear a muzzle in public. "Gentle Leaders", "Halti's" and other similar accessories are not considered to be muzzles under this Policy.
- 14.4. Dogs classified as dangerous in accordance with the Act are also required to be neutered, have fencing requirements applied, and must wear a muzzle in public, in accordance with section 32 of the Act.

15. Neutering of dogs

- 15.1. Council encourages neutering of dogs with the view that this will reduce the number of unwanted dogs being bred and impounded, reduce the number of wandering dogs and dog offences.
- 15.2. Discounted registration fees are available for urban dogs that have been neutered, and all dogs rehomed from Council pounds must be neutered at the time of or immediately following rehoming, although exceptions may be permitted by Council.
- 15.3. Council may be able to advise on the availability of any reduced cost neutering of dogs that may not otherwise be neutered, via local charity programmes.
- 15.4. Dogs being rehomed from a Waipā District Council pound, may also be eligible for reduced cost neutering.

16. Unclaimed impounded dogs

- 16.1. Where an impounded dog has not been claimed by its owner within the statutory seven-day period following a written notice being sent to the owner, or if an impounded dog has been surrendered, Council may dispose of the dog in a manner that it considers appropriate within the constraints of the law.
- 16.2. Where dogs cannot be re-homed, and destruction is the only practicable option, then dogs will generally be euthanised by a qualified veterinarian. In these cases, euthanasia will be undertaken as soon as practicable, and on an individual basis rather than a number of dogs at one time.
- 16.3. This Policy does not preclude Council from administering an alternative humane method of destruction in circumstances where administering an injection is not

practicable. In these cases, the dog will be suitably restrained, and health and safety considerations complied with at all times.

17. Rehoming dogs

- 17.1. Council will give priority to re-homing unclaimed or unwanted dogs where circumstances are appropriate to do so. Where a decision has been made to rehome an unclaimed pound dog, the dog may be held for an extended period in the pound, or placed into foster care. Dogs available for rehoming will be held in Council pounds only where there is sufficient capacity and where operational budgets can support this.
- 17.2. Any unclaimed pound dog that is not classified but is a breed or type listed in Schedule 4 (menacing dogs) of the Act will not be rehomed, except where approval is given by Council.
- 17.3. Any rehomed dog will be required to be registered and micro-chipped prior to adoption, at a reduced cost to the new owner. Neutering and vaccination will also be required at the time of adoption at the new owner's expense, or within an agreed timeframe following adoption, unless an exception is granted by Council. Owners will be responsible for the costs and management of any ongoing medical conditions, even if unknown at the time of adoption.
- 17.4. Any dog rehomed will have a trial period of two weeks for the new owner to assess the dog for suitability within the home environment. If the dog is returned during this time, the registration and micro-chip fee will be refunded. All other costs must be covered by the owner, unless rehomed to another owner.
- 17.5. No animal will be released from the pound into the ownership of any person or organisation for use in a scientific procedure or manipulation for research, testing or teaching purposes, as defined by the Animal Welfare Act 1999.

18. Offences, penalties and impounding

- 18.1. The Act allows for a range of enforcement measures for breaches under the Act at the discretion of Council. Enforcement measures include prosecution, infringement notices, classification of the dog as dangerous or menacing, and the impounding of dogs.
- 18.2. Minor offences which have been the result of a genuine oversight or mistake may be treated as a "warning only" on the first occasion. Depending on the circumstances of each case, all other offences are likely to result in other penalties. However, each case will be treated on its merits.
- 18.3. A rating system, which takes a number of factors into consideration, is applied to more serious offences, e.g. dog bites/attacks, to ensure consistency in approach.

- 18.4. Council will consider undertaking a prosecution of owners and seek destruction of dogs responsible for serious attacks or repeated incidents, particularly if a dog is already classified as dangerous or menacing.

19. Probationary and disqualified dog owners

- 19.1. The Act provides the ability for Council to classify certain dog owners as probationary (section 21) or to disqualify certain dog owners from owning dogs (section 25).
- 19.2. Classification as a probationary owner means the person is unable to own any dog (except for dogs already registered by that person at the time of the offence) for a two-year period following the classification. They may also be required to undertake, at his or her own expense, a dog owner education programme and/or dog obedience course approved by Council pursuant to section 23A of the Act.
- 19.3. Disqualification means the person cannot own any dog for up to a five-year period following the disqualification. For attack offences that result in conviction, or for repeat offences involving failure to control, the disqualification period applied will generally be for five years. Other offences will generally have the disqualification applied for a lesser period unless a Council delegated officer considers that disqualification is not warranted.

20. Accommodation standards

- 20.1. The owner of a dog must:
- a) ensure that the dog has access at all times to an area (a lying area) that:
 - i) is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
 - ii) is raised off the ground;
 - iii) is fully shaded;
 - iv) is dry;
 - v) is ventilated; and
 - vi) provides the dog with protection from extremes of heat and cold.
 - b) ensure that the dog has access at all times to clean water;
 - c) ensure that the dog has access at all times to an area in which to urinate and defecate away from its lying area; and
 - d) ensure that faeces or urine do not accumulate in any area in which the dog is kept.

21. Fees and charges

- 21.1. Registration of dogs is required by owners of all dogs over three months of age.

- 21.2. Council approves a schedule of fees and charges each year by resolution in relation to the registration of dogs, and also impounding charges for both dogs and stock.
- 21.3. Council's current policy is to cover operational costs through both fees and charges and general rates, which helps to keep registration fees at a reasonable level. All owners pay registration fees (except those with disability assist dogs and initial registration fees for rehomed dogs from the pound or by any approved charity), and owners subject to enforcement action are expected to cover costs of impounding and sustenance fees, where applicable.
- 21.4. Discounts off registration fees are available to urban dog owners and owners of disability assist dogs who meet certain criteria, such discounts and criteria to be set by Council as part of reviewing and approving the annual fees and charges. Initial registration for dogs rehomed from the pound or any approved charity are also free.
- 21.5. Subject to the Act, fees and charges should be paid in full unless exceptional circumstances can be shown, to be determined by the Delegated Officer.
- 21.6. Any donations Council receives towards dogs will be used to aid its rehoming activities including any required veterinary treatment.

22. Co-operation with other agencies

- 22.1. Council will work with NZ Police, the Ministry for Primary Industries, and the Society for Prevention of Cruelty to Animals, and other agencies working with animals to achieve the objects of the Dog Control Act 1996 and the Animal Welfare Act 1999.

23. Application and Review

- 23.1. The Policy will be reviewed as required to meet the needs of the organisation and best practice.

DATE OF COUNCIL RESOLUTION:

26 September 2023

DATE POLICY TAKES EFFECT:

1 December 2023

SCHEDULE ONE: DOG PROHIBITED AREAS

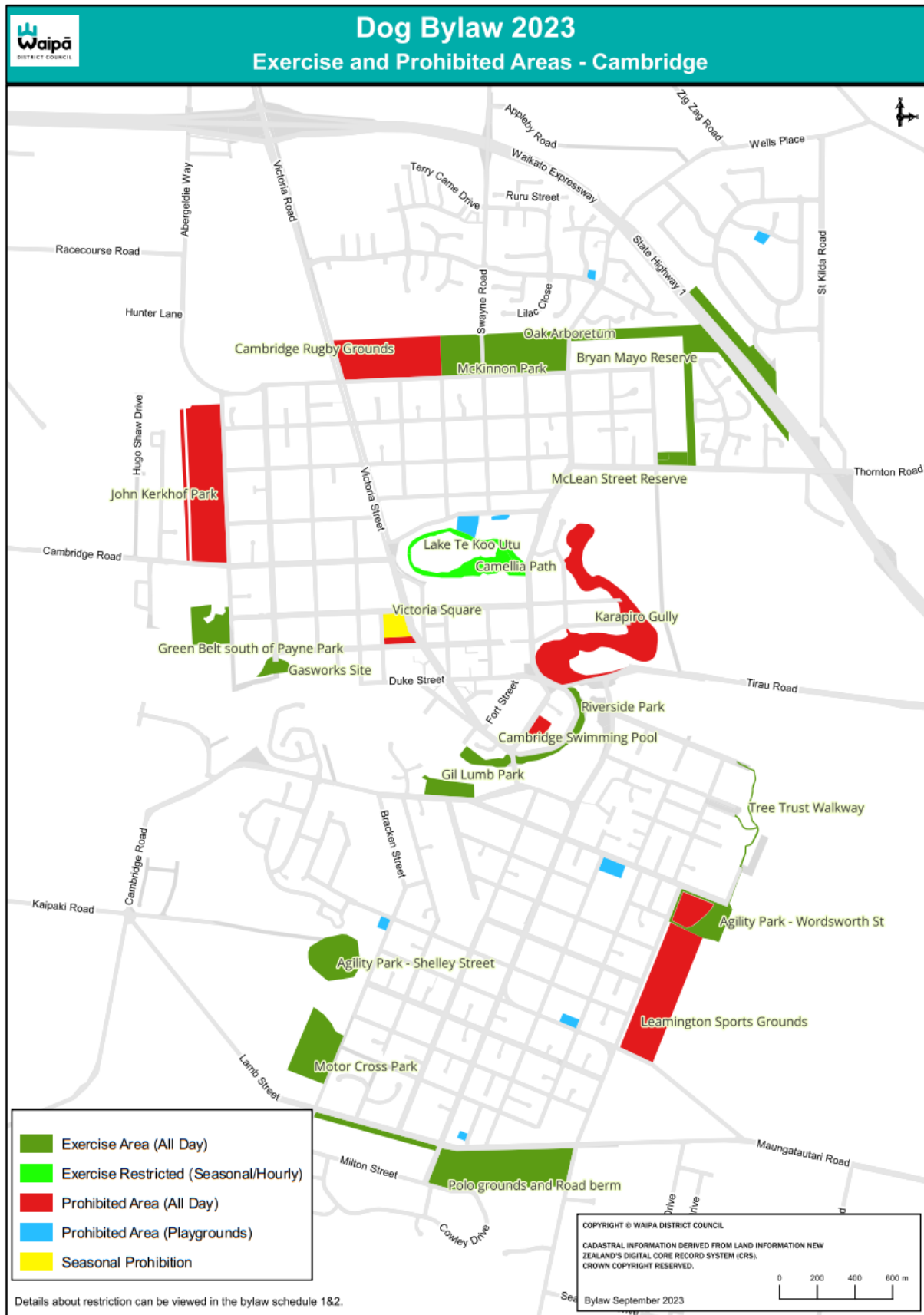
WARD	LOCATION
Cambridge	<ul style="list-style-type: none"> - Victoria Square, Victoria Street: Summer Hours: at all times; and Winter Hours: in any part of Victoria Square while that part is being used for a market (such market being authorised by Council) - Cambridge Swimming Pool, Williamson Street - John Kerkhof Park Cambridge Soccer Grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is dog on lead) - Cambridge Athletic and Harrier Club grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is dog on lead) - Cambridge Rugby Sub-Union grounds, Taylor Street - Leamington Sports ground, Carlyle Street (playing fields only but includes perimeter) - Karapiro Gully, Gillies Street
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> - Te Awamutu Rose Gardens, Gorst Avenue - Te Awamutu Events Centre, Selwyn Lane - Albert Park, Albert Park Drive - Jean Gatton Reserve, Church Street, Kihikihi - Kihikihi Domain – Rugby and Cricket fields only
Pirongia-Kakepuku	<ul style="list-style-type: none"> - Pirongia Rugby Football Club, Kane Street - Mātakitaki reserve, Franklin Street, Pirongia - Ōhaupō Memorial Park, all sports fields, Forkert Road - Peat lake reserves at Rotopiko, Ruatuna, Rotomanuka - Kakepuku Scenic Reserve, Kakepuku Road
Maungatautari	<ul style="list-style-type: none"> - Mighty River Domain (Karapiro Domain) – excludes that part of Te Awa River Ride within the Maungatautari Road corridor (Te Awa River Ride is “dog on leash”) and excludes the Gate 3 dog exercise area when not in use for events. - Maungatautari Scenic Reserve, Pukeatua
District Wide	<ul style="list-style-type: none"> - Within any fenced public playground or play area, or within 5m of any unfenced public playground or play area - Reserves where animals are being grazed - All Department of Conservation Reserves unless a permit has been obtained from the Department

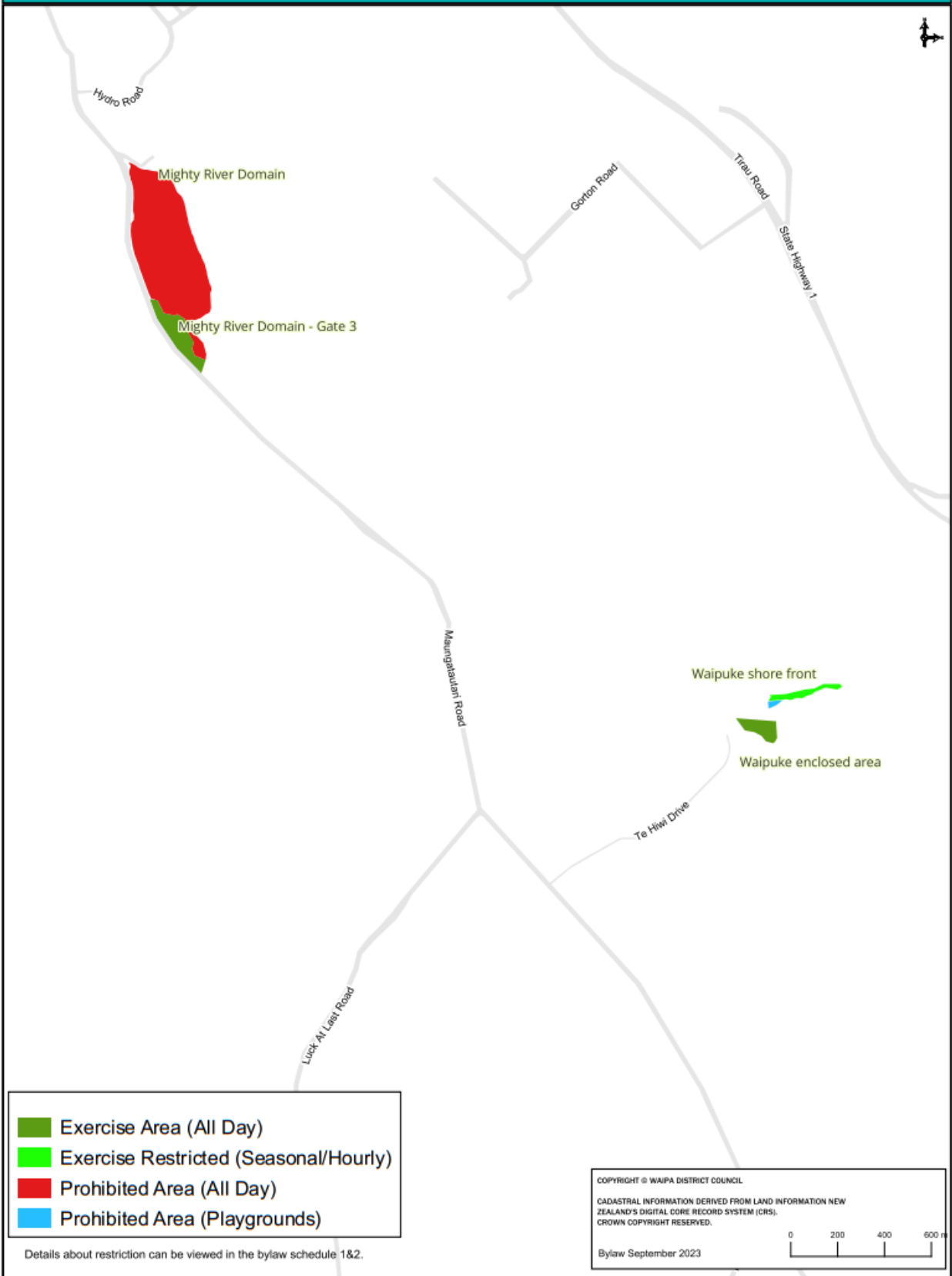
SCHEDULE TWO: DOG EXERCISE AREAS

WARD	LOCATION
Cambridge	<ul style="list-style-type: none"> - McKinnon Park, Taylor Street - Gasworks Site, Alpha Street, (east of cycleway only) - Brian (Blackie) Mayo Reserve to Thornton Road via the Cambridge Green Belt, and along the Waikato Expressway road corridor - Settlers Track to Riverside Park, Dominion Avenue - Te Koo Utu Park, Albert Street (lake area): Summer hours: between 6 pm and 10 am; and Winter hours: between 3 pm and 10 am - Camellia Path, Lake Te Koo Utu: Summer Hours: between 6 pm and 10 am; and Winter Hours: between 3pm and 10 am - Gil Lumb Park, Pope Terrace - Polo grounds at Lamb Street (except when in use for Polo) - Shelley Street dog park. Shelley Street, Cambridge - Tree Trust Walkway, Addison Street to Leamington Cemetery (excluding grazing area) - The dog exercise area Wordsworth Street east (excluding sports fields but including perimeter) - The Oak Arboretum – Swayne Road - Green belt Vogel Place (south of Payne Park) - McLean Street Reserve (corner MacLean and Thornton Road) - Former Cambridge MotoCross Track Lamb Street - The reserve land running parallel between the Waikato Expressway and Pukeko Grove and Alan Livingstone Drive.
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> - Colgan Park, Colgan Street - Centennial Park, Rewi Street - Eileen Montefiore Park, Factory Road (excluding the walkway to Factory Road) - Turere Park, Turere Lane - Rear area of Sculpture Park, accessed off Albert Park and Domain Drive - Memorial Park north of the Mangaohoi Stream (south of Christie Avenue) and the walkway through to Racecourse Road: Summer hours: between 6 pm and 10 am; and Winter hours: between 3 pm and 10 am - Leslie Street Reserve, Leslie Street (Kihikihi) - Ash Grove, Chatsfield Drive - Te Rahu Road Reserve, 246 Te Rahu Road - Rosehill Reserve, Laird Place

WARD	LOCATION
	<ul style="list-style-type: none"> - Te Awamutu Stadium Grass embankments (not sports field), Fairview Road to Armstrong Avenue, Grass embankments (when not in use for sports events) - Kihikihi Domain, Oliver Street – Excluding Rugby and Cricket fields (except when exclusive use is required for events or site bookings) - Mahana Lane Reserve, Mahana Lane - Pekerau Reserve (off Cambridge/Pekerau/Bygrave/Glen Eagles)
Pirongia-Kakepuku	<ul style="list-style-type: none"> - Lake Ngaroto Bank Road (note: walkway around the lake is dog on leash) - Former Pirongia Landfill Kane Street, Pirongia - Pirongia Esplanade, Franklin Street/Crozier Street, Pirongia (excluding the walkway) - Acacia Reserve, Airport Road - Ōhaupō Memorial Park, lower reserve, Forkert Road (excluding sports fields)
Maungatautari	<ul style="list-style-type: none"> - Mighty River Domain – Gate 3 grassed carpark (when not in use for events. Owners should check with Domain Management) - Waipuke Park, Enclosed off-leash area, Mangatautari Road - Waipuke Park, foreshore area: <ul style="list-style-type: none"> Summer hours: between 6 pm and 10 am; and Winter hours: between 3 pm and 10 am

SCHEDULE THREE: MAPS





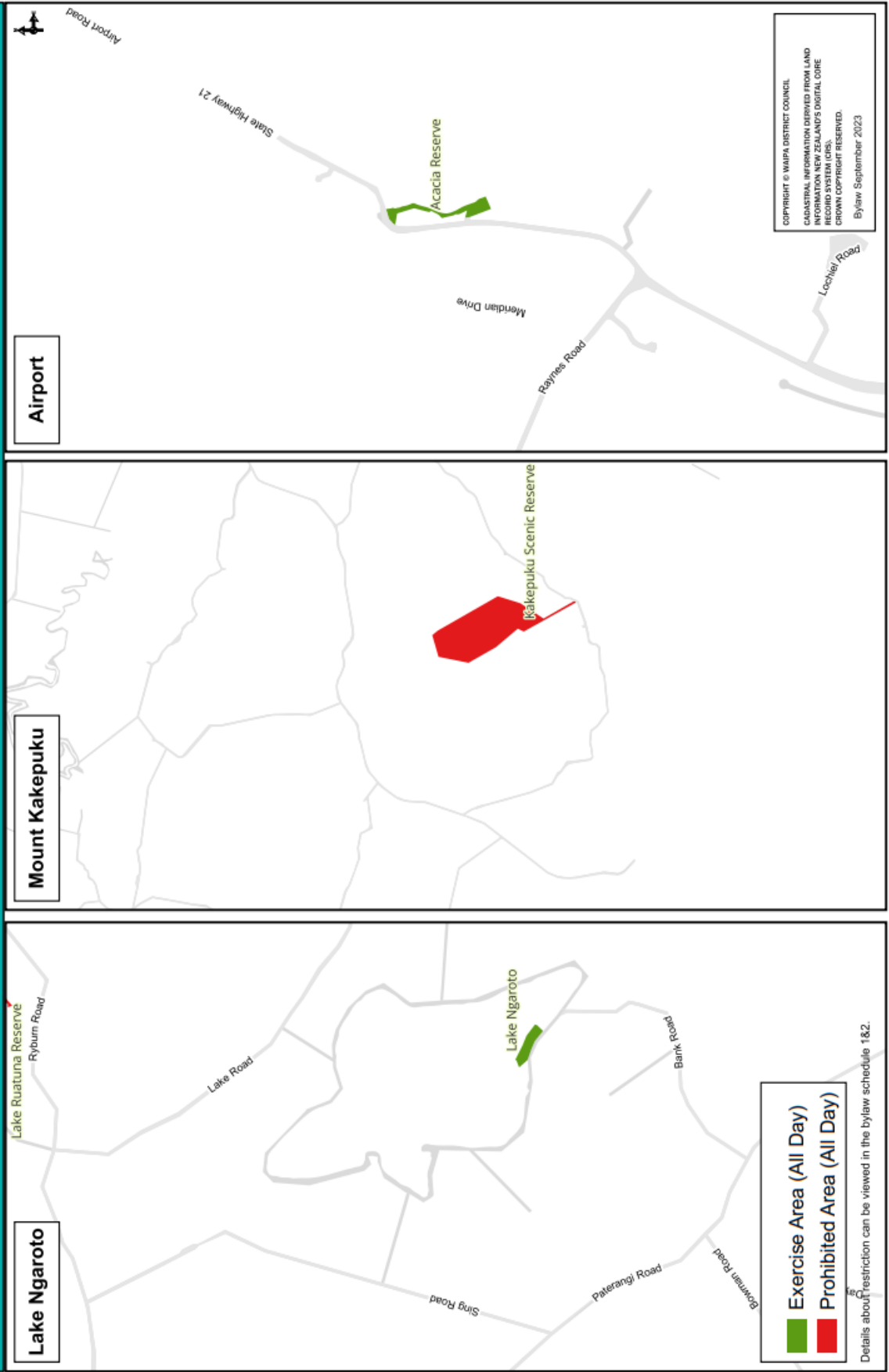
Dog Bylaw 2023

Exercise and Prohibited Areas - Kihikihī



Dog Bylaw 2023

Exercise and Prohibited Areas



Airport

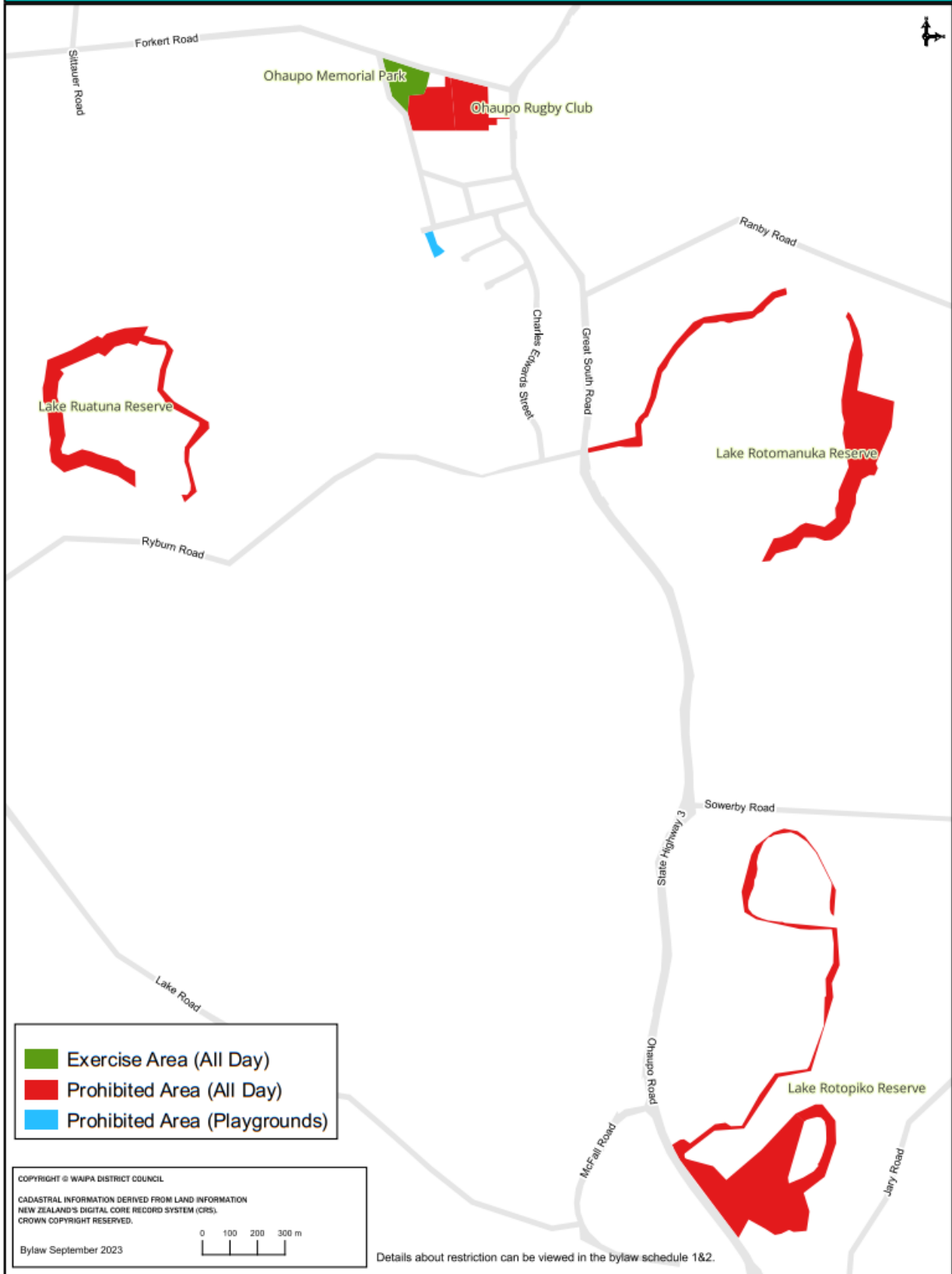
Mount Kakepuku

Lake Ngaroto

Exercise Area (All Day)
Prohibited Area (All Day)

Details about restriction can be viewed in the bylaw schedule 18.2.

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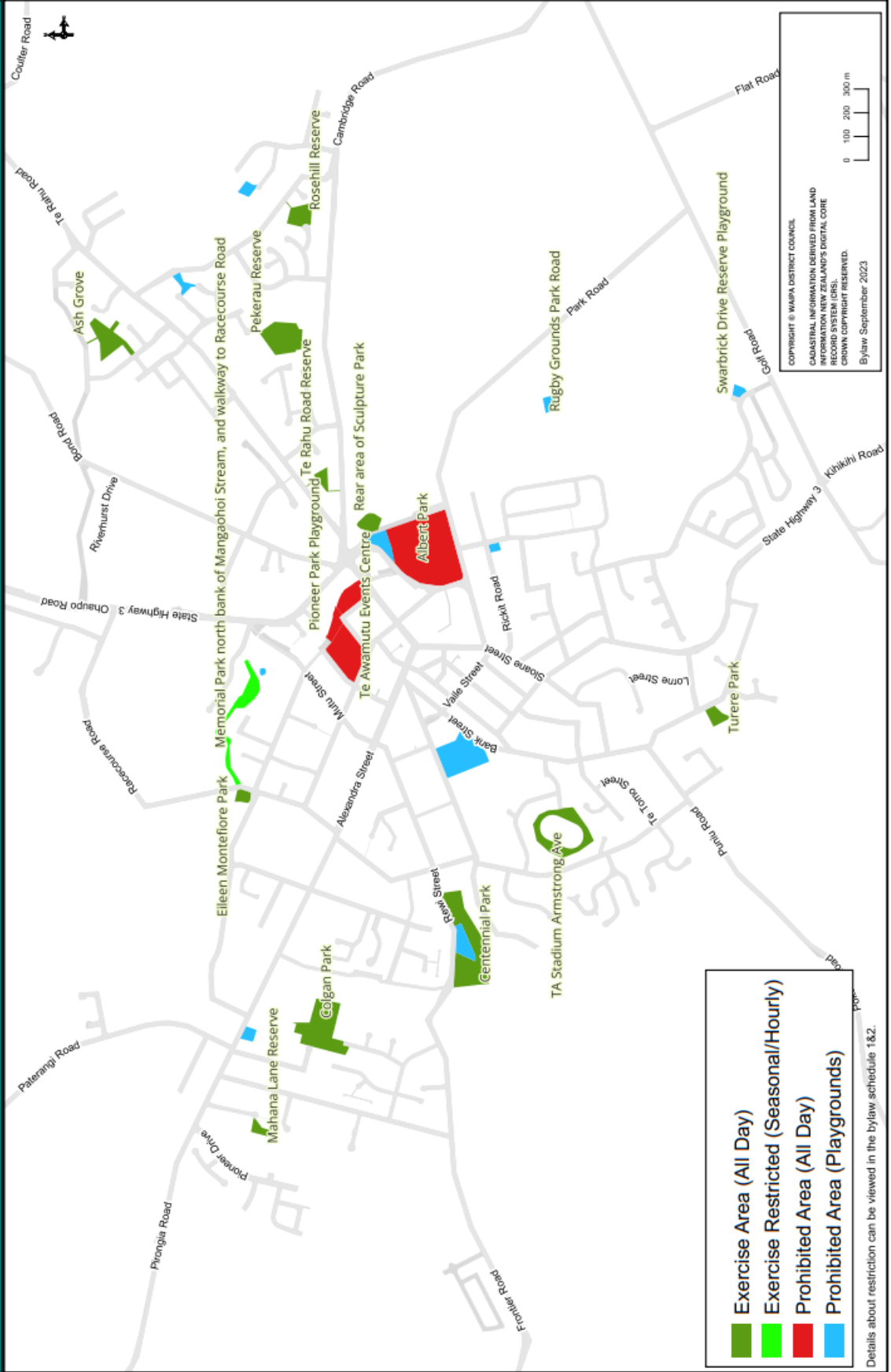
Dog Bylaw 2023

Exercise and Prohibited Areas - Pirongia



Dog Bylaw 2023

Exercise and Prohibited Areas - Te Awamutu



- Exercise Area (All Day)
- Exercise Restricted (Seasonal/Hourly)
- Prohibited Area (All Day)
- Prohibited Area (Playgrounds)

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 Bylaw September 2023



Details about restriction can be viewed in the bylaw schedule 1&2.

