

Meeting: **Strategy Committee - 11 October 2017**

Name of item: **Draft Dog Control Bylaw and Dog Policy 2017**

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Date of report: 25 September 2017

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Purpose of the report

The purpose of this report is to recommend that Council conduct further public consultation on the Draft Dog Control Bylaw and Dog Policy 2017 in Attachment 1, having considered further public feedback resulting from the Bay of Islands-Whangaroa Community Board meeting of 14 August 2017.

Executive summary

The main purpose of the Dog Control Bylaw and Dog Policy is to protect people, property, and animals and wildlife from harm by dogs. The Council plays a central role in the control of dogs by administering and enforcing the Dog Control Act 1996, reporting to the Department of Internal Affairs.

There has been extensive community consultation and research into dog control in the Far North District. In response to community feedback on the Statement of Proposal, there are a number of changes to the Bylaw and Policy. The tracked changes are shown in Attachment 2.

Community consultation has taken place under the Special Consultative Procedure for the Proposed Bylaw and Policy. In response to feedback received at the Bay of Islands and Whangaroa Community Board meeting of 14 August 2017, further workshops were held with interested parties in Kerikeri and Russell to discuss the proposal.

It is now intended for the Draft Dog Control Bylaw and Dog Policy 2017 to go out via the dog owner database, to targeted stakeholders, and in media and Facebook for further consultation.

Recommendation

That the Strategy Committee recommend to Council that further public consultation on the Draft Dog Control Bylaw and Dog Policy 2017, dated 25 September 2017, be conducted.

Background

PREVIOUS DECISIONS

Commencing in 2016 there have been a series of reports to the Council, the Regulatory and Environment Committee the Strategy Committee, and all three Community Boards to develop a Statement of Proposal.

In 2017 there was a further series of reports to develop a draft Bylaw and Policy for adoption.

1.	2/06/2016	The Regulatory and Environment Committee made the following recommendation to Council: THAT Council determines that a Dog Control Bylaw is the most appropriate way of addressing the problem; AND THAT the Community Boards be consulted on the proposed Draft Dog Control Bylaw 2016.
2.	15/06/2016	Council determined that a Dog Control Bylaw is the most appropriate way of addressing the problem; AND THAT the Community Boards be consulted on the proposed Draft Dog Control Bylaw 2016.
3.	27/06/2016	The Te Hiku Community Board made the following recommendation to the Regulatory and Environment Committee: THAT the proposed Draft Dog Control Bylaw 2016, and the proposed Draft Dog Policy 2016 be adopted by Council for public consultation.
4.	29/06/2016	The Bay of Islands-Whangaroa Community Board made the following recommendation to the Regulatory and Environment Committee: THAT the proposed Draft Dog Control Bylaw 2016, and the proposed Draft Dog Policy 2016 be adopted by Council for public consultation; AND THAT the Committee consider comments from the Community Board made to staff at this meeting regarding changes to the proposed Draft Dog Control Bylaw 2016 and the proposed Draft Dog Policy 2016.
5.	28/06/16	The Kaikohe-Hokianga Community Board made the following recommendation to the Regulatory and Environment Committee: THAT the proposed Draft Dog Control Bylaw 2016, and the proposed Draft Dog Policy 2016 be adopted by Council for public consultation.
6.	25/08/2016	The Regulatory and Environment Committee recommended THAT the matter of Proposed Draft Dog Control Bylaw 2016 and Draft Dog Policy 2016 be referred to the 08 September 2016 Council meeting.
7.	08/09/2016	Council adopted a Summary Statement of Proposal for the Draft Dog Control Bylaw 2016 and the Draft Dog Policy 2016 and resolved that a full Statement of Proposal be prepared for the incoming Council to approve for public consultation.
8.	26/10/2016	Council adopted the Dog Control Bylaw and Dog Policy Statement of Proposal for public consultation.
9.	07/11/2017 to 16/12/2016	Written submissions.
10.	08//02/2017	Kerikeri Hearings.
11.	10/02/2017	Kaikohe Hearings.
12.	06/03/2017	Kaitaia Hearings.
13.	16/03/2017	Strategy Committee resolved THAT further community consultation be undertaken to consider the issues of responsible dog ownership, wildlife protection, dog welfare and implications for Māori.
14.	03/07/2017	The Bay of Islands-Whangaroa Community Board recommended THAT the Draft Dog Control Bylaw and Policy 2017 be adopted
15.	05/07/2017	The Kaikohe-Hokianga Community Board recommend to Council That the Draft Dog Control Bylaw and Dog Policy 2017 be adopted

16.	06/07/2017	The Te Hiku Community Board recommend to Council THAT the Draft Dog Control Bylaw and Dog Policy 2017 be adopted
17.	14/08/2017	The Bay of Islands-Whangaroa Community Board recommended THAT Council considers the Draft Dog Control Bylaw and Policy 2017 for adoption subject to consideration of the feedback received at the Bay of Islands and Whangaroa Community Board meeting of 14 August 2017

Consultation

- Letters or emails were sent to registered dog owners.
- Council received a total of 335 written submissions from the public.
- 43 submitters requested to speak at hearings in Kerikeri (16), Kaikohe (15) and Kaitaia (12) in February and March 2017.

There were gaps in knowledge prior to the submissions process about specific geographic locations and the unique characteristics of all parts of the District. To fill those gaps:

- Council staff mapped the protected wildlife habitats using [New Zealand ebird](#) and expert advice. This information was shared during the consultation via an interactive web map upon which the public could 'pin' comments.
- Council staff consulted further with Forest and Bird, Māori representatives, the Department of Conservation and the Department of Internal Affairs.

Overall Issues

Themes in the written feedback and discussion on the issue over the past year and as part of the consultation were:

- The public, including dog owners, were not familiar with the existing rules
- The Statement of Proposal was too complicated.
- A lack of enforcement. Some submitters at the Hearings suggested that the rules were not seen to be credible and were widely disregarded as a result.
- An unacceptably high level of dog attacks and widespread community concern about safety and dogs not having been under control.
- Many dog attacks go unreported as does the fear of dog attacks. Animal management staff, Department of Conservation staff and community members identified multiple problems of out of control dogs across the District.
- It is unlikely that any community has full compliance with the Dog Control Act 1996 or Council regulations.
- In areas where dog owners said there were no issues, other submitters identified that, in fact, there were problems.
- Protected wildlife species are threatened across the District and some dog owners are unaware of the threat to protected wildlife caused by their dogs.
- A lack of suitable off leash areas for dogs to exercise safely.
- Problems in in the busy summer period due to holiday-makers arriving into the District with their dogs and conflict between dogs and people.
- The Far North District is unique in New Zealand in having urban populations and wild kiwi in close proximity.

Local Issues

- Discussions with representatives from three different interest groups – conservationists from Bush Bay Action, Waitangi and Karetu Marae representatives, and dog owners resulted in proposals for dog prohibition areas for Waitangi and Te Tii beaches.

- Discussion with Sullivan's beach residents and landowners resulted in a requirement for dogs to be on a leash at all times to enable continued access over private land and to reduce nuisance and ensure dogs are under control.
- Discussions with the Rangiputa Residents & Ratepayers Association resulted in agreement that dogs be allowed off leash at Rangiputa Beach.
- Discussions with the Tauranga Bay Community Association, the Northland Regional Council and local conservation experts on a Tauranga Bay beach exclusion area to agree how best to protect nesting birds.
- The Pou Herenga Tai Twin Coast Cycle Trail Bylaw 2016 consultation process identified how to share a pedestrian and cycle path with dogs, resulting in agreement on a rule of dogs on a leash at all times.

Māori

Further, implications for the relationship of Māori, their culture and traditions with ancestral land, water, site, wāhi tapu, valued flora and fauna, and other taonga arose, including:

- Protection of kai moana (particularly shell fish)
- Taonga (indigenous wildlife) and customary use of fauna
- Wāhi tapu.

These matters are further explained in the [Wai 262 Waitangi Tribunal claim](#). An aspect of the claim was the ownership and control over taonga, plants and animals.

Response to Consultation

There are a number of significant changes to the Bylaw and Policy in response to community feedback on the Statement of Proposal:

- Simplification so that the rules can more easily be understood and known.
- Duplication with the primary instrument for dog control, the Dog Control Act, has been removed.
- The Bylaw and Policy avoid operational guidelines which can be determined under delegated authority.
- Changes to summer beach requirements including prohibited times and both on and off leash times for dogs.
- A change of the summer month period (from December 1st to March 31st) with near universal coverage.
- There are less winter beach restrictions with dogs off leash, except for specified prohibited or year-round on leash areas.
- A small number of dog prohibited areas have been introduced where there are known nesting sites and other protected wildlife that are vulnerable to dogs of all kinds and mahinga kai (food gathering sites).
- An implementation plan has been drafted to ensure successful adoption of the Policy and Bylaw (see Attachment 3).

Further Consultation

In response to feedback received at the Bay of Islands and Whangaroa Community Board meeting of 14 August 2017, further workshops were held with interested parties in Kerikeri and Russell. The feedback from these workshops suggested:

- Further work to identifying more suitable Designated Dog Exercise Areas
- Further consultation to find outcomes agreeable to all allowing for shared usage of beaches during summer and winter months.

The Bay of Islands Watch Dog Group indicated the need for a new consultation process to be undertaken and felt that the public needed to be included in all aspects of the process including:

- Input into discussions on any future consultation.
- The maximum time allowed to consult on the bylaw.
- An ability to view any draft documents both during and post consultation.
- Suitable time to review and provide logical solutions to any draft documents.
- Documents written in a positive 'flavour.'

Dog Control Act 1996 (the Act)

The primary rules to control dogs are set out in this Act, which is currently being reviewed by central government. The Bylaw and Policy do not repeat the primary legislation in order to keep the rules clear and simple. "The [Objects](#) of the Act are:

- (a) to make better provision for the care and control of dogs
 - (i) by requiring the registration of dogs; and
 - (ii) by making special provision in relation to dangerous dogs and menacing dogs; and
 - (iii) by imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and
 - (iv) by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and
- (b) to make provision in relation to damage caused by dogs.

Dogs must be under control at all times and must not disturb protected wildlife.

The Act provides an extensive range of powers to control dogs, including prosecution, infringement fines, impounding and seizure.

The Act sections 10 and 20 set out the areas to be included in a Dog Policy and Bylaw respectively.

2) Discussion and options

The preferred approach to dog control is to promote responsible dog ownership through education, assistance and directed compliance. Enforcement is not the preferred approach and is to be used when required, not as the first option.

The primary instrument of enforcement is the Dog Control Act 1996. Section 10 of the Act places a duty on Council to have a Dog Policy and section 20 enables the Bylaw

Problem Identification

- A high incidence of dog attacks on people, other dogs, animals and wildlife.
- A high number of unregistered dogs not microchipped.
- Disturbance of and predation on endangered protected wildlife.
- Too many dogs in some urban and protected wildlife areas.
- People from outside the district with holiday homes and visitors not understanding the unique wildlife habitats in popular tourist destinations.
- Unclear and confusing rules.

- Lack of enforcement of rules leading to widespread non-compliance and non-reporting of incidents.

Intervention Logic

- Apply the Dog Control Act 1996 and take action to enforce significant breaches
- Assist and direct people to register their dogs.
- Public education led by conservationists and DOC, including signage. Enforcement of the Dog Control Act 1996 and volunteers at wildlife 'hotspots'.
- Ensure that no new dogs can be registered in restricted areas.
- Enforce the urban 2 dog per household restrictions that have been in place since 2006.
- The Draft Bylaw and Policy are a further simplification of the rules in order to try to meet the first requirement of effective regulation compliance – clear rules that are understood by the public.
- Compliance is not only a matter of resources. Community acceptance is required, and that requires that the rules be seen to be fair and be consistently applied.

Regulatory Framework

Best practice to regulation is to take a staged approach that enables compliance. The model applied here is known as **VADE: Voluntary, Assisted, Directed and Enforced**.

The optimal approach is to promote **Voluntary** compliance as most people will follow the rules if they are able to do so, know what the rules are and consider them to be fair and reasonable. Information is an important component of this approach, for example, notifying dog owners about the new Bylaw and Policy when adopted.

Those who do not comply can be **Assisted** to comply. Education is an important component of this approach and targeted resources may be required to overcome barriers to compliance. For example, the recent dog day programmes in Kaikohe and Kaitia moved a section of the community towards full compliance.

If there is still non-compliance, then people may be **Directed** to comply, for example, through a verbal instruction or by sending written notices.

Enforcement is the last option for responding to persistent or serious breaches of the rules. This may include an injunction or taking the matter to the District Court.

However, infringement fines are appropriate for less serious offences as a proportionate penalty for matters such as persistent barking, leaving faeces in public places or not having a leash. Infringement fines are set out under the Dog Control Act 1996.

Beach restrictions

As a general rule, dog owners should not take their dogs into areas where shore birds are clustered or gathered together, or where there is protected wildlife. Under the Dog Control Act s57 and s59 a dog maybe seized or destroyed if it disturbs protected wildlife.

There was disagreement about the locations for restricting where dogs may be exercised and about when restrictions might apply. Winter restrictions have been removed in many areas. Dogs are proposed to be required on leash December 1st to March 31st recognising the longer tourist/holiday season here and in the interest of

public safety. Prohibition is appropriate where there is a concentration of protected wildlife or of recreational users.

Urban area restrictions

There was broad agreement for retaining a maximum of 2 dogs (over 3 months old) per household. Around 30% of survey respondents supported a decrease in the number of dogs per household, with only a slight difference between dog owners and non- dog owners.

In most urban areas, restrictions are primarily intended to reduce nuisance (such as barking) and for public safety (reducing the overall number of dogs in any given area). Importantly in the Bay of Islands, there are also protected wildlife considerations due to the proximity of protected wildlife to development. As the human population increases, the increased pressure on protected wildlife may result in their loss.

Option 1 – Further consultation with the community (preferred option)

Having considered the public feedback from the Bay of Islands and Whangaroa Community Board meeting of 14 August 2017, and subsequent workshops with interest groups in Kerikeri and Russell, further consultation is needed and may require further amendments to the Draft Dog Control Bylaw and Dog Policy 2017. This is the preferred option.

Option 2 - Adopt the proposed Dog Policy and Dog Control Bylaw

The Dog Control Act 1996 section 10 requires Council to adopt a policy on dogs. The Dog Control Bylaw gives effect to the Dog Policy. The purpose of the bylaw is to provide for the care and control of dogs; the prevention of injury, distress or nuisance to any person; the prevention of injury or distress to any stock, poultry, domestic animal or protected wildlife; making provision for damage caused by dogs.

Option 3 – Adopt the proposed Dog Policy and Dog Control Bylaw with amendments

Council, as part of decision-making and based on consultation and hearings, can make amendments to the proposed Policy and Bylaw. Amendments need to be clearly identified and a clear rationale provided for each.

Option 4 – Status quo

This would mean that the Dog Control Bylaw and Policy 2006 would remain in place. That would not be consistent with the process of review and consultation which has identified reasons for significant changes to the original Policy and Bylaw, many of which have been supported in the community consultation.

Reason for the recommendation

To ensure successful adoption and implementation of the Dog Policy and Dog Control Bylaw, further consultation is recommended.

3) Financial implications and budgetary provision

There are additional costs associated with further consultation that have been budgeted for.

Manager: Dr Dean Myburgh - General Manager District Services Group

Attachment 1: Draft Dog Control Bylaw and Dog Policy 2017 - Document number A1903478

Attachment 2: Tracked Changes of Dog Control Bylaw and Dog Policy 2017 - Document number A1912864

Attachment 3: Draft Dog Implementation Plan - Document number A1912955

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The matter is of high significance and there is a high level of community interest.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Dog Control Bylaw 2006 and Dog Policy. Dog Control Act 1996 Community Outcomes: <ul style="list-style-type: none">- <i>Safe, healthy, resilient places and people.</i>- <i>Our environment is protected, enhanced and wisely managed.</i>
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a District wide matter, but there are specific local issues for the Community Boards to advise upon. The Community Boards were initially consulted a year ago prior to a Statement of Proposal being adopted, and were further consulted on the proposed Policy and Bylaw.
State the possible implications for Māori and how Māori have been provided with an opportunity to	Here are specific cultural considerations, including: <ul style="list-style-type: none">- protection of kai moana (particularly shell

contribute to decision making if this decision is significant and relates to land and/or any body of water.	<p>fish);</p> <ul style="list-style-type: none"> - taonga (indigenous wildlife) and customary use of fauna; - wāhi tapu.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	Registered dog owners were notified of the proposal. Community views have been taken into account under the Special Consultative Procedure.
State the financial implications and where budgetary provisions have been made to support this decision.	There are additional costs associated with further consultation that have been budgeted for.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



**Far North
District Council**

DOG CONTROL BYLAW 2017

Pursuant to Section 145 of the Local Government Act 2002, Section 20 of the Dog Control Act 1996 and every other enabling power and authority.

To come into force: October 2017

For the purpose of:

- providing for the care and control of dogs;
- preventing injury, distress or nuisance to any person;
- preventing injury or distress to any stock, poultry, domestic animal or protected wildlife.
- making provision for damage caused by dogs

To be reviewed by: October 2027

INDEX

Clause

1	Former Bylaw Repealed
2	Interpretation
3	Removal of Faeces
4	Confinement of Dogs
5	Diseases
6	Female Dogs in Season
7	Dogs In or On Vehicles
8	Neutering
9	Menacing Dogs
10	Nuisance
11	Impounding
12	Shelter/Housing
13	Limit on Number of Dogs
14	Schedules
15	Offences and Penalties

1 Former Bylaw Repealed

- 1.1 As of the date this Bylaw comes into force, the *Far North District Council Dog Control Bylaw 2006* is repealed.
- 1.2 All approvals, permits and other acts of authority that originated under the *Far North District Council Dog Control Bylaw 2006* and all applications shall, for the purposes of this Bylaw, continue as if they had originated under this Bylaw.
- 1.3 The revocation of the *Far North District Council Dog Control Bylaw 2006* shall not prevent any legal proceedings, criminal or civil, being taken to enforce these bylaws, and such proceedings shall continue to be dealt with and completed.

2 Interpretation

- 2.1 Terms in this Bylaw have the same meaning as the terms in the Dog Control Act 1996.

AT LARGE means at liberty, not 'on a leash' as defined in this section.

AUTHORISED OFFICER means any person authorised by the Council to act on its behalf.

BEACH means the area of shoreline above mean low water tides and any adjoining land in public ownership.

CONFINED means enclosed securely in a building or tied securely to an immovable fixture on a premises or within an enclosure from which the dog cannot escape.

CONTROL means that the person in charge of the dog is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means.

COUNCIL means the Far North District Council.

LEASH means an adequate restraint

NEUTERED DOG means a dog that has been spayed or castrated and does not include a dog that has been vasectomised.

ON A LEASH means that a dog is kept under control by means of a leash which is attached to the dog so that the dog cannot break loose, and which is held at the other end by a person physically capable of restraining the dog.

RESERVE means any land under the control, administration, or ownership of the Council that is subject to the Reserves Act 1977.

RESPONSIBLE DOG OWNER means a dog owner who has been approved by Council as a Responsible Dog Owner.

3 Removal of Faeces

- 3.1 The person in charge of a dog must remove dog faeces immediately and dispose of them in a way that does not cause a nuisance.

4 Confinement of Dogs

- 4.1 The person in charge of a dog shall, from half an hour after sunset until half an hour before sunrise, keep the dog tied up or otherwise confined, unless the dog is on a leash or under continuous control.

5 Diseases

- 5.1 No dog infected with a contagious disease can be exercised in any public place.
- 5.2 Every person in charge of a dog must ensure that any dog infected with a contagious disease is contained on their land or premises in such a manner that it cannot leave the land or premises, other than when being transported to a registered veterinary clinic for treatment.

6 Female Dogs in Season

- 6.1 No bitch in season can be exercised in any public place.
- 6.2 Every person in charge of a dog must ensure that every female dog in season is contained and exercised on private land or premises.

7 Dogs In or On Vehicles

- 7.1 No person shall take a dog onto any public place in a motor vehicle or leave a dog in any unattended motor vehicle unless:
- (a) that person takes measures to render it impossible for the dog to leave the vehicle; and
 - (b) the conditions in or on the vehicle do not endanger the wellbeing of the dog.
- 7.2 Any person allowing a dog to ride on the open tray of a vehicle shall ensure that it is under control by a chain or any other suitable tether that is sufficiently short in length as to prevent the dog from leaving the tray or causing a nuisance to the public.

8 Neutering

- 8.1 Any dog of an owner classified as Probationary may be required to be neutered.
- 8.2 Where any dog has been impounded more than two times throughout its life, Council may require the neutering of that dog prior to the dog's release from the pound.
- 8.3 If any dog is not kept under control on more than one occasion within a 12 month period, Council may, by written notice, require the owner to neuter the dog.
- 8.4 A dog owner must, within three months of receipt of a written notice that a dog must be neutered, produce to the Council:
- (a) a certificate issued by a registered veterinary surgeon certifying that the dog has been neutered; or
 - (b) a certificate issued by a registered veterinary surgeon stating that the dog will not be in a fit condition to be neutered until a specified date.

- 8.5 In the case of 9.4(b) above, the dog owner must, within one month after the date specified in the certificate, produce a further certificate that the dog has been neutered.

9 Menacing Dogs

- 9.1 Dogs registered within the district and classified as menacing by Council must be neutered.
- 9.2 Dogs registered within the district and classified as menacing by deed by another territorial authority must be neutered.

10 Nuisance

- 10.1 No person shall cause any dog to become restive, unmanageable or aggressive.
- 10.2 A person must not keep a dog on any land or premises if the dog causes nuisance, is injurious to health, or prevents lawful access to said land or premises.
- 10.3 If any dog is a nuisance or injurious to health, an Authorised Officer may, by notice in writing, require within a specified time the owner or occupier of the premises to:
- (a) reduce the number of dogs kept on the premises;
 - (b) construct, reconstruct, alter or otherwise improve the kennels or other accommodation used to house, contain or restrain the dog;
 - (c) require the dog to be tied up or otherwise confined during specified periods;
 - (d) take action to minimise or remove the nuisance.

11 Impounding

- 11.1 Council's operating procedures will apply when any dog has been impounded.
- 11.2 Any dog left tethered and unattended in a public place and which is causing a nuisance or distress may be impounded by an Authorised Officer.

12 Shelter/Housing

- 12.1 The owner or person having charge of any dog shall provide accommodation inside for that dog, or in a kennel that:
- (a) is sited on a suitable hard surface;
 - (b) is weatherproof and dry;
 - (c) is clean;
 - (d) has shade;
 - (e) has warm flooring in the sleeping area; and
 - (f) has space for the dog to move around.

13 Limit on Number of Dogs

- 13.1 No person may keep more than the number of dogs prescribed in Council's Dog Policy on land or premises in any area designated in the relevant **schedule of the Policy**.

14 Schedules

- 14.1 Every person in charge of a dog must ensure that the dog does not enter or remain in any place designated as a **Prohibited Area** in the **schedule** of Council's Dog Policy.
- 14.2 Every person in charge of a dog must ensure that the dog is kept on a leash in any public place designated as an **On-Leash Area** in the **schedule** of Council's Dog Policy.
- 14.3 A person in charge of a dog may exercise the dog off-leash and under control in any area designated as a **Dog Exercise Area** in the **schedule** of Council's Dog Policy.

15 Offences and Penalties

- 15.1 Every person who fails to comply with the requirements of this Bylaw commits an offence and is liable to a penalty under the Dog Control Act 1996 and the Local Government Act 2002.

Dog Policy 2017

Date Issued:

BACKGROUND

The Dog Control Act 1996 (the Act) section 10 requires Council to adopt a policy on dogs. This Policy has been developed in accordance with the Act. Council's Dog Control Act 2017 gives effect to this Policy.

OBJECTIVES

The Dog Policy aims to:

1. Promote responsible dog ownership.
2. Prevent injury, distress and nuisance from dogs.
3. Provide for the exercise and welfare needs of dogs.
4. Protect wildlife, natural habitats and property.

POLICIES

PROMOTE RESPONSIBLE DOG OWNERSHIP

1. Council will promote responsible dog ownership.
2. Council may approve a dog owner as a Responsible Dog Owner (RDO) if they have complied with all Council requirements and with the requirements of the Dog Control Act 1996.
3. Council will cancel an owner's RDO status if the owner subsequently fails to meet the requirements listed in 1.2
4. If an owner's RDO status is cancelled, it will not be reinstated for at least one year.

REGISTRATION FEES

5. Council will charge a lower recovery fee for registered dogs impounded for the first time.
6. Council will levy late penalties as per the Schedule of Fees and Charges on dog owners who do not register their dogs by the 31st day of August each year.
7. A waiver of the penalty fee may be granted if:
 - (a) Council has made an omission or error; or
 - (b) the dog owner has contacted Council before the due date and payment arrangements are agreed between the owner and Council.

DOG PROHIBITED AREAS

8. Dogs are not allowed in any public place below and designated in the **schedule** of the Policy.
9. Dogs are prohibited from all children's playgrounds at all times.
10. Dogs are prohibited from all public swimming pools at all times.
11. Dogs are prohibited from land administered by the Department of Conservation (unless DOC specifies otherwise).

DOG ON LEASH AREAS

12. Every person in charge of a dog must ensure it is kept on a leash in the areas listed in the **schedule** of the Policy.

DOG EXERCISE AREAS

13. Dogs may be exercised off-leash and under control in the public areas listed below and designated in the **schedule** of the Policy.

URBAN LIMIT TO TWO DOGS PER HOUSEHOLD

14. There is a maximum limit of **two** dogs over 3 months old per household in the urban areas listed below and designated in the **schedule** of this Policy.
15. Any person that wants to exceed this limit must seek Council approval.

DOG POLICY SCHEDULES

Schedule A Dog Prohibited Areas

Schedule B Dog Exercise Areas

Schedule C Limit on Number of Dogs per Household

Schedule D Department of Conservation Prohibited Dog Areas

Schedule E Prohibited, On-Leash and Off-Leash Areas

Schedule F Department of Conservation Controlled Dog Areas – No Access

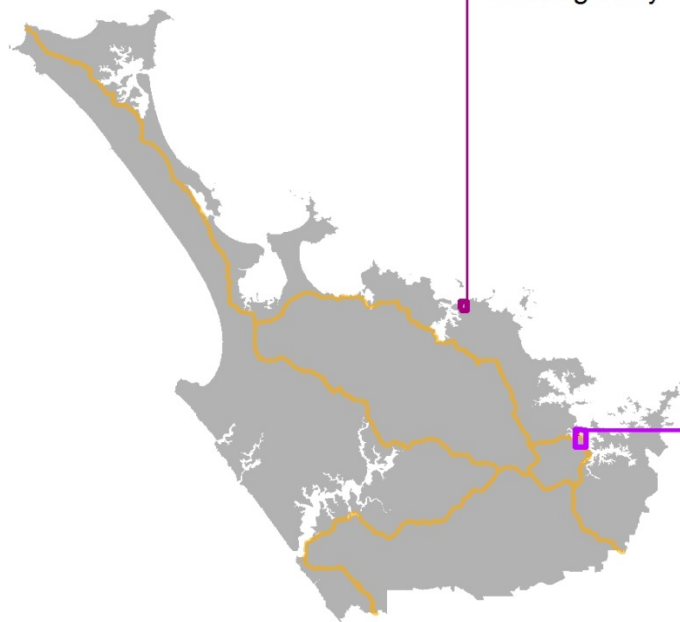
Schedule A: Dog Prohibited Areas

Restriction

 Dogs Prohibited

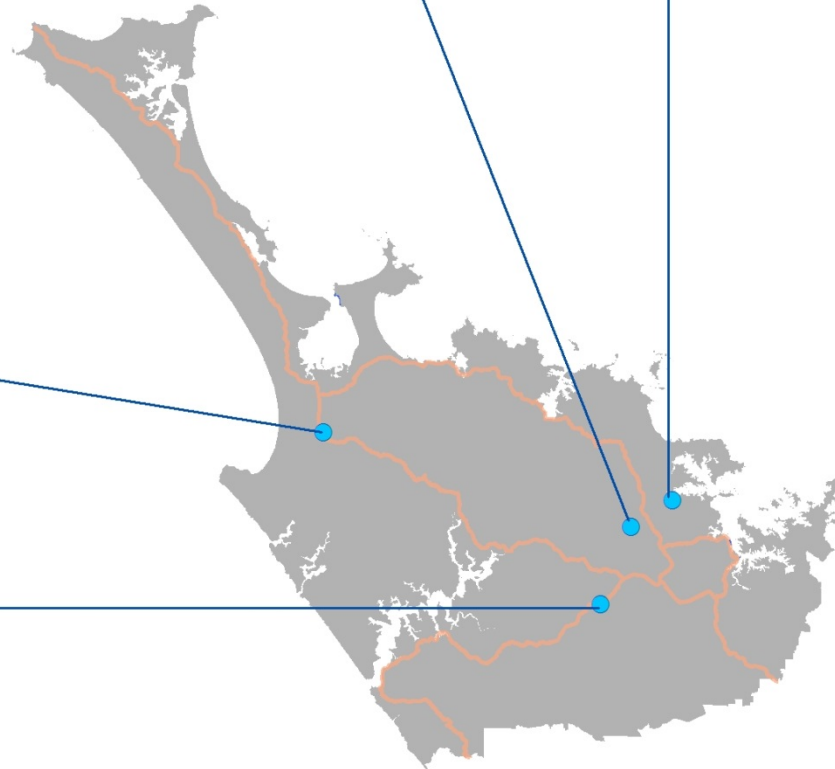
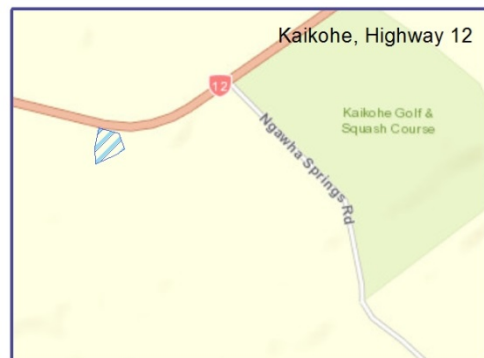
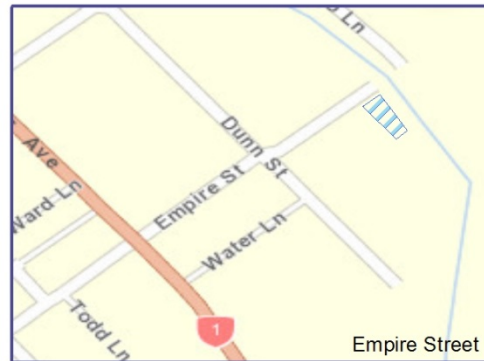


Tauranga Bay



Schedule B: Dog Exercise Areas

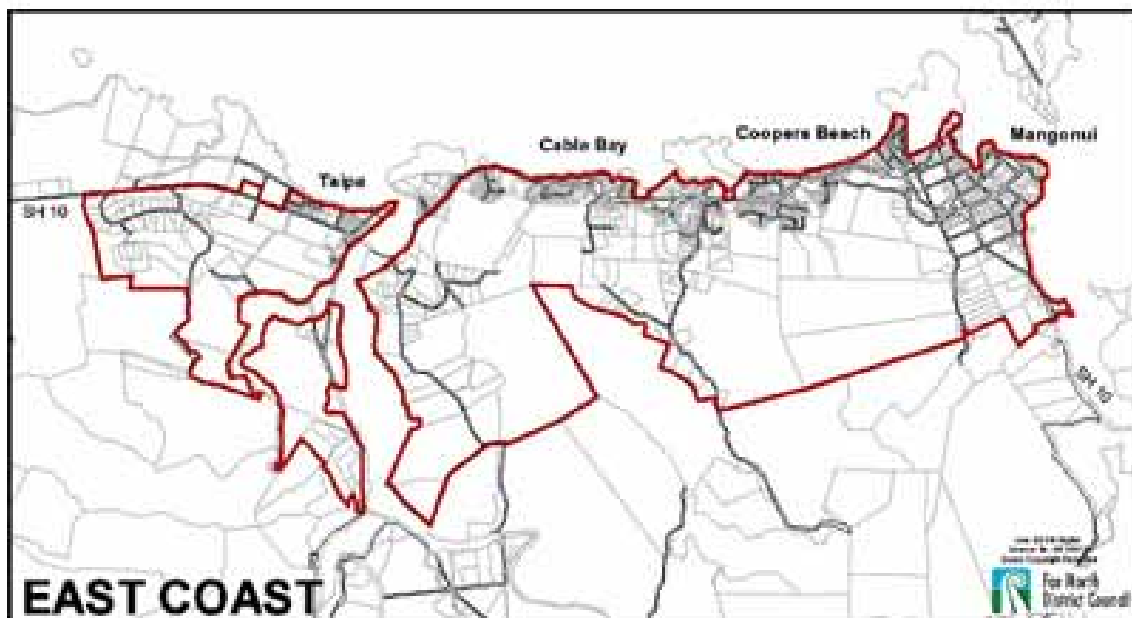
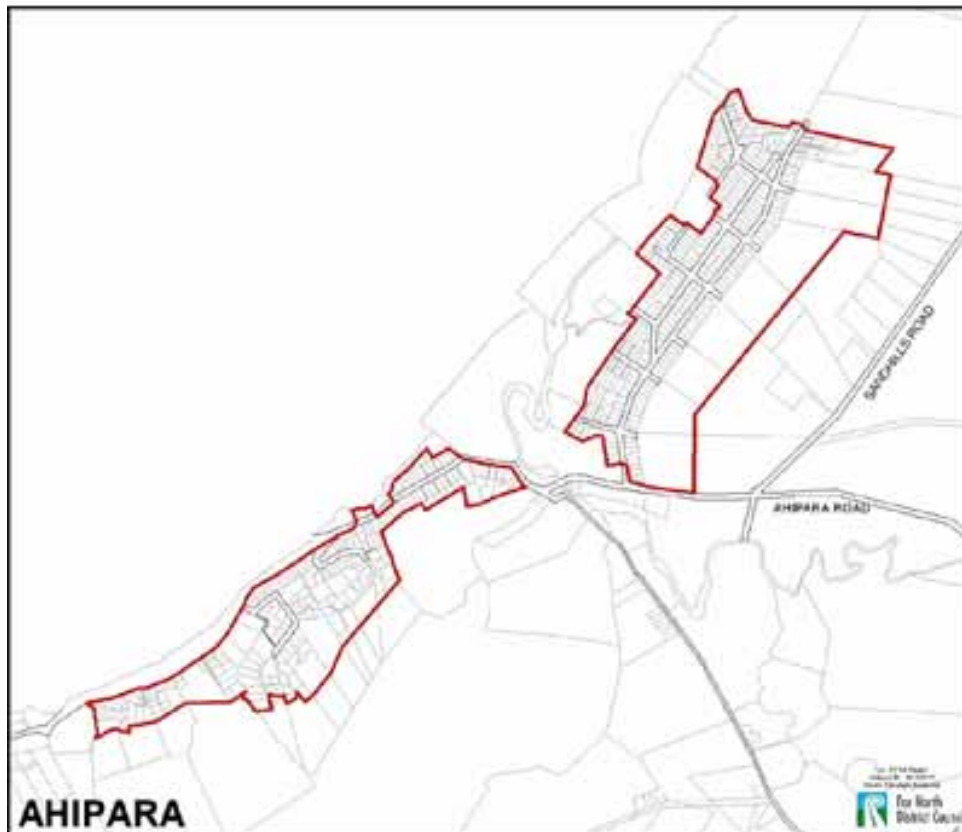
 Dog Exercise Area

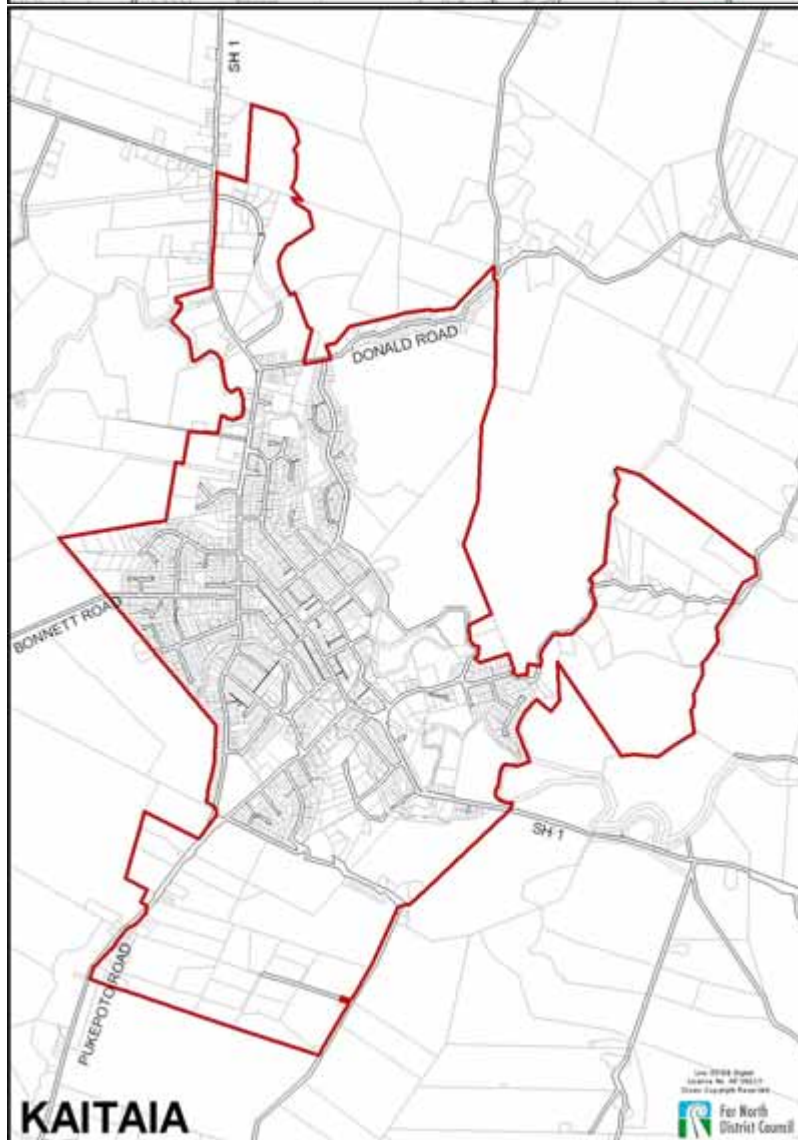
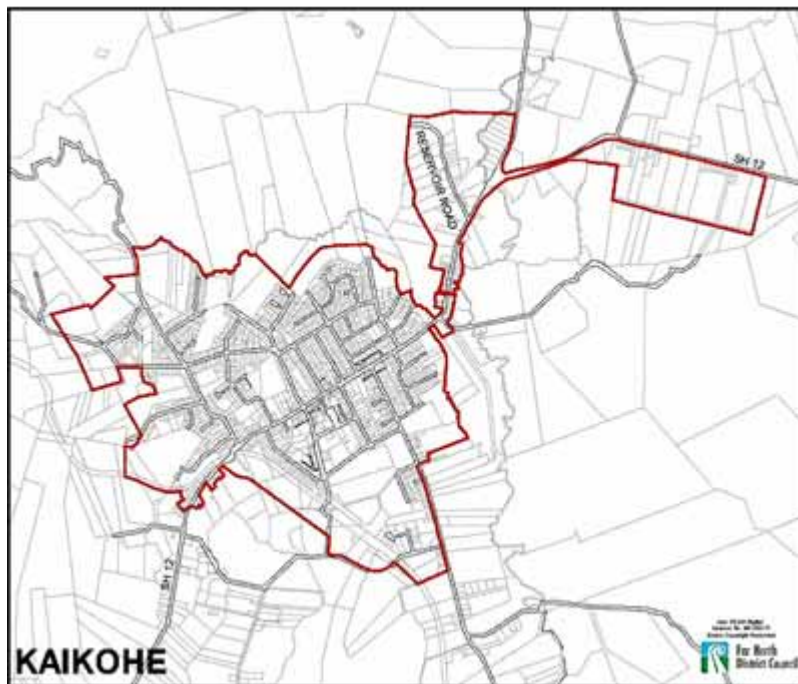


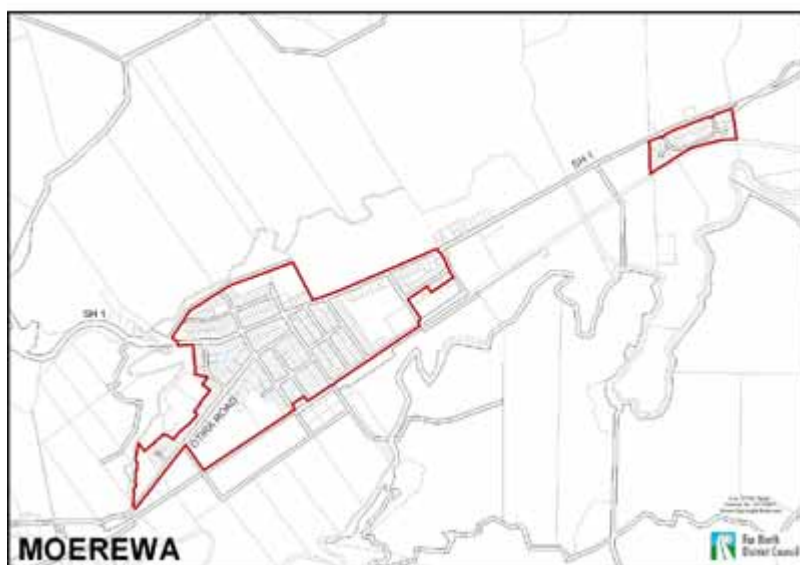
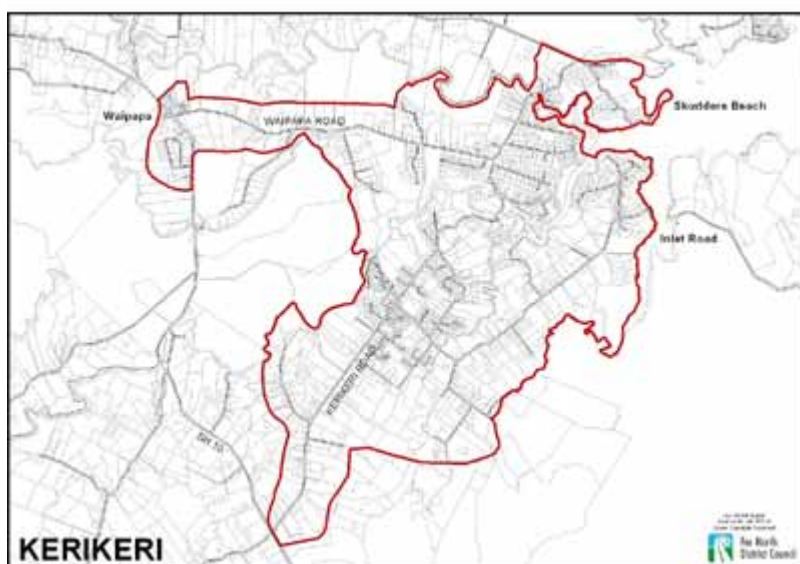
Schedule C:

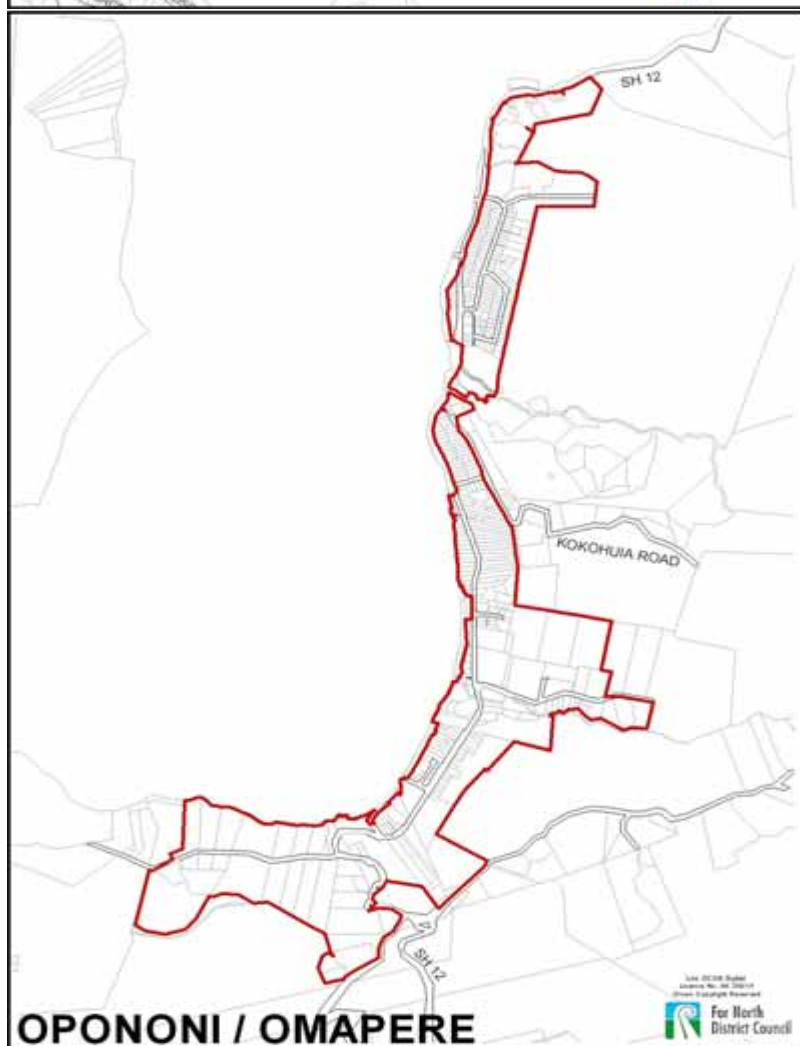
Dog Limitation Areas

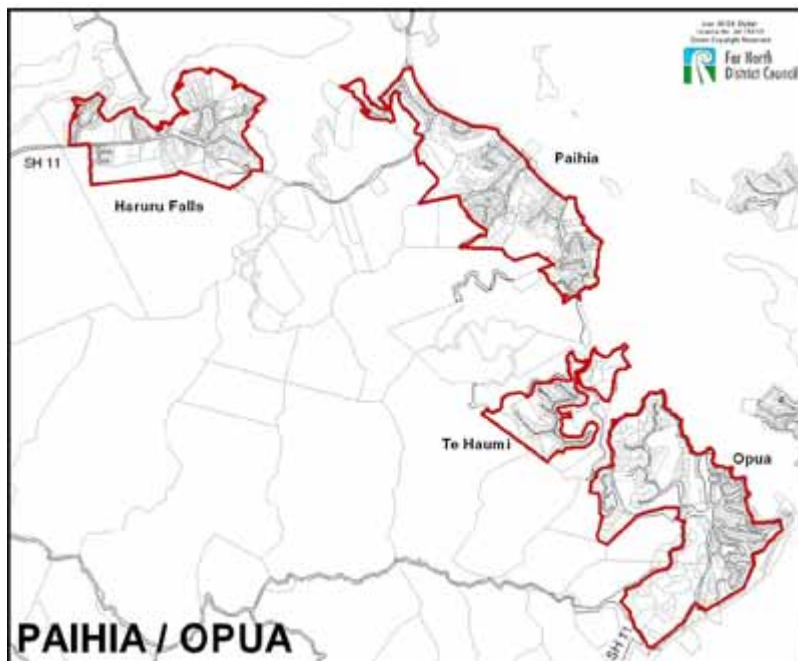
The following areas are limited to 2 (two) dogs over the age of 3 months per household:

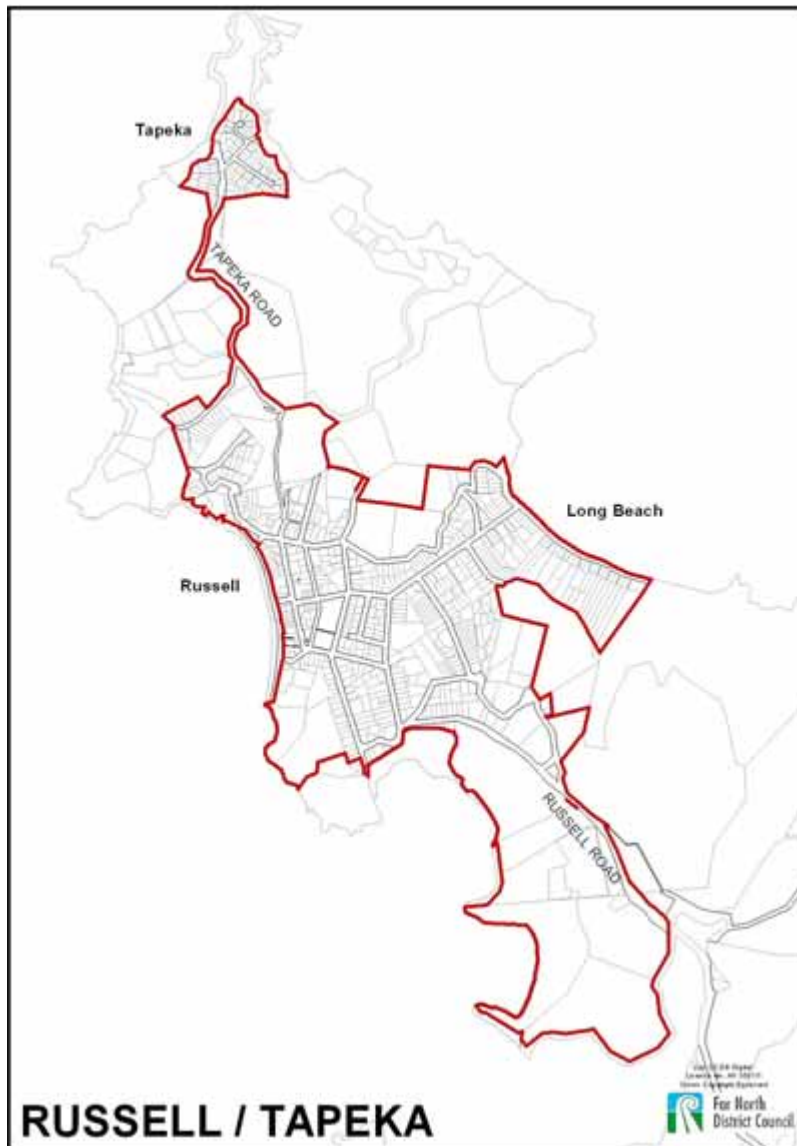


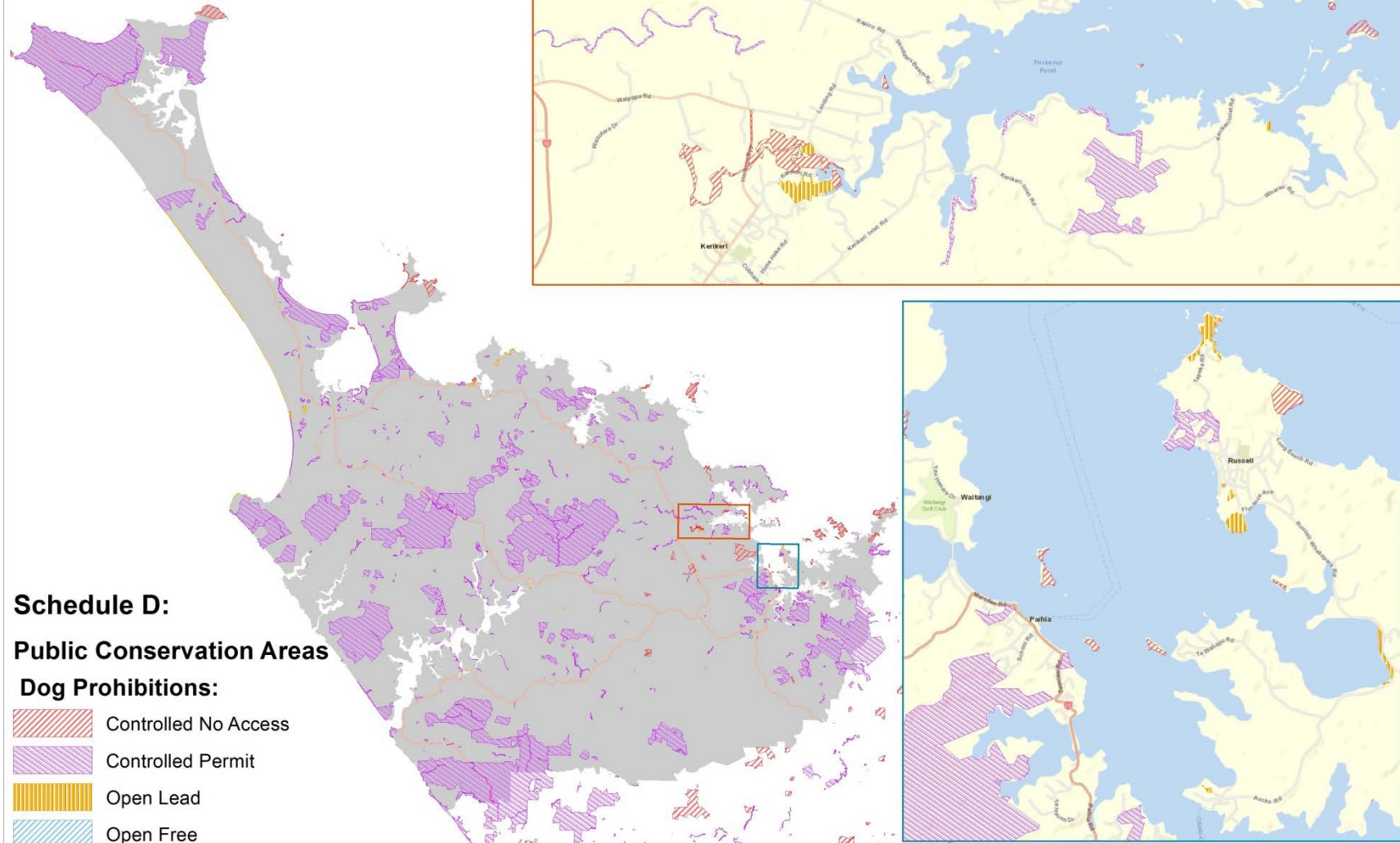












*Public conservation area restrictions are designated by the Department of Conservation, not the FNDC.

Schedule E:

Prohibited, On-Leash and Off-Leash Areas

Area and Description	Rules at all dates and times			Rules at certain dates and/or times	
	On-leash and under control at all dates & times	Prohibited at all dates & times	Off leash but under control at all dates & times	From 1 April to 30 th November	SUMMER From 1 December to 31 st March & all statutory holidays
District-wide					
All beaches and parts of beaches, excluding areas identified elsewhere in this schedule are:	On-leash				
All public places, including reserves and excluding other public places identified elsewhere in this schedule are:	On-leash				
All footpaths adjacent to a public road, street, private right of way and State Highway, excluding beaches and other public places identified elsewhere in this schedule are:	On-leash				
Within children's playgrounds		Prohibited			
Within public swimming pool areas		Prohibited			
Pou Herenga Tai Twin Coast Cycle Trail	On-leash				
Bay of Islands/Whangaroa Ward					
Taupo Bay				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Tauranga Bay – north of tractor access point (the sandspit)		Prohibited			
Tauranga Bay – south of tractor access point				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times

Tauranga Bay reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Te Ngaere – all beaches & reserves				Off-leash 6am – 9am; On-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Whangaroa – all beaches & reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Kaeo – all reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Kerikeri Domain				On-leash 8am – 5pm; Off-leash at all other times	On-leash 8am – 5pm; On-leash at all other times
Waitangi		Prohibited			
Te Tii – Karuwaha Parade and behind Te Tii marae		Prohibited			
Paihia Beach – Marsden Road from the public toilets to the bluff				On-leash 9am – 6pm; Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Sullivan's Beach				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Taiputuputu Pahi Beach				On-leash 9am – 6pm; Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Te Haumi Beach from public toilets		Prohibited			
Beechy Street Waterfront			Off-leash		
Russell Beach – Cass St to Kent St				Off-leash	Prohibited 9am – 6pm; Off-leash at all other times
Russell Beach - Cass St to Pitt St				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On-leash at all other times
Tapeka Point	On-leash				
Long Beach				On-leash 9am – 6pm;	Off-leash 6am – 9am;

				Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Designated Dog Exercise Area					
Roland's Wood			Off-leash		
Wiroa Road			Off-leash		
Te Hiku Ward					
Hihi Beach				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Mangonui – all reserves	On-leash				
Coopers Beach – all reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Coopers Beach – beach area				On-leash 9am – 6pm; Off-leash at all other times	On-leash 9am – 6pm; Off-leash at all other times
Cable Bay				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On-leash at all other times
Taipa – all reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Taipa – all beaches				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On-leash at all other times
Rangiputa			Off-leash		
Designated Dog Exercise Area					
Empire Street			Off-leash		
Kaikohe/Hokianga Ward					
Opononi/Omapere – all beaches that are accessible to the general public				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; On-leash at all other times
Designated Dog Exercise Area					

Kaikohe, Highway 12			Off-leash		
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Schedule F:

Department of Conservation Controlled Dog Areas – No Access

- Dogs are not allowed ashore to a controlled dog area or nature reserve at any time. This includes the entire foreshore to low tide.
- Dogs are not allowed in Department of Conservation (DOC) nature reserves or wildlife sanctuaries except by written approval.
- Dogs and other pets are not allowed in DOC campgrounds unless specified otherwise.
- Dogs are not allowed inside any DOC hut or lodge.
- Dogs are not permitted at any time in the areas listed below:

DOC Reference	Dog Prohibited Areas - no access	Local Office
Ref: P05032	Akeake Historic Reserve	Bay of Islands
Ref: Q05043	Balast Point	Bay of Islands
Ref: Q05002	Black Rocks Scenic Reserve	Bay of Islands
Ref: P05030	Blacksmiths Bay	Bay of Islands
Ref: Q05013	Deep Water Cove Scenic Reserve	Bay of Islands
Ref: Q05065	Harata Historic Reserve	Bay of Islands
Ref: Q05030	Kahuwhera Pa Historic Reserve	Bay of Islands
Ref: P05065	Kerikeri Esplanade Reserve	Bay of Islands
Ref: P05022	Kerikeri Govt. Purp. Fish Hatchery	Bay of Islands
Ref: P05026	Kerikeri Inlet Scenic Reserve	Bay of Islands
Ref: P05020	Kerikeri River Scenic Reserve	Bay of Islands
Ref: P05066	Kerikeri Wharf Historic Reserve	Bay of Islands
Ref: P05025	Kororipo Pa Historic Reserve	Bay of Islands
Ref: P05015	Lake Waiparaheka Scientific Reserve	Bay of Islands
Ref: P04005	Mahinepua Peninsula Scenic Reserve	Bay of Islands
Ref: Q05033	Man O War	Bay of Islands
Ref: Q05014	Manawahuna Scenic Reserve	Bay of Islands
Ref: Q05001	Marsden Cross Historic Reserve	Bay of Islands
Ref: Q05036	Motuarahi Island Scenic Reserve	Bay of Islands
Ref: Q05003	Motuarohia Island Recreation Reserve	Bay of Islands
Ref: P04006	Motukawanui Island Scenic Reserve	Bay of Islands
Ref: Q05034	Motumaire Island Historic Reserve	Bay of Islands
Ref: P05044	Motupapa Island Scenic Reserve	Bay of Islands
Ref: Q05004	Moturua Island Scenic Reserve	Bay of Islands
Ref: P05031	Motutapu Island Scenic Reserve (Kerikeri Inlet)	Bay of Islands
Ref: Q05042	Motutokape Island	Bay of Islands
Ref: P05016	Ngawha	Bay of Islands
Ref: P05109	Ngawha Purchase Scenic Reserve	Bay of Islands
Ref: Q05006	Okahu Island Scenic Reserve	Bay of Islands
Ref: P05017	Okuratope Pa Historic Reserve	Bay of Islands
Ref: Q05009	Otehei Bay (Pt. Urupukapuka Island Rec. Reserve)	Bay of Islands
Ref: P05061	Pakaraka Kauri Scenic Reserve	Bay of Islands

Ref: Q05010	Poroporo Island Scenic Reserve	Bay of Islands
Ref: P05018	Puketona Scenic Reserve	Bay of Islands
Ref: P05019	Pukewhau Ecological Area	Bay of Islands
Ref: P05021	Rainbow Falls Scenic Reserve	Bay of Islands
Ref: P05029	Rangitane Scenic Reserve	Bay of Islands
Ref: P05034	Taranaki Island Scenic Reserve	Bay of Islands
Ref: P04022	Taronui Bay Access	Bay of Islands
Ref: P04021	Taronui Bay Recreation Reserve	Bay of Islands
Ref: P04023	Taronui Bay Addition Recreation Reserve	Bay of Islands
Ref: Q05016	Te Toroa Scenic Reserve	Bay of Islands
Ref: Q05031	Tikitikioure	Bay of Islands
Ref: Q05037	Toretore Island Scenic Reserve	Bay of Islands
Ref: Q05008	Urupukapuka Island Recreation Reserve	Bay of Islands
Ref: Q05029	Uruti Bay	Bay of Islands
Ref: Q05007	Waewaetorea Island Recreation Reserve	Bay of Islands
Ref: P05023	Waipapa Stm Scenic Reserve	Bay of Islands
Ref: P05068	Wairoa	Bay of Islands
Ref: P05045	Waitangi Endowment Forest	Bay of Islands
Ref: Q05028	Waitata Point	Bay of Islands
Ref: O03001	Matai Bay Recreation Reserve	Kaitaia
Ref: O04024	Mangonui Court House Historic Reserve	Kaitaia
Ref: M02001	Motuopao Island Nature Reserve	Kaitaia
Ref: N02003	North Cape Scientific Reserve	Kaitaia
Ref: O04014	Rangikapiti Pa Historic Reserve	Kaitaia
Ref: N03008	Simmonds Is. Nature Reserve	Kaitaia
Ref: L01001	Three Kings Islands Nature Reserve	Kaitaia
Ref: O04036	Walker Island Nature Reserve	Kaitaia
Ref: O03007	Whangatupere Bay Marginal Strip	Kaitaia
Ref: O03008	Paeroa/Knuckle Point Scenic Reserve	Kaitaia

Table of Significant Changes	
Description	Rationale
Dog Policy 2017	
Adding “natural habitats and property”	To make consistent with the Dog Control Act and acknowledge Council obligations under the Resource Management Act 1991.
Removed detail as to requirements for Responsible Dog Ownership status	These requirements will be tested and adjusted accordingly. To have these placed within the policy would restrict Council’s ability to refine these requirements as the RDO program is developed.
Simplified Fees	The details are listed under the Schedule of Fees and Charges. All other circumstances are covered in the case of Council error, or by the customer contacting and making alternative arrangements with Council for payment.
Policy 3, 4, 5, 6	Listing of areas removed and consolidated into a table and maps of the Policy.
Policy 7 removed regarding Limit one dog per household in wildlife protected areas	This is matter best decided by the District Plan team and Resource Consents.
Schedules added to the policy and removed from bylaw	The Act requires the development of the Policy and the required schedules. Therefore they should sit in the Policy, not the Bylaw. The Bylaw gives effect to the policy and associated schedules.
Restoration of Urban Limit Maps	Gives clarity as to where the limits start and finish.
Addition of Schedule E	Table gives a clear description of restrictions and prohibitions.
Restoration of Schedule F	Further clarity as to Department of Conservation rules.
Dog Control Bylaw 2017	
Addition of “making provision for damage caused by dogs” to purpose	Aligns with Policy purpose and Dog Control Act 2017.
Removal of not exceeding 2 metres in length	No legal justification for this.
“way that does not cause a nuisance”	Removes the subjectivity of “suitable” waste container and instead puts the obligation on the owner to ensure they do not cause a nuisance.
From one month to three months for compliance under the Neutering policy	Recognises the socio-economic context of our district and better aligns to the VADE regulatory framework.
Introduction of Menacing Dog clause	A requirement of the Act.
Removal of 11.2/ shelter and housing	Confusing statement.



DOG CONTROL BYLAW 2017

Pursuant to Section 145 of the Local Government Act 2002, Section 20 of the Dog Control Act 1996 and every other enabling power and authority.

To come into force: ~~01~~October 2017

For the purpose of: ~~The purpose of this Bylaw is:~~

- ~~to provide~~providing for the care and control of dogs;
- ~~to prevent~~preventing injury, distress or nuisance to any person;
- ~~to prevent~~preventing injury or distress to any stock, poultry, domestic animal or protected wildlife.
- making provision for damage caused by dogs

To be reviewed by: ~~01~~October 2027

~~1.0~~

INDEX

Clause

- 1** **Former Bylaw Repealed**
- 2** **Interpretation**
- 3** **Remove Faeces**
- 4** **Confinement of Dogs**
- 5** **Diseases**
- 6** **Female Dogs in Season**
- 7** **Dogs In or On Vehicles**
- 8** **Neutering**
- 9** **Menacing Dogs**
- 10** **Nuisance**
- 11** **Impounding**
- 12** **Shelter/Housing**
- 13** **Limit on Number of Dogs**
- 14** **Schedules**
- 15** **Offences and Penalties**

1 Former Bylaw Repealed

- 1.1 As of the date this Bylaw comes into force, the *Far North District Council Dog Control Bylaw 2006* is repealed.
- 1.2 All approvals, permits and other acts of authority that originated under the *Far North District Council Dog Control Bylaw 2006* and all applications shall, for the purposes of this Bylaw, continue as if they had originated under this Bylaw.
- 1.3 The revocation of the *Far North District Council Dog Control Bylaw 2006* shall not prevent any legal proceedings, criminal or civil, being taken to enforce these bylaws, and such proceedings shall continue to be dealt with and completed.

2.0 Interpretation

- 2.1** Terms in this Bylaw have the same meaning as the terms in the Dog Control Act 1996.

AT LARGE means at liberty, not 'on a leash' as defined in this section.

AUTHORISED OFFICER means any person authorised by the Council to act on its behalf.

BEACH means the area of shoreline above mean low water tides and any adjoining land in public ownership.

CONFINED means enclosed securely in a building or tied securely to an immovable fixture on a ~~premise~~premises or within an enclosure from which the dog cannot escape.

CONTROL means that the person in charge of the dog is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means.

COUNCIL means the Far North District Council.

LEASH means an adequate restraint, ~~not exceeding 2 metres in length.~~

NEUTERED DOG means a dog that has been spayed or castrated and does not include a dog that has been vasectomised.

ON A LEASH means that a dog is kept under control by means of a leash which is attached to the dog so that the dog cannot break loose, and which is held at the other end ~~held~~ by a person physically capable of restraining the dog.

RESERVE means any land under the control, administration, or ownership of the Council that is subject to the Reserves Act ~~1997~~1977.

RESPONSIBLE DOG OWNER means a ~~Dog Owner~~dog owner who has been approved by Council as a Responsible Dog Owner ~~and is equivalent of a Licenced Dog Owner.~~

3.0 Remove Faeces

- 3.1 The person in charge of a dog must remove dog faeces immediately and dispose of them in a ~~suitable waste container~~way that does not cause a nuisance.

~~4.0~~ **Confinement of Dogs**

- 4.1 The person in charge of a dog shall, from half an hour after sunset until half an hour before sunrise, keep the dog tied up or otherwise confined, unless the dog is on a leash or under continuous control.

~~5.0~~ **Diseases**

- 5.1 No dog infected with a contagious disease can be exercised in any public place.
- 5.2 Every person in charge of a dog must ensure that any dog infected with a contagious disease is contained on their land or premises in such a manner that it cannot leave the land or premises, other than when being transported to a registered veterinary clinic for treatment.

~~6.0~~ **Female Dogs in Season**

- ~~6.1~~ No bitch in season can be exercised in any public place.
- ~~6.2~~ Every person in charge of a dog must ensure that every female dog in season is contained and exercised on private land or premises.

~~7~~ **Dogs In or On Vehicles**

- ~~7.1~~ No person shall take a dog onto any public place in a motor vehicle or leave a dog in any unattended motor vehicle ~~unless that person takes measures to render it impossible for the dog to get out of the vehicle.;~~
- (a) that person takes measures to render it impossible for the dog to leave the vehicle; and
(b) the conditions in or on the vehicle do not endanger the wellbeing of the dog.
- ~~7.2~~ Any person allowing a dog to ride on the open tray of a vehicle shall ensure that it is under control by a chain or any other suitable tether that is sufficiently short in length as to prevent the dog from leaving the tray or causing a nuisance to the public.

~~7.0~~ **Female Dogs in Season**

- ~~7.1~~ No bitch in season can be exercised in any public place.
- ~~7.2~~ Every person in charge of a dog must ensure that every female dog in season is contained and exercised on private land or premises.

~~21~~ **8.0 Impounding**

- ~~8.1~~ Any Authorised Officer may impound a dog found tethered and unattended.
- ~~8.2~~ Council's operating procedures will apply when any dog has been impounded.

9.0 Neutering

- 98.1** Any dog of an owner classified as Probationary ~~or Disqualified must~~ may be required to be neutered.
- 98.2** Where any dog has been impounded more than two times throughout its life, Council may require the neutering of that dog prior to the dog's release from the pound.
- 98.3** If any dog is not kept under control on more than one occasion within a 12 month period, Council may, by written notice, require the owner to neuter the dog.
- 98.4** A dog owner must, within ~~one month~~ three months of receipt of a written notice that a dog must be neutered, produce to the Council:-
- (a) a certificate issued by a registered veterinary surgeon certifying that the dog has been neutered; or
 - (b) ~~that for reasons that are specified in the a~~ certificate, issued by a registered veterinary surgeon stating that the dog will not be in a fit condition to be neutered ~~before until a specified date specified in the certificate; and,~~
- 8.5** In the case of 9.4(b) above, the dog owner must, within one month after the date specified in the certificate, produce a further certificate that the dog ~~is or~~ has been neutered.

9 Menacing Dogs

- 9.1** Dogs registered within the district and classified as menacing by Council must be neutered.
- 9.2** Dogs registered within the district and classified as menacing by deed by another territorial authority must be neutered.

10.0 Nuisance

- ~~40.4~~**10.1** No person shall cause any dog to become restive, unmanageable or aggressive.
- 10.2** A person must not keep a dog on any land or premises if the dog:
- ~~(a) causes a demonstrable nuisance; or~~
 - ~~(b) is a significant risk injurious to the health and safety of the public; or~~
- ~~prevents lawful access to at least one door of the dwelling said land or premises.~~
- ~~10.2 No person shall cause any dog to become restive, unmanageable or aggressive.~~
- 10.3** If any dog is a nuisance or injurious to health, an Authorised Officer may, by notice in writing, require within a specified time the owner or occupier of the premises to:
- (a) reduce the number of dogs kept on the premises;
 - (b) construct, ~~alter,~~ reconstruct, alter or otherwise improve the kennels or other accommodation used to house, contain or restrain the dog(s);
 - (c) require the dog to be tied up or otherwise confined during specified periods;
 - (d) take action to minimise or remove the nuisance.

11.0 Impounding

~~11.1 Council's operating procedures will apply when any dog has been impounded.~~

~~11.2 Any dog left tethered and unattended in a public place and which is causing a nuisance or distress may be impounded by an Authorised Officer.~~

12 Shelter/Housing

~~11.2.1~~ 12.1 The owner or person having charge of any dog shall provide accommodation inside for that dog, or in a kennel that:

- (a) is sited on a suitable hard surface;
- (b) is weatherproof and dry;
- (c) is clean;
- (d) has shade;
- (e) has warm flooring in the sleeping area; and
- (f) has space for the dog to move around.

~~11.2 No dog connected to any accommodation or place of confinement by a chain or other humane device shall have its movements further restricted by any other fixture.~~

12.013 Limit on Number of Dogs

~~12.13.1~~ 12.1 No person may keep more than ~~two~~ the number of dogs ~~aged over 3 months~~ prescribed in Council's Dog Policy on land or premises in any ~~urban~~ area designated in the relevant schedule of this Bylaw ~~the Policy~~.

~~12.2 No person may keep more than one dog per household on land or premises in any area designated in in the schedule of this Bylaw.~~

13.0

14 Schedules

~~13.14.1~~ 14.1 Every person in charge of a dog must ensure that the dog does not enter or remain in any place designated as a **Prohibited Area** in the **schedule** of ~~this Bylaw~~ Council's Dog Policy.

14.2 Every person in charge of a dog must ensure that the dog is kept on a leash in any public place designated as a **Leashed Area** in the **schedule** of ~~this Bylaw~~ Council's Dog Policy.

14.3 A person in charge of a dog may exercise the dog off-leash and under control in any area designated as a **Dog Exercise Area** in the **schedule** of ~~this Bylaw~~ Council's Dog Policy.

15.0 Offences and Penalties

15.1 Every person who fails to comply with the requirements of this Bylaw commits an offence and is liable to a penalty under the Dog Control Act 1996 and the Local Government Act 2002.

POLICY # 3120 – DOG POLICYDog Policy 2017

Date Issued: 1-October-2017

INTRODUCTION

BACKGROUND

The Dog Control Act 1996 (the Act) section 10 requires Council to adopt a policy on dogs. ~~The Dog Control Bylaw 2017 applies to this Policy. This Policy has been developed in accordance with the Act.~~

POLICY OBJECTIVE

OBJECTIVES

The Dog Policy aims to:

1. Promote ~~Responsible Dog Ownership~~responsible dog ownership.
2. Prevent injury, distress and nuisance from dogs.
3. Provide for the exercise and welfare needs of dogs.
4. Protect wildlife~~-,~~ natural habitats and property.

POLICIES

~~Policy 1 –~~ PROMOTE RESPONSIBLE DOG OWNERSHIP

1. ~~1.1~~ Council will promote ~~Responsible Dog Ownership, including providing information on~~responsible dog ~~obedience courses, owner training courses and support organisations~~ownership.
2. ~~1.2~~ Council may approve a dog owner as a Responsible Dog Owner (RDO) if they have complied with all Council requirements ~~as they relate to dogs and has complied~~and with the requirements of the Dog Control Act. ~~A Responsible Dog Owner will meet all the requirements for a Licenced Dog Owner under the Dog Control Act. 1996.~~
- ~~1.3 – The owner's dog must have been registered in New Zealand for at least one year, or must attend and pass a Council-approved course.~~
- ~~1.4 – The property that the dog has free access to must be fully fenced and gated.~~
3. ~~1.5~~ Council will cancel an owner's RDO status if the owner subsequently fails to meet the requirements ~~of this Policy, the Dog Control Bylaw and/or the Dog Control Act 1996.~~listed in 1.2
- ~~1.6 – The owner must not have:~~
 - ~~(a) received a conviction under the Dog Control Act 1996;~~
 - ~~(b) received an infringement notice in the past two years related to dogs;~~
 - ~~(c) had a dog impounded in the last two years due to their negligence;~~
 - ~~(d) been the subject of a substantiated public complaint in the last two years;~~
 - ~~(e) been classified as a Probationary or Disqualified owner.~~

~~1.7 Council will cancel an owner's RDO status if the owner:~~

- ~~(a) has their dog impounded (unless due to extenuating circumstances);~~
- ~~(b) has a substantiated complaint upheld;~~
- ~~(c) fails to pay dog registration fees by the 31st August in any year.~~

4. ~~1.8~~ If an owner's RDO status is cancelled, it will not be reinstated for at least one year.

~~Policy 2~~ — REGISTRATION FEES

5. ~~2.1~~ Council will charge a lower recovery fee for registered dogs impounded for the first time.

6. ~~2.2~~ Council will levy late penalties ~~of up to 50% of as per~~ the registration fee Schedule of Fees and Charges on dog owners who do not register their dogs by the 31st day of August each year.

7. ~~2.3~~ A waiver of the penalty fee may be granted if:

- (a) Council has made an omission or error; or
- ~~(b) circumstances beyond the control of the dog owner prevent the registration fee being paid and~~ the dog owner has contacted Council before the due date;
- ~~(c) the dog owner has contacted Council before the due date and has paid the registration fees on time on previous occasions;~~
- ~~(d)~~ (b) ~~there is evidence of hardship~~ and payment arrangements are agreed between the owner and Council, ~~subject to the agreed payments being kept up to date.~~

~~Policy 3~~ — DOG PROHIBITED AREAS

8. ~~3.0~~ Dogs are not allowed in any public place ~~designated as a Prohibited Area in the areas listed~~ below and designated in the **schedule** of ~~this~~ the Policy.

9. ~~3.1~~ Dogs are prohibited from all children's playgrounds at all times.

10. ~~3.2~~ Dogs are prohibited from all public swimming pools at all times.

11. ~~3.3~~ Dogs are prohibited from land administered by the Department of Conservation (unless DOC specifies otherwise).

~~3.4 The person in charge of any dog must avoid disturbing the areas where birds are clustered or gathered together.~~

~~Policy 4~~ — DOG ON LEASH restrictions AREAS

12. ~~5.0~~ Every person in charge of a dog must ensure ~~that his or her dog is~~ it is kept on a leash in the areas listed ~~below~~ in the schedule of the Policy.

- ~~5.1 — Urban areas (900 plus population);~~
- ~~5.2 — All reserves (except for dog exercise areas);~~
- ~~5.3 — All beaches from Labour Day to 1st May (except for prohibited areas or dog exercise areas);~~
- ~~5.4 — Pou Herenga Tai Twin Coast Cycle Trail.~~
- ~~5.5 — The trail from Te Haumi Beach to Opua.~~

Policy 5—

DOG EXERCISE areasAREAS

13. ~~6.0~~ Dogs may be exercised off-leash and under control in the public areas listed below and designated in the **schedule** of ~~this~~the Policy:.

- ~~6.1 — Kaitaia — Empire Street~~
- ~~6.2 — Kaikohe — Highway 12~~
- ~~6.3 — Kerikeri — Rolands Wood, Kerikeri Inlet Rd~~
- ~~6.4 — Kerikeri — Wiroa Road~~
- ~~6.5 — Opua — Beechy Street waterfront~~
- ~~6.6 — Rangiputa — Rangiputa beach~~
- ~~6.7 — Paihia — Sullivans beach~~
- ~~6.8 — Exercise areas may be added by resolution of Council or the Te Oneroa A Tohe Beach Board.~~

Policy 6—

URBAN LIMIT TO TWO DOGS PER HOUSEHOLD

~~7.0 — There is a maximum limit of **two** dogs over 3 months old per household in the urban areas (i.e. with a population over 900 people) listed below and designated in the **schedule** of this Policy:~~

- ~~7.1 — Kaikohe~~
- ~~7.2 — Kaitaia~~
- ~~7.3 — Kawakawa~~
- ~~7.4 — Kerikeri~~
- ~~7.5 — Moerewa~~
- ~~7.6 — Haruru, Opua, Paihia, Waitangi~~
- ~~7.7 — Taipa, Coopers Beach, Cable Bay, Mangonui.~~

Policy 7— ~~Limit to one dog per household~~

14. ~~8.0~~ There is a maximum limit of **one** dog over 3 months old per household in the ~~kiwi concentration zones~~ listed below and designated in the **schedule** of this ~~Policy~~Bylaw.

- ~~8.1 — Russell and the Russell Peninsula~~
- ~~8.2 — Redcliffes, Rangitane, Blacksmiths Bay, Doves Bay, Opito Bay~~

~~8.3 — Te Tii and Purerua Peninsula~~

~~8.4 — Tauranga Bay, Mahinepua, Wainui, Te Ngaere, Matauri Bay, Tepnene, Takou Bay, Otaha~~

~~8.5 — Hihi, Taomaro, Waimahana Bay, Taupo Bay, Totara North.~~

~~8.6 — Existing registered dogs as at 01 October 2017 and working dogs are exempt.~~

~~**OR** — There is a maximum limit of one dog over 3 months old per household in all kiwi concentration zones. Existing registered dogs and working dogs are exempt.~~

~~**OR** — No dogs will be newly registered in kiwi concentration zones. Existing registered dogs and working dogs are exempt.~~

15. Any person that wants to exceed this limit must seek Council approval.

DOG POLICY ~~AND DOG CONTROL BYLAW SCHEDULES~~ SCHEDULES

Schedule A Dog Prohibited Areas

Schedule B Dog Exercise Areas

Schedule C Limit on Number of Dogs per Household

Schedule D Department of Conservation Prohibited Dog Areas

Schedule E ~~Kiwi Concentration~~ Prohibited, On-Leash and Off-Leash Areas

Schedule F Department of Conservation Controlled Dog Areas – No Access

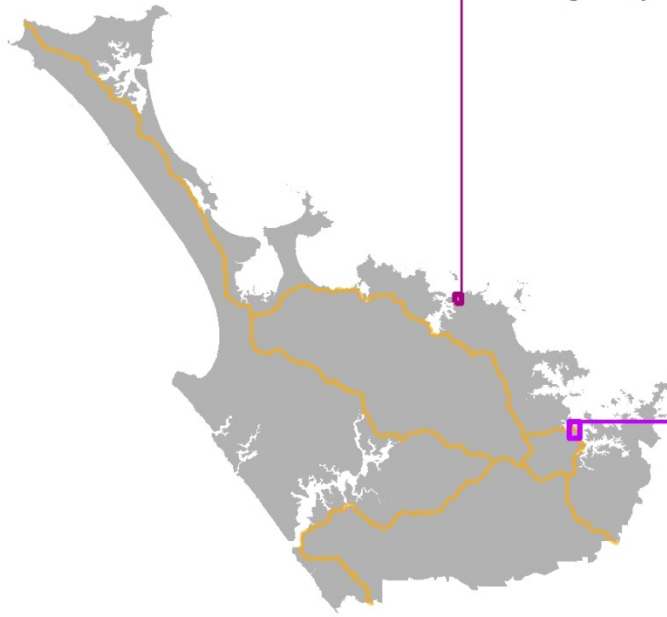
Schedule A: Dog Prohibited Areas

Restriction

 Dogs Prohibited

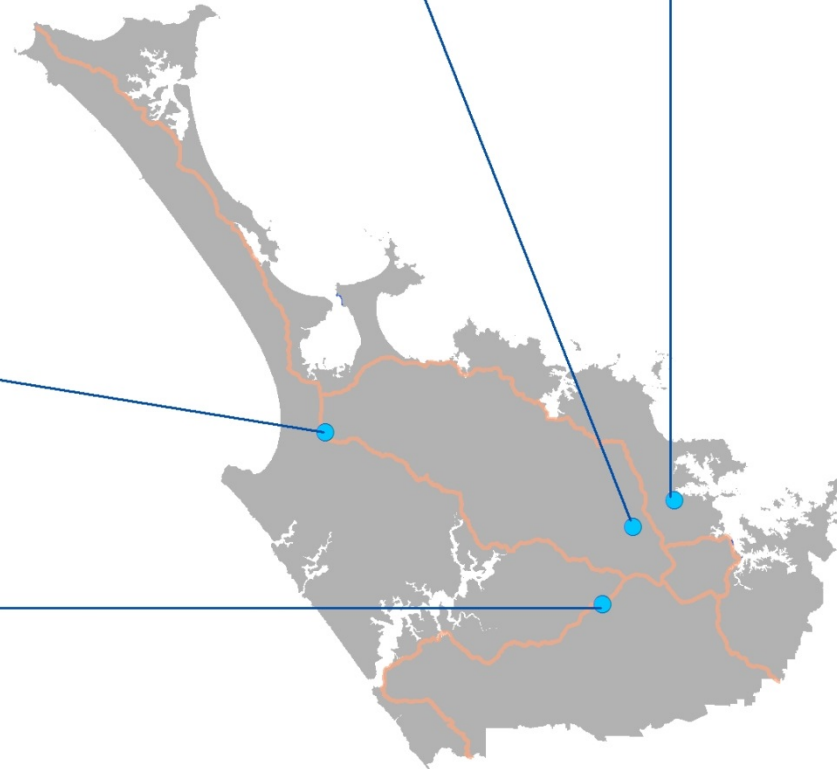
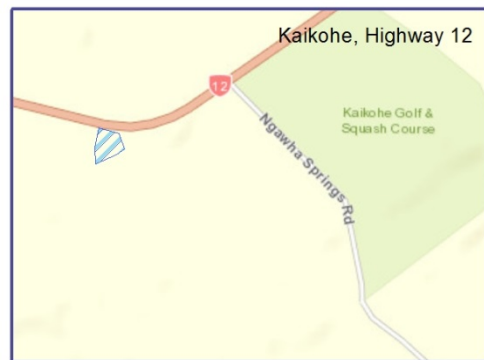
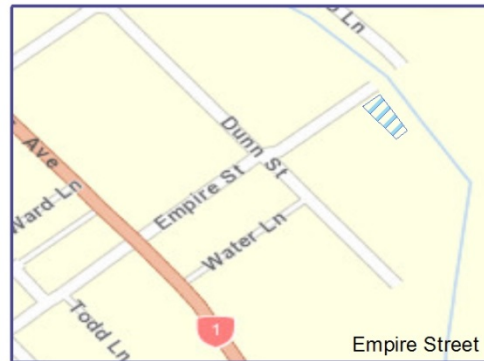


Tauranga Bay



Schedule B: Dog Exercise Areas

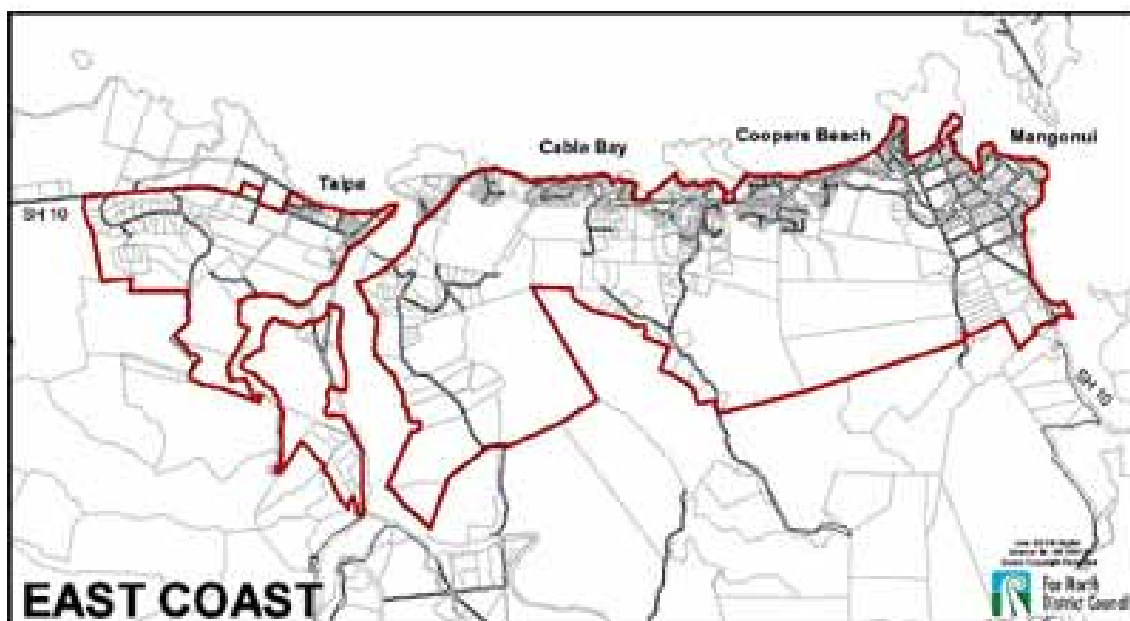
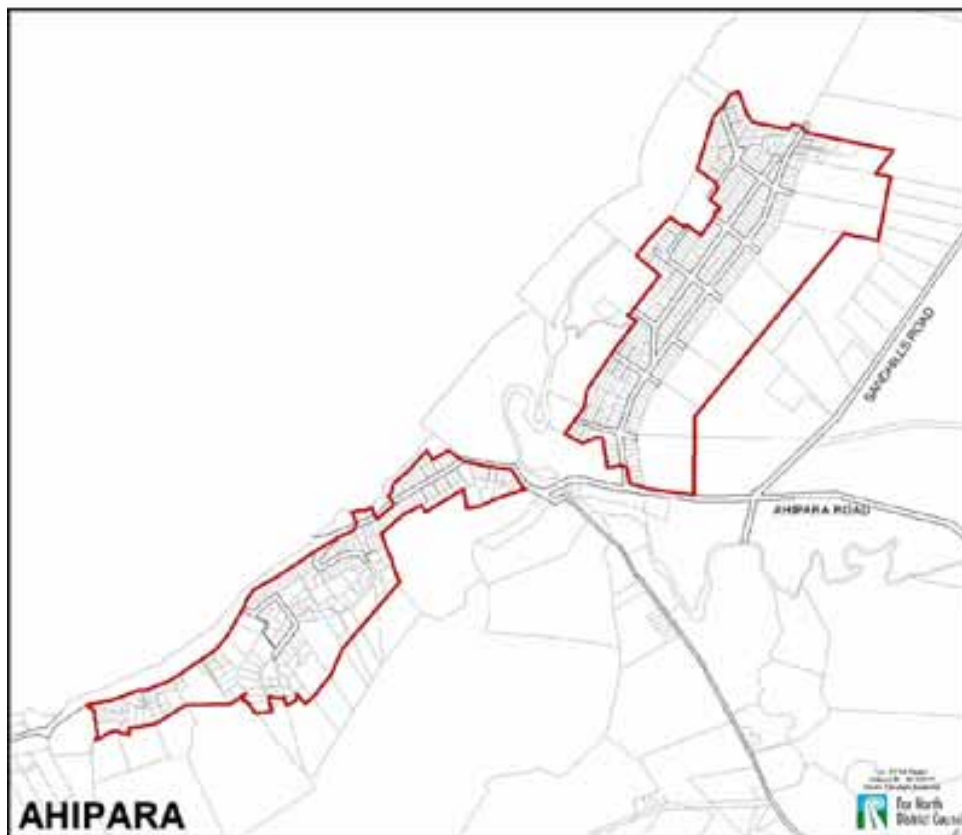
 Dog Exercise Area

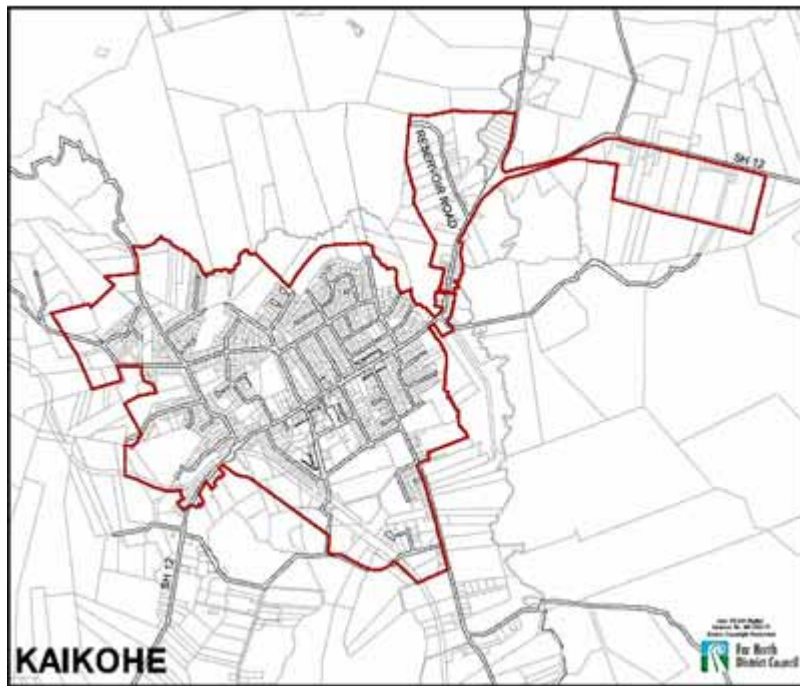


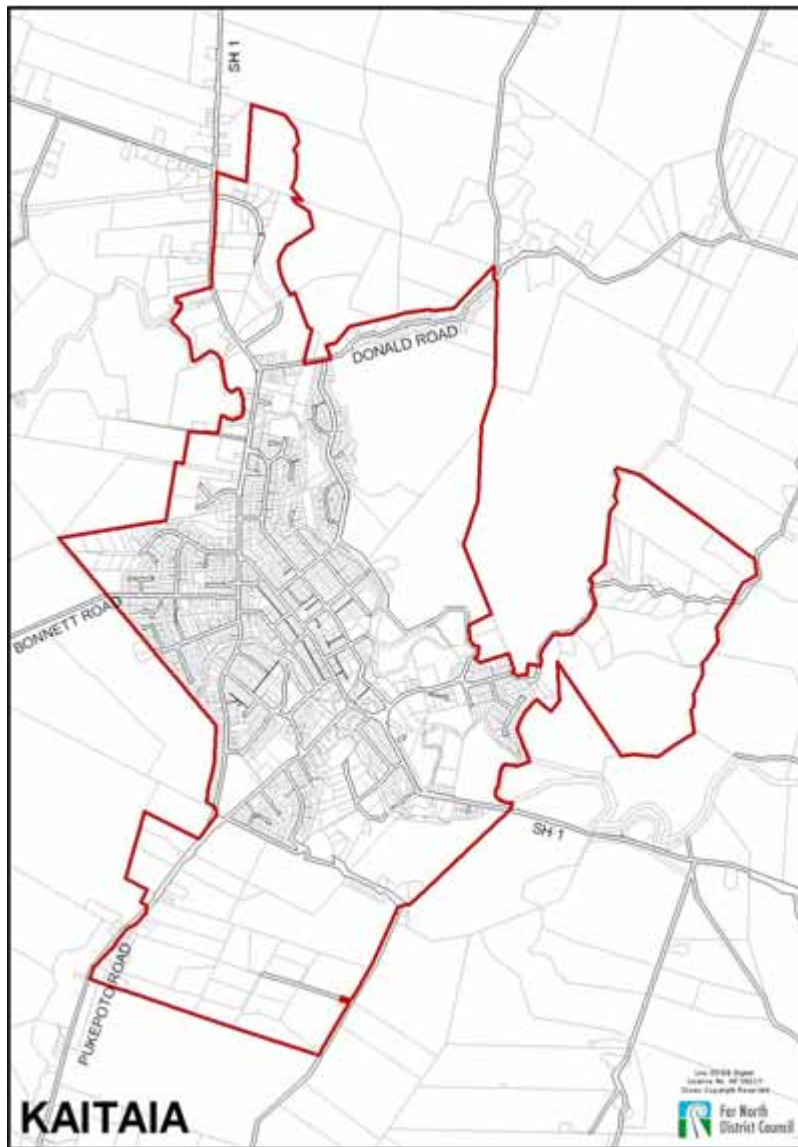
Schedule C:

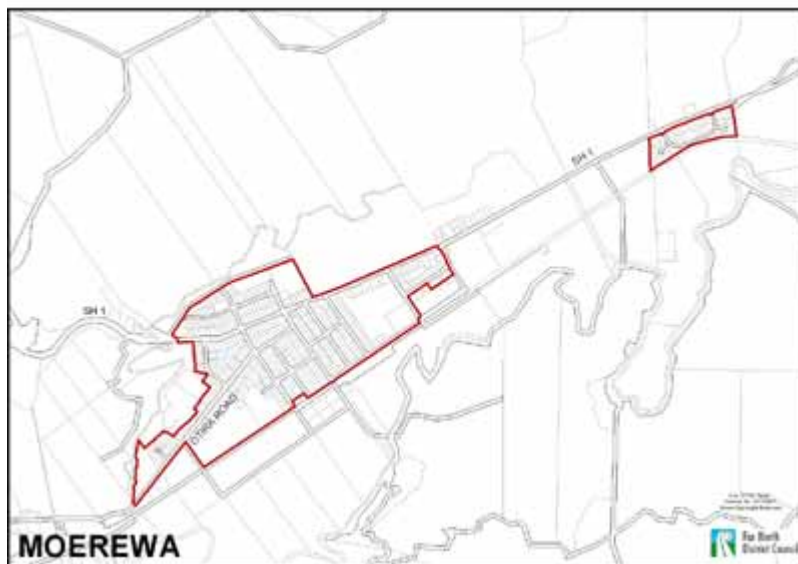
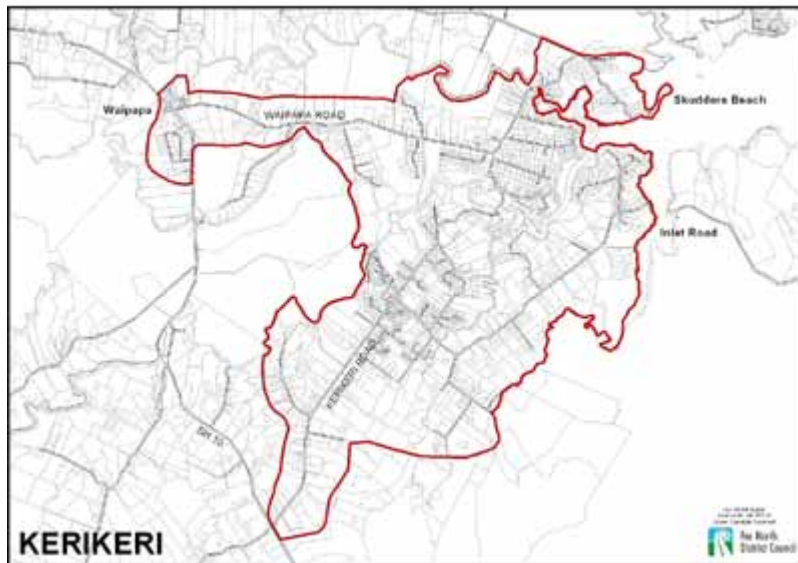
Dog Limitation Areas

The following areas are limited to 2 (two) dogs over the age of 3 months per household:

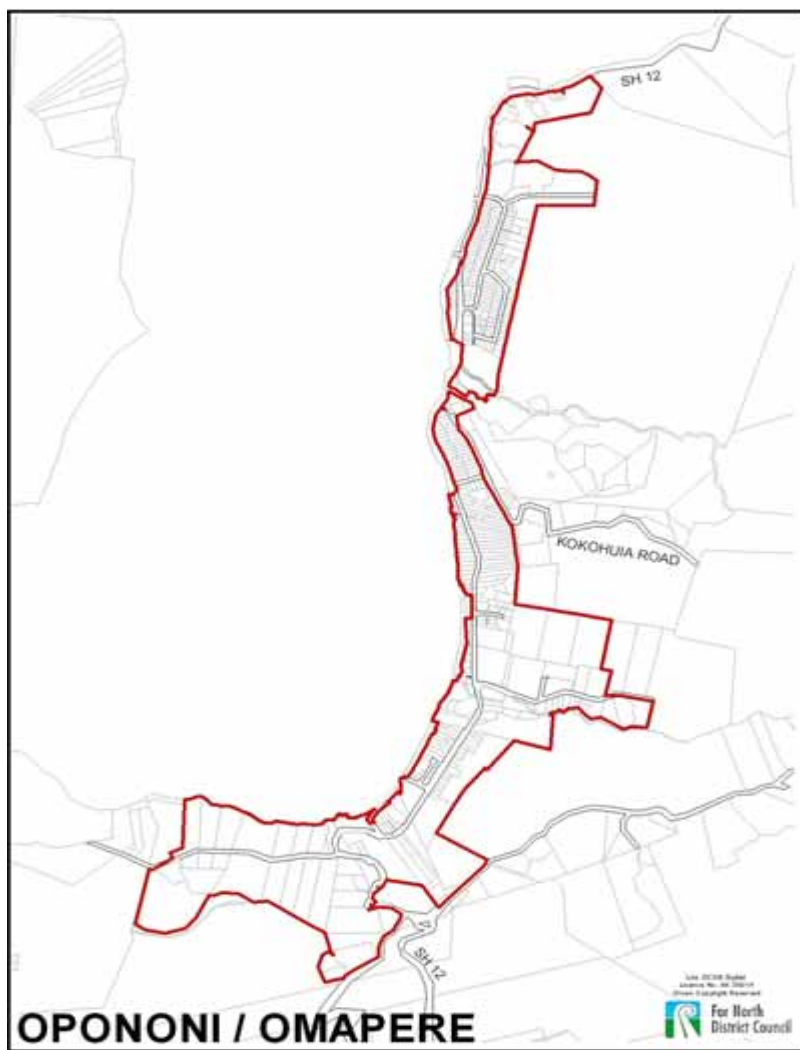




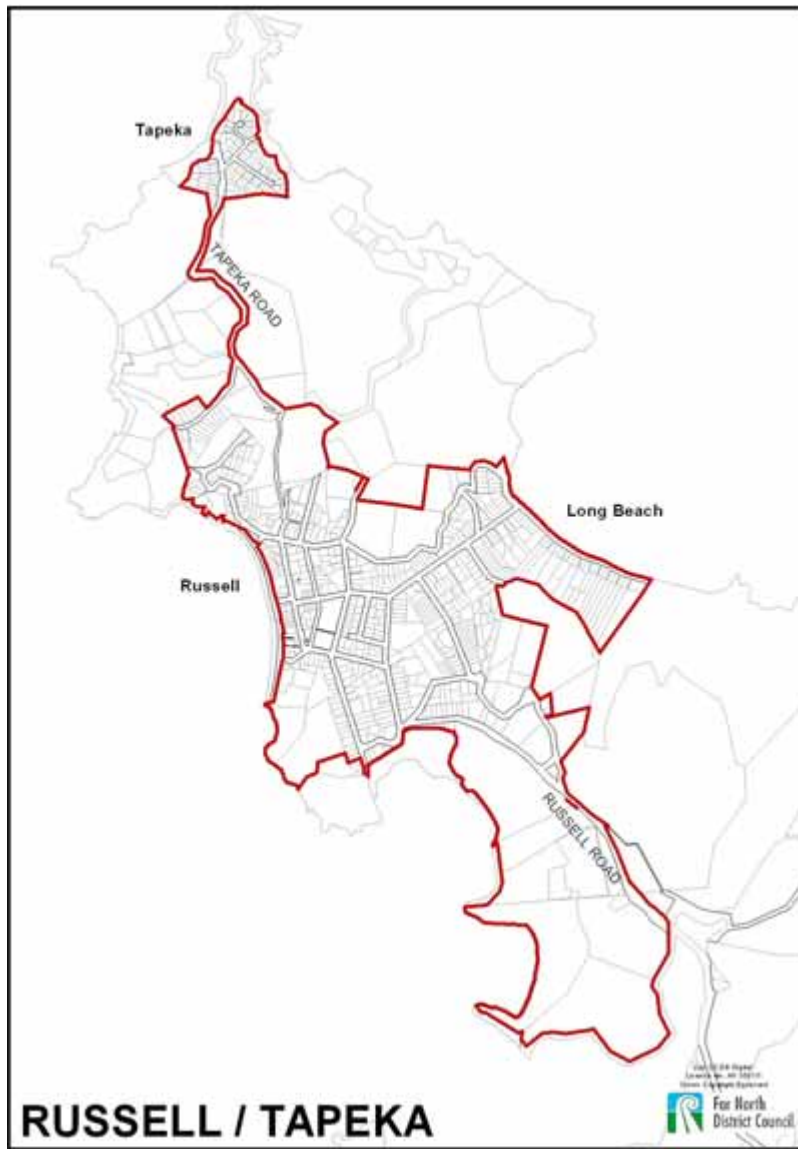


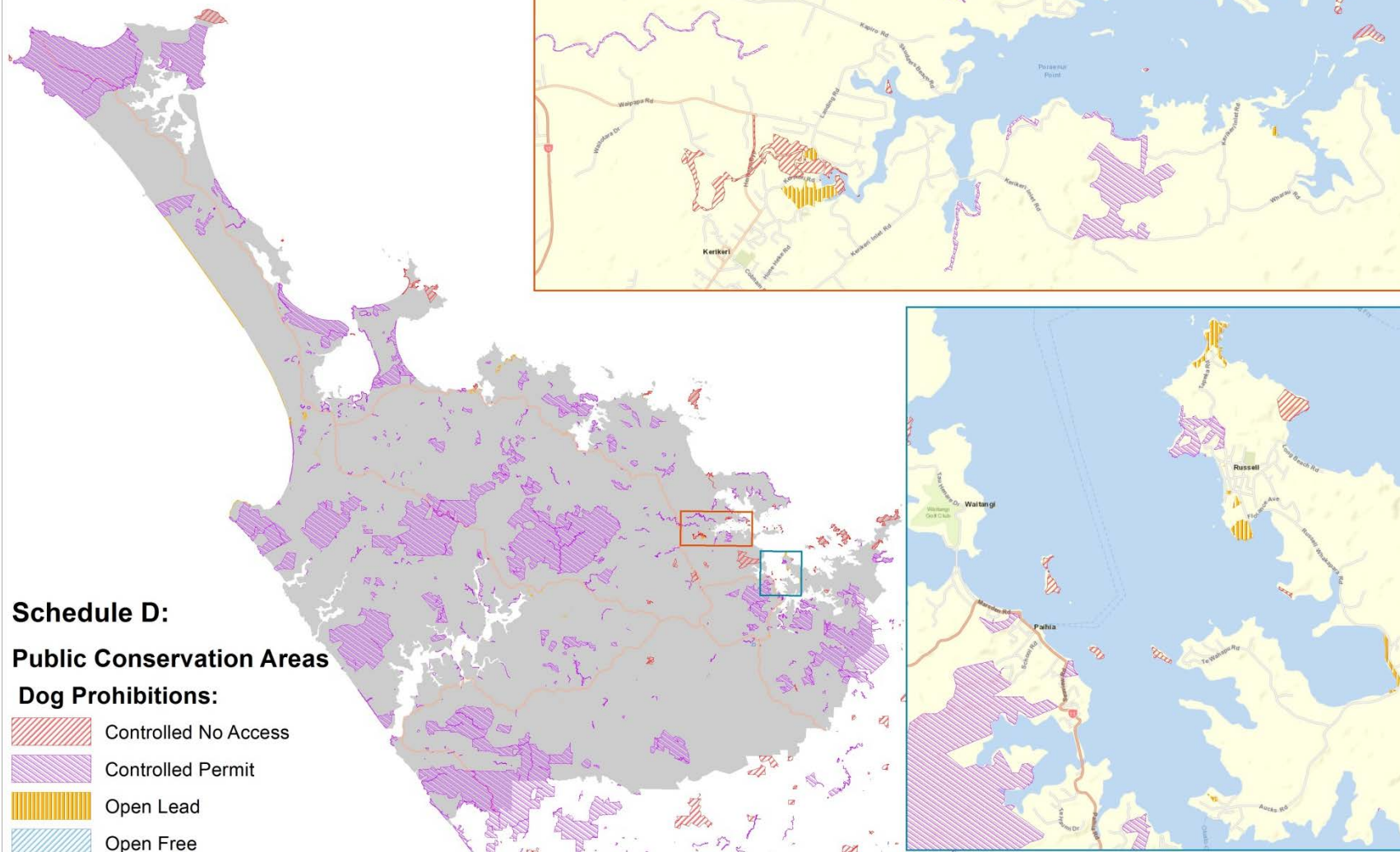












*Public conservation area restrictions are designated by the Department of Conservation, not the FNDC.

Schedule E:

Prohibited, On-Leash and Off-Leash Areas

<u>Area and Description</u>	<u>Rules at all dates and times</u>			<u>Rules at certain dates and/or times</u>	
	<u>On-leash and under control at all dates & times</u>	<u>Prohibited at all dates & times</u>	<u>Off leash but under control at all dates & times</u>	<u>From 1 April to 30th November</u>	<u>SUMMER From 1 December to 31st March & all statutory holidays</u>
<u>District-wide</u>					
<u>All beaches and parts of beaches, excluding areas identified elsewhere in this schedule are:</u>	<u>On-leash</u>				
<u>All public places, including reserves and excluding other public places identified elsewhere in this schedule are:</u>	<u>On-leash</u>				
<u>All footpaths adjacent to a public road, street, private right of way and State Highway, excluding beaches and other public places identified elsewhere in this schedule are:</u>	<u>On-leash</u>				
<u>Within children's playgrounds</u>		<u>Prohibited</u>			
<u>Within public swimming pool areas</u>		<u>Prohibited</u>			
<u>Pou Herenga Tai Twin Coast Cycle Trail</u>	<u>On-leash</u>				
<u>Bay of Islands/Whangaroa Ward</u>					
<u>Taupo Bay</u>				<u>On-leash at all times</u>	<u>Prohibited 9am – 6pm; On-leash at all other times</u>
<u>Tauranga Bay – north of tractor access point (the sandspit)</u>		<u>Prohibited</u>			
<u>Tauranga Bay – south of tractor access point</u>				<u>On-leash at all times</u>	<u>Prohibited 9am – 6pm; On-leash at all other times</u>

Tauranga Bay reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Te Ngaere – all beaches & reserves				Off-leash 6am – 9am; On-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Whangaroa – all beaches & reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Kaeo – all reserves				On-leash at all times	Prohibited 9am – 6pm; On-leash at all other times
Kerikeri Domain				On-leash 8am – 5pm; Off-leash at all other times	On-leash 8am – 5pm; On-leash at all other times
Waitangi		Prohibited			
Te Tii – Karuwha Parade and behind Te Tii marae		Prohibited			
Paihia Beach – Marsden Road from the public toilets to the bluff				On-leash 9am – 6pm; Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Sullivan’s Beach				On-leash 9am – 6pm; Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Taiputuputu Pahi Beach				On-leash 9am – 6pm; Off-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Te Haumi Beach		Prohibited			
Beechy Street Waterfront			Off-leash		
Russell Beach – Cass St to Kent St				Off-leash	Prohibited 9am – 6pm; Off-leash at all other times
Russell Beach - Cass St to Pitt St				Off-leash 6am – 9am; On-leash at all other times	Prohibited 9am – 6pm; On-leash at all other times
Tapeka Point	On-leash				

Long Beach				On-leash 9am – 6pm; Off-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On- leash at all other times
Designated Dog Exercise Area					
Roland’s Wood			Off-leash		
Wiroa Road			Off-leash		
Te Hiku Ward					
Hihi Beach				On-leash at all times	Prohibited 9am – 6pm; On- leash at all other times
Mangonui – all reserves	On-leash				
Coopers Beach – all reserves				On-leash at all times	Prohibited 9am – 6pm; On- leash at all other times
Coopers Beach – beach area				On-leash 9am – 6pm; Off-leash at all other times	On-leash 9am – 6pm; Off- leash at all other times
Cable Bay				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On- leash at all other times
Taipa – all reserves				On-leash at all times	Prohibited 9am – 6pm; On- leash at all other times
Taipa – all beaches				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; Prohibited 9am – 6pm; On- leash at all other times
Rangiputa			Off-leash		
Designated Dog Exercise Area					
Empire Street			Off-leash		
Kaikohe/Hokianga Ward					
Opononi/Omapere – all beaches that are accessible to the general public				Off-leash 6am – 9am; On-leash at all other times	Off-leash 6am – 9am; On- leash at all other times

<u>Designated Dog Exercise Area</u>					
<u>Kaikohe, Highway 12</u>			<u>Off-leash</u>		

Schedule F:

Department of Conservation Controlled Dog Areas – No Access

- Dogs are not allowed ashore to a controlled dog area or nature reserve at any time. This includes the entire foreshore to low tide.
- Dogs are not allowed in Department of Conservation (DOC) nature reserves or wildlife sanctuaries except by written approval.
- Dogs and other pets are not allowed in DOC campgrounds unless specified otherwise.
- Dogs are not allowed inside any DOC hut or lodge.
- Dogs are not permitted at any time in the areas listed below:

<u>DOC Reference</u>	<u>Dog Prohibited Areas - no access</u>	<u>Local Office</u>
<u>Ref: P05032</u>	<u>Akeake Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05043</u>	<u>Balast Point</u>	<u>Bay of Islands</u>
<u>Ref: Q05002</u>	<u>Black Rocks Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05030</u>	<u>Blacksmiths Bay</u>	<u>Bay of Islands</u>
<u>Ref: Q05013</u>	<u>Deep Water Cove Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05065</u>	<u>Harata Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05030</u>	<u>Kahuwhera Pa Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05065</u>	<u>Kerikeri Esplanade Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05022</u>	<u>Kerikeri Govt. Purp. Fish Hatchery</u>	<u>Bay of Islands</u>
<u>Ref: P05026</u>	<u>Kerikeri Inlet Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05020</u>	<u>Kerikeri River Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05066</u>	<u>Kerikeri Wharf Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05025</u>	<u>Kororipo Pa Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05015</u>	<u>Lake Waiparaheka Scientific Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P04005</u>	<u>Mahinepua Peninsula Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05033</u>	<u>Man O War</u>	<u>Bay of Islands</u>
<u>Ref: Q05014</u>	<u>Manawahuna Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05001</u>	<u>Marsden Cross Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05036</u>	<u>Motuarahi Island Island Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05003</u>	<u>Motuarohia Island Recreation Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P04006</u>	<u>Motukawanui Island Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05034</u>	<u>Motumaire Island Historic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05044</u>	<u>Motupapa Island Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05004</u>	<u>Moturua Island Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: P05031</u>	<u>Motutapu Island Scenic Reserve (Kerikeri Inlet)</u>	<u>Bay of Islands</u>
<u>Ref: Q05042</u>	<u>Motutokape Island</u>	<u>Bay of Islands</u>
<u>Ref: P05016</u>	<u>Ngawha</u>	<u>Bay of Islands</u>
<u>Ref: P05109</u>	<u>Ngawha Purchase Scenic Reserve</u>	<u>Bay of Islands</u>
<u>Ref: Q05006</u>	<u>Okahu Island Scenic Reserve</u>	<u>Bay of Islands</u>

Ref: P05017	Okuratope Pa Historic Reserve	Bay of Islands
Ref: Q05009	Otehei Bay (Pt. Urupukapuka Island Rec. Reserve)	Bay of Islands
Ref: P05061	Pakaraka Kauri Scenic Reserve	Bay of Islands
Ref: Q05010	Poroporo Island Scenic Reserve	Bay of Islands
Ref: P05018	Puketona Scenic Reserve	Bay of Islands
Ref: P05019	Pukewhau Ecological Area	Bay of Islands
Ref: P05021	Rainbow Falls Scenic Reserve	Bay of Islands
Ref: P05029	Rangitane Scenic Reserve	Bay of Islands
Ref: P05034	Taranaki Island Scenic Reserve	Bay of Islands
Ref: P04022	Taronui Bay Access	Bay of Islands
Ref: P04021	Taronui Bay Recreation Reserve	Bay of Islands
Ref: P04023	Taronui Bay Addition Recreation Reserve	Bay of Islands
Ref: Q05016	Te Toroa Scenic Reserve	Bay of Islands
Ref: Q05031	Tikitikioure	Bay of Islands
Ref: Q05037	Toretore Island Scenic Reserve	Bay of Islands
Ref: Q05008	Urupukapuka Island Recreation Reserve	Bay of Islands
Ref: Q05029	Uruti Bay	Bay of Islands
Ref: Q05007	Waewaetorea Island Recreation Reserve	Bay of Islands
Ref: P05023	Waipapa Stm Scenic Reserve	Bay of Islands
Ref: P05068	Wairoa	Bay of Islands
Ref: P05045	Waitangi Endowment Forest	Bay of Islands
Ref: Q05028	Waitata Point	Bay of Islands
Ref: O03001	Matai Bay Recreation Reserve	Kaitaia
Ref: O04024	Mangonui Court House Historic Reserve	Kaitaia
Ref: M02001	Motuopao Island Nature Reserve	Kaitaia
Ref: N02003	North Cape Scientific Reserve	Kaitaia
Ref: O04014	Rangikapiti Pa Historic Reserve	Kaitaia
Ref: N03008	Simmonds Is. Nature Reserve	Kaitaia
Ref: L01001	Three Kings Islands Nature Reserve	Kaitaia
Ref: O04036	Walker Island Nature Reserve	Kaitaia
Ref: O03007	Whangatupere Bay Marginal Strip	Kaitaia
Ref: O03008	Paeroa/Knuckle Point Scenic Reserve	Kaitaia

Dog Control Bylaw and Dog Policy Implementation Plan

To ensure successful adoption of the Dog Control Bylaw and Dog Policy 2017, a series of activities will occur to support their implementation.

Guidelines & Processes

Supporting guidelines and processes for the implementation of the Policy & Bylaw:

1. Develop Council requirements for Responsible Dog Owner status
2. Identify Council-approved dog education courses
3. Develop criteria to determine designated exercise areas
4. Develop criteria for permitting more than two dogs in urban areas

Communications Plan

Website:

Where we put the Dog Bylaw on the website, the customer will need to scroll through their obligations as dog owners under other legislation as listed below:

Under the Dog Control Act 1996:

- Ensure their dog is registered and microchipped
- Ensure their dog is under control at all times or is confined
- Carry a leash in public places, even if the dog is allowed under control off a leash
- Ensure their dog receives proper care and attention, food, water, shelter, and exercise
- Ensure their dog does not injure, endanger, intimidate, distress or cause a nuisance to any person
- Ensure their dog does not injure, endanger, intimidate or distress any animal
- Ensure their dog does not damage or endanger other people's property

Under the Animal Welfare Act 1999:

- Ensure the physical health and behavioural needs of their dog are met
- Ensure their dog receives treatment if ill or injured
- Comply with minimum standards and consider recommended best practices for the welfare of dogs in relation to; dog ownership, food, water, containment, tethering, shelter, sanitation, breeding, health, behaviour, transportation, and euthanasia.

Under the Conservation Act 1987;

- Ensure their dog does not enter or remain in any part of a controlled dog area without the appropriate permit
- Ensure their dog does not attack protected wildlife in a controlled dog area or an open dog area.

Under the National Parks Act 1980;

- Ensure their dog does not enter a national park without the appropriate permit.

See Auckland Council's example - <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/bylaws/current-bylaws/Pages/dog-management-bylaw.aspx>

Other Activities:

New Summer Dates/Hours & off-leash hours at beaches

- New signage required
- “Start of summer” campaign by AMOs at beaches with restrictions
- AMOs handing out brochure (or other collateral) at beaches
- AMOs speaking with beach-goers, encouraging reporting of any dogs causing a nuisance or distress
- AMOs speaking with dog owners, informing them of the restrictions where they apply.
- AMOs speaking with dog owners & making them aware they must still carry leashes in off leash areas

Adoption Phase

- Creating Posters to put up in public places encouraging people to familiarise themselves with the new bylaw.
- Social media campaign
- Website
- Media Release