


**Consolidated Bylaw 2004
Part 10 Control of Dogs 2004**

 Bylaw	Title	Consolidated Bylaw 2004 Part 10 Control of Dogs 2004
	Date Made	Operative Date
	25 August 2004	8 September 2004
	Review Date	Next Review Date
	9 September 2009	Within 10 years of review date

Part 10 of the Consolidated Bylaw 2004 is made in accordance with the provisions of the Dog Control Act 1996 and pursuant to the Local Government Act 2002.

1000 SCOPE

1001

This Part of the Consolidated Bylaw 2004 gives effect to the provisions of the Dog Control Act 1996 and the Thames-Coromandel District Council Dog Control Policy, adopted pursuant to Section 10 of that Act as they relate to the Thames-Coromandel District.

The part applies over the whole of the Thames-Coromandel District.

1002 INTERPRETATION

1002.1

Unless the context otherwise requires the terms used in this Part have the meanings defined in Section 2 of the Dog Control Act 1996 and where that Act does not specify, the terms:

ACT means the Dog Control Act 1996.

BOARD means as appropriate either the Coromandel-Colville Community Board, the Mercury Bay Community Board, the Tairua-Pauanui Community Board, the Thames Community Board or the Whangamata Community Board.

HUNTING DOGS means a dog used for hunting game provided that:

- (a) It shall be a defence that any hunting dog found in a public place without a leash is under the supervision of a currently licensed or permitted game hunter who is using the dog for the immediate purpose, of locating and/or retrieving game.
- (b) It shall also be a defence that any hunting dog found in a public place without a leash is under the immediate supervision of a currently licensed firearms owner who is using that unleashed dog for the immediate purpose of locating and/or retrieving game.
- (c) In both 1 and 2, the onus shall fall on the hunter/shooter to demonstrate that he or she was entitled to legally be in that public place and to demonstrate that the unleashed dog was under his, or her control.

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1003 RESTRICTED OR CONTROLLED AREAS

1003.1

Dogs are prohibited at all times from the places described in Schedule 1.

Dogs are prohibited from the Public Places, Beaches and their Associated Reserves at the dates and times specified in Schedule 2.

1003.2

All dogs in public places to be controlled on a leash.

All dogs in any public place within the district must be controlled on a leash except:

- (a) for a working dog as defined in the act under the control of a competent person and engaged in the purposes for which the working dog classification is granted; or
- (b) for a hunting dog as defined in this bylaw; or
- (c) where the dog is under the control of a competent person in an area defined as a Dog Exercise Area in schedule 3 subject to such conditions as are set out in that definition.

Dogs must be on a leash in all areas of the district except as provided for in designated Dog Exercise Areas described in schedule 3.

1004. DUTY TO AVOID NUISANCES

1004.1

A person must not keep a dog on any land or premises if:

- (a) the dog causes a demonstrable nuisance; or
- (b) the dog exposes the health or safety of others to significant risk; or
- (c) the dog creates a reasonable apprehension in the minds of others of a threat to their health or safety. The reason must be justified by proven evidence.

1004.2

No person shall cause any dog on any land, premises or public place to become restive or unmanageable or incite any dog fight with or attack any other animal or person.

1004.3

If, in the opinion of a dog ranger or dog control officer, any dog or dogs or the keeping of any dogs on any premises has become or is likely to become a nuisance or injurious to health the dog ranger or dog control officer may by notice in writing, require the owner or occupier of the premises within a time specified in the notice to do all or any of the following:

- (a) Reduce the number of dogs kept on the premises.
- (b) Construct, alter, reconstruct or otherwise improve the kennels or other accommodation used to house or contain the dog or dogs.
- (c) Require the dog or dogs to be tied up or otherwise confined during specified periods.
- (d) Take such other reasonable action as the dog ranger or dog control officer deems necessary to minimize or remove the likelihood of nuisance or injury to health.

1004.4

Any person who is given notice under clause 4.3 of this bylaw shall comply with such notice within the time specified in the notice.

1005 FOULING BY DOGS IN PUBLIC PLACES

1005.1

Any person in control of a dog in any public place will be required to immediately remove all faeces deposited by that dog in a public place.

1006 PENALTY

1006.1

Every person who commits a breach of any of the provisions of the Bylaw shall be deemed to have committed an offence and if proceeded against as an infringement offence will be liable for the infringement fee specified in the First Schedule of the Act and if proceeded against summarily will be liable to the penalties prescribed in Section 683 of the Local Government Act 1974, which section will apply accordingly with all necessary modifications.

1007 EFFECTIVE DATE

1007.1

This bylaw will come into effect on 8 September 2004.

The COMMON SEAL of the)
THAMES-COROMANDEL)
DISTRICT COUNCIL was hereto)
affixed in the presence of:)

_____ Mayor

_____ Chief Executive

Table of Amendments

This table does not form part of the Bylaw

Number	Description of Amendment	Date of Council Resolution	Effective Date
Schedule 2 and 3	Introduction of restrictions for protection of Dotterel and consistence in Schedule 3.	09 September 2009	21 September 2009

Schedule 1

Dogs are prohibited at all times in the following public places:¹

- All cemeteries and burial grounds on the Coromandel.
- Pollen Street (the main street in Thames) from Willoughby Street to Cochrane Street, except for visits to the vet clinic.
- Within 5 metres of any children's play equipment.
- On sports fields.

¹ Dog Control Act 1996 Section 10 (3) (b)

Schedule 2

Dogs are prohibited from the following public places and beaches and their associated reserves at the dates and times specified:²

Dogs are banned from most popular beaches and their associated reserves at holiday times.

Mercury Bay

Dogs are banned from the following beaches at all times between the Saturday of Labour weekend and 1 March:

- North Whangapoua sandspit through to Wainuiototo/New Chums Beach
- Opera Point Southern Sandspit

Dogs are banned from the following beaches between 9am and 7pm from Labour weekend to 8 February:

- Taputapuatea Stream - the area 300m either side of the stream entrance onto the beach
- Hot Water Beach North
- Grays Beach
- Otama Bay east

Dogs are banned from these beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and between 9:00 am and 4:00 pm on other holiday weekends.

- | | |
|-------------------|-------------------|
| • Buffalo Beach | • Matapaua Beach |
| • Cooks Beach | • Matarangi Beach |
| • Flaxmill Bay | • Opito Bay |
| • Front Beach | • Otama |
| • Hahei Beach | • Rings Beach |
| • Hot Water Beach | • Whangapoua |
| • Kuaotunu Beach | • Wharekaho |

Tairua

Dogs are banned from these beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and between 9:00 am and 4:00 pm on other holiday weekends.

- Town Centre – from the public toilets to the medical centre (unless visiting the veterinary clinic) on both sides of the State Highway.
- Ocean Beach.
- Estuary reserve east of bridge.

Pauanui

Dogs are banned from the following beaches at all times between the Saturday of Labour weekend and 1 March

- North of the surf club (Lot 1 DPS 29999) to wharf including Royal Billy Point

² Dog Control Act 1996 Section 10 (3) (b)

Dogs are banned from these beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and between 9:00 am and 4:00 pm on other holiday weekends.

- Ocean Beach from Holland Stream to Royal Billy Point and associated reserves.
- Tairua Harbour Estuary from Royal Billy Point to Pleasant Point Boat Ramp and associated reserves.

Whangamata

Dogs are banned from the following beaches at all times between the Saturday of Labour weekend and 1 March:

- Opoutere Beach - Ohui end and Wharekawa end
- South Whangamata from beach access 18 to beach access 20
- Onemana Beach south of the Rock Island near the water fall

Dogs are banned from these beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and between 9:00 am and 4:00 pm on other holiday weekends.

- Onemana Beach
- Whangamata Beach
- Opoutere

Dogs are Prohibited from Protected Bird Habitat

The Chief Executive is given delegated authority to, in consultation with the Department of Conservation, determine and publicly notify protected bird habitat areas from which dogs will be banned for a period of time included in the determination.

Schedule 3

Dog Exercise Areas³

The person in control of the dog in any designated exercise area must be able to control the dog and carry a leash at all times and restrain the dog with that leash at any time that any confrontation or nuisance occurs or at the direction of a dog control officer.

Beaches and Associated Areas

Except for the areas and times when dogs are banned in Schedule 1 or Schedule 2 or are permitted but only on leash in those schedules and in this schedule, dogs may be exercised off leash but under control on all beaches and associated reserves.

In addition to the above provision dogs may be exercised in the following areas:

Coromandel/Colville

Dogs may be exercised **on leads**, on the following beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and between 9:00 am and 4:00 pm on other holiday weekends, and **off lead** on all other dates and times.

- Big Sandy Bay
- Golden Bay
- Hannafords Bay
- Hears Bay
- Little Bay
- Little Sandy Bay
- Long Bay
- Oamaru Bay
- Otautu Bay
- Tucks Bay
- Wyuna Bay

Dogs maybe exercised **off lead** but still under control in the following areas at all times:

- Patukirikiri Reserve

Pauanui

Dogs maybe exercised **off leash** but still under control in the following areas at all times:

- Tairua Harbour Estuary from Pleasant Point Boat Ramp to the fence at Ajax Head Playground
- The reserve area in between Holland Stream to Pauanui Beach Road from the public toilets to the Mt Avenue intersection including the flat land below Broken Hills Lane

³ Dog Control Act 1996 Section 10 (3) (e)

Tairua

Dogs maybe exercised **off lead** but still under control at all times in the following areas:

- Memorial Reserve (top of Paku Hill)
- Pepe River Tidal Estuary inland from Pepe Bridge to Alsa Place accessed from Pepe Road
- Mary Beach tidal estuary from Pepe Bridge to Wairua Wharf

Thames

Dogs may be exercised **on leads** on these beaches and their associated reserves between 9:00 am and 7:00 pm from 15 December to 8 February and on holiday weekends, and **off leads** but still under control at all times, at all other dates and times.

Beaches

- Ngarimu Bay
- Ruamahunga Bay
- Tapu
- Te Puru
- Thornton Bay
- Waiomu Bay
- Whakatete Bay

Reserves

- Hauraki Terrace Reserve
- Tararu Creek Foreshore
- Kuranui Bay Reserve

Whangamata

Dogs maybe exercised **off lead** but still under control in the following areas at all times:

- Durrant Drive Reserve
- Hetherington Road Reserve
- Island View Reserve (Rangi Avenue side only)

Dogs may be exercised **on leads**, except between 9:00 am and 7:00 pm from 15 December to 8 February and on holiday weekends between 9:00 am and 4:00 pm, and off leash but still under control at all other times and dates:

- Onemana Beach
- Opoutere Beach
- Whangamata Beach

Mercury Bay

Dogs maybe exercised **off lead** but still under control in the following areas at all times:

- Whitianga: Brophy's beach, Robinson road reserve and river flats.
- Cooks Beach: Purangi Inlet and inland from the boat ramp.
- Kuaotunu Beach: Between boat ramp and bluff road.
- Matarangi: Boat ramp reserve
- Otama Beach: Western end of beach accessed from western parking area
- Whangapoua: River estuary