

Dog Control Policy 2016

Ngā kaupapa kuri



1. DESCRIPTION AND OBJECTIVES

- 1.1. This Dog Control Policy sets out the Council's approach to supporting responsible dog ownership and to dealing with the effects of irresponsible dog ownership in order to ensure wider public safety.
- 1.2. On behalf of the communities of the Thames-Coromandel District, the Council will endeavour to:
 - a) Enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners.
 - b) Encourage and support responsible dog ownership.
 - c) Minimise potential danger, distress and nuisance to the community generally and native wildlife.
 - d) Enable, to the extent that it is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs.

2. NATURE AND APPLICATION OF BYLAW

- 2.1. The Council's obligations in relation to dog control are set out in the Dog Control Act 1996 (the Act) and this policy should be read in conjunction with the Act.
- 2.2. Under section 10(1) of the Act the Council must adopt a policy in respect of dogs in the Thames-Coromandel District.
- 2.3. Under section 10(6) of the Act, the Council must give effect to its policy by having a bylaw.
- 2.4. The Council's policy and bylaw must be made in accordance with the Local Government Act 2002.

2.5. The Act, the policy and the bylaw cover separate requirements as identified in the table below:

Dog Control Act	Dog Control Policy	Dog Control Bylaw
<ul style="list-style-type: none"> • Probationary dog owners • Disqualification of dog owners • Obligations of dog owners including: <ul style="list-style-type: none"> • Control of dogs on owner's property • Barking dogs • Dogs causing serious injury • Seizure or destruction of dogs • Infringement offences • Custody of dogs • Prohibiting the importation of certain dogs • Dangerous dogs • Menacing dogs • Micro-chipping 	<ul style="list-style-type: none"> • General areas where dogs are prohibited • General areas where there are leash requirements • General areas designated as exercise areas • Controlled and open dog areas on land managed and administered by the Department of Conservation • Owner education programmes • Neutering of dogs • Infringement notices • Fees and charges 	<ul style="list-style-type: none"> • Specific dog prohibited areas including any date or time restrictions • Specific leash requirement areas including any date or time restrictions • Specific dog exercise areas, including any date or time restrictions • Temporary area restrictions • Dog fouling • Impounding of dogs • Neutering of dogs • Enforcement, offences and penalties • Fees and charges

2.6. As from the day on which this policy is adopted, the Thames-Coromandel District Council Dog Control Policy 2004 shall be revoked.

3. DEFINITIONS

Beach means the foreshore and any adjacent area that can reasonably be considered part of the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation, but not including reserves or parks that are adjacent to the beach. For clarification, estuary areas that fit this definition are considered a beach under this policy.

Chief Executive means the person employed by Council as the Chief Executive of the Council for the time being.

Control in relation to a dog, means that the owner 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 refers to the Thames-Coromandel District Council.

District means the Thames-Coromandel District.

Foreshore has the meaning as defined in section 2 of the Resource Management Act 1991.

Holiday Weekend means any weekend which immediately precedes or follows a public holiday, and includes the public holiday as defined in the Holidays Act 2003.

Owner has the same meaning as defined in section 2 of the Dog Control Act 1996.

Neuter means to spay or castrate a dog, but does not include vasectomising a dog.

Park means –

- a) any land vested in or administered by the Council, or the Department of Conservation, under the provisions of the Reserves Act 1977; or
- b) any park, domain or recreational area under the control or ownership of the Council.

Playground means an outdoor area developed or marked out as a playground that contains children's play equipment or objects.

Public Place has the same meaning as defined in section 2 of the Dog Control Act 1996.

Reserve has the same meaning as Park.

Sports Surface includes any area developed or marked out as a sports field (including those used for soccer or rugby for example), artificial turf (including those used for hockey for example), court (including those used for netball or tennis for example), or archery range or skateboard park.

The Act refers to the Dog Control Act 1996.

4. POLICY STATEMENT

4.1 Education programmes

4.1.1 The Council will encourage education opportunities to promote the purposes of the policy and bylaw from time to time.

4.2 Neutering of menacing dogs

4.2.1. Dogs registered within the district and classified as menacing by the Council must be neutered.

4.2.2. Dogs registered within the district and classified as menacing by deed by another territorial authority must be neutered.

4.2.3. Dogs registered within the district and classified as menacing by breed or type by another territorial authority must be neutered if the dog belongs wholly or predominantly to one or more breed or type of dog listed in schedule 4 of the Act.

4.3 Fees and charges

4.3.1. Fees and charges shall be determined by the Council in accordance with section 37 of the Act.

4.4 Infringements

4.4.1. The Council may issue infringement notices for breaches of the bylaw.

4.5 Areas of dog control in public places

4.5.1. General areas where dogs are prohibited, where dogs must be on leash, or are designated as off leash dog exercise areas are listed in the table at clause 4.5.3.

4.5.2. As a result all public places within the district are either prohibited, on leash or off leash exercise areas.

4.5.3. The table below lists general areas of dog control in the district. The bylaw gives effect to these controls stipulated for each of the areas.

Refer to clause 3 for definitions including for beach, playground, public place, reserve, and sports surface.

Area and description	Rules
DISTRICT WIDE	
All beaches and parts of beaches, excluding areas described elsewhere in this table	Off leash
All public places excluding beaches and excluding other public places described elsewhere in this table	On leash
Within children's playgrounds	Prohibited
On sports surfaces	Prohibited
Defined areas as identified from time to time with temporary area restrictions and/or signs	Prohibited or on leash for the duration the temporary restriction and/or signs are in place
COROMANDEL-COLVILLE COMMUNITY BOARD AREA	
Big Sandy Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Carey Road Beach or parts of the beach as identified in the bylaw	On leash
Hannafords Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Herds Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Little Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Little Sandy Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Long Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Oamaru Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Otautu Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Patukirikiri Reserve or parts of the reserve as identified in the bylaw	Off leash
Port Jackson Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw, otherwise on leash
Tucks Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Waikawau Bay Beach (east coast) or parts of the beach as identified in the bylaw	Prohibited
Wyuna Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
MERCURY BAY COMMUNITY BOARD AREA	
Brophys/Ohuka Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Buffalo Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Cooks Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Cooks Beach - Purangi Reserve or parts of the reserve as identified in the bylaw	Off leash
Flaxmill Bay Beach and Front Beach or parts of the beaches as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Hahei Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Hot Water Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Hot Water Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw

Area and description	Rules
Hot Water Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw, otherwise on leash
Hot Water Beach - Old Campground at Pye Place Reserve	Off leash
Kuaotunu - Rings Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Kuaotunu Beach east and west (including Grays Beach) or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Matapaua Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Matarangi Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Matarangi Beach - northern spit or part of the spit as identified in the bylaw	Prohibited
Matarangi - Omara Boat Ramp Reserve or parts of the reserve as identified in the bylaw	Off leash
Opito Bay Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Otama Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Robinson Road Reserve, Whitianga, or parts of the reserve as identified in the bylaw	Off leash
Taputapuatea, Whitianga - area near the Taputapuatea Stream as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Wainuiototo/New Chums Beach or parts of the beach as identified in the bylaw	Prohibited
Whangapoua Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Whangapoua Beach north as identified in the bylaw	Prohibited
Whangapoua - Opera Point southern spit or parts of the spit as identified in the bylaw	On leash
Wharekaho Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
TAIRUA-PAUANUI COMMUNITY BOARD AREA	
Pauanui Ocean Beach associated reserve or parts of the reserve as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw, otherwise off leash
Pauanui - Pleasant Point Reserve or parts of the reserve as identified in the bylaw	Off leash
Pauanui - South End Reserve or parts of the reserve as identified in the bylaw	Off leash
Pauanui Ocean Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Pauanui - Tairua Harbour Estuary or parts of the Estuary as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Tairua - Boat Harbour Beach or parts of the beach as identified in the bylaw	Prohibited
Tairua - Estuary or parts of the estuary as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Tairua - Ocean Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Tairua - Otara Bay Beach or parts of the beach as identified in the bylaw	Prohibited

Area and description	Rules
THAMES COMMUNITY BOARD AREA	
Burke Street Beach or parts of the beach as identified in the bylaw	On leash
Burke Street Reserve or parts of the reserve as identified in the bylaw	Off leash
Kuranui Bay Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Kuranui Bay Reserve or parts of the reserve as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw
Little Waikawau Beach (west coast) or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw, otherwise on leash
Ngarimu Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Ruamahunga Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Tapu Beach and/or spit or parts of the beach and/or spit as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Tararu Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Te Mata Beach, Little Te Mata and Te Mata Point - entire beaches or parts of the beaches as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Te Puru Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Thornton Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Waiomu Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
Whakatete Bay Beach or parts of the beach as identified in the bylaw	On leash at certain dates and times as specified in the bylaw
WHANGAMATA COMMUNITY BOARD AREA	
Onemana Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and times as specified in the bylaw, otherwise on leash
Opoutere Beach or parts of the beach as identified in the bylaw	On leash
Opoutere Beach south or parts of the beach as identified in the bylaw	Prohibited
Opoutere bush north as identified in the bylaw	Off leash
Opoutere bush south as indicated in the bylaw	Prohibited
Whangamata - Heatherington Road Reserve or parts of the reserve as identified in the bylaw	Off leash
Whangamata - Park Avenue Reserve or parts of the reserve as identified in the bylaw	Off leash
Whangamata - Patiki Bay and Patiki Point Reserves or parts of the reserves as identified in the bylaw	Off leash
Whangamata Beach or parts of the beach as identified in the bylaw	Prohibited at certain dates and/or times as specified in the bylaw

4.6 Land administered by the Department of Conservation

- 4.6.1. The Department of Conservation's Waikato Conservation Management Strategy has a policy on dogs in all public conservation land and water areas. Refer to the Waikato Conservation Management Strategy, clause 16.4.1 or contact the Department of Conservation for further details relating to dog control on public conservation land.
- 4.6.2. The Department of Conservation has not formally advised the Council of controlled or open dog areas under Section 26ZS of the Conservation Act 1987 for inclusion in the policy.