

	<b>Title:</b>	<b>Dog Control Bylaw 2016</b> <b>Ngā ture a rohe mō ngā kaupapa kuri</b>
	<b>Date Adopted (review date):</b>	18 May 2016
	<b>Date in Force:</b>	1 August 2016
	<b>Next Review Date:</b>	By or before 18 May 2026 (within 10 years of review date)

## 1. TITLE

- 1.1. This bylaw is the Thames-Coromandel District Council Dog Control Bylaw 2016.

## 2. PURPOSE

- 2.1. This bylaw gives effect to the Council's Dog Control Policy, the objective of which is to enable people to enjoy the benefits of responsible dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally and native wildlife.
- 2.2. This bylaw shall apply to the entire Thames-Coromandel district unless specified otherwise in this bylaw.
- 2.3. As from the day on which this bylaw comes into force, Part 10 Control of Dogs of the Thames-Coromandel District Council Consolidated Bylaw 2004 shall be revoked.

## 3. EXPLANATORY NOTE

- 3.1. This bylaw is not the only legislative document relating to dogs. The Dog Control Act 1996 addresses various matters which are generally not repeated in this bylaw unless expressly required by that Act.
- 3.2. There may be additional rules that apply in public places which are administered by the Department of Conservation, either at all times or from time to time. Those rules are generally not specified in this bylaw.
- 3.3. Words which refer to the singular include the plural and the plural includes the singular.

- 3.4. Reference to any Act or provision of any Act includes any amendment to that Act or any Act passed in substitution for it.
- 3.5. Notes in italics are for information only and are not part of this bylaw.

## **4. COMMENCEMENT**

- 4.1. This bylaw comes into force on 1 August 2016.

## **5. REVIEW**

- 5.1. Review of this bylaw will be undertaken in accordance with section 159 of the Local Government Act 2002.

## **6. DEFINITIONS**

- 6.1. In this bylaw, unless the context requires otherwise:

**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 bylaw.

**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 any 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.

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

## 7. **CONTROL OF DOGS IN PUBLIC PLACES**

- 7.1. The owner of any dog must ensure that the dog is under control at all times and must prevent the dog from wandering or remaining free in any public place.
- 7.2. Except as provided in Schedule 1 of this bylaw, the owner of any dog in any public place must secure the dog by an effective leash or similar which keeps the dog under continuous control.
- 7.3. Working dogs are exempt from clause 7.2 pursuant to the Dog Control Act 1996.

## **8. DOG EXERCISE AREAS**

- 8.1. Dogs may be off a leash and free of restraint in areas described in Schedule 1 of this bylaw as off leash areas.
- 8.2. The owner of any dog off a leash and free of restraint must have continuous control of the dog and remain within the off leash dog area while the dog is off a leash and free of restraint.

## **9. PROHIBITED AREAS**

- 9.1. Dogs are not allowed to enter any public place described in Schedule 1 of this bylaw as a prohibited area, whether under control or not.

## **10. TEMPORARY AREA RESTRICTIONS**

- 10.1. The Chief Executive may establish temporary area restrictions from time to time, as considered necessary for the protection of wildlife.
- 10.2. A temporary area restriction may prohibit dogs from the described area or require dogs to be on a leash in the described area for the duration that the temporary area restriction is in place.

*The Council will work with the Department of Conservation to identify areas for temporary restriction, and establish such restrictions. Temporary area restrictions will be identified by signs, provision of information, and any other means the Council considers appropriate.*

## **11. EXEMPTIONS**

- 11.1. A person may apply to the Chief Executive for a permit of exemption from requirements of clauses 7.2, 8.2, 9.1 and 10.2 for a period of time and subject to any conditions determined appropriate by the Chief Executive and specified on the permit.

## **12. REQUIREMENT TO NEUTER DOGS CLASSIFIED AS MENACING**

- 12.1. Dogs registered within the district and classified as menacing by the Council must be neutered.
- 12.2. Dogs registered within the district and classified as menacing by deed by another territorial authority must be neutered.
- 12.3. 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.

## **13. DOGS FOULING PUBLIC PLACES**

- 13.1. The owner or person in possession or control of a dog that defecates in a public place or on land or premises other than that occupied by the owner must immediately remove all faeces deposited by that dog and dispose of them in an appropriate manner.

## **14. IMPOUNDMENT OF DOGS**

- 14.1. Any dog found at large in any place in breach of this bylaw whether or not the dog is wearing a collar having the proper label or disc attached, may be impounded.

## **15. ENFORCEMENT, OFFENCES AND PENALTIES**

- 15.1. The Council may use its powers under the Dog Control Act 1996 and the Local Government Act 2002 to enforce this bylaw.
- 15.2. Every person who breaches this bylaw commits an offence.
- 15.3. Every person who commits an offence under this bylaw is liable to a penalty under the prevailing legislation.

## **16. FEES AND CHARGES**

- 16.1. The Council may, in accordance with the Local Government Act 2002 and Dog Control Act 1996, prescribe fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by the Council under this bylaw.
- 16.2. The Council may prescribe fees or charges by resolution.

Signed on Behalf of Thames-Coromandel District Council by;



District Mayor

21 June, 2016

Date



Chief Executive

21 June 2016.

Date



## **BYLAW HISTORY**

Action	Description	Date of Council Resolution	Effective Date
Made	<i>Adopted Part 10 Control of Dogs of Council's Consolidated Bylaw 2004</i>	25 August 2004	8 September 2004
Review	<i>Review of Part 10 Control of Dogs and amendments made</i>	9 September 2009	21 September 2009
Amendments	<i>Amendment to Schedule 2 and Schedule 3 relating to Onemana Beach</i>	8 December 2010	30 September 2015
Review	<i>Review of Part 10 Control of Dogs Part 10 Control of Dogs revoked and Dog Control Bylaw 2016 adopted</i>	18 May 2016	1 August 2016

## SCHEDULE 1: AREA RULES

Refer to clause 6 for definitions including for beach, playground, public place, reserve, and sports surface.

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times From Labour weekend to 1 March at all times (inclusive)	Rules at certain dates and/or certain times From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times		
<b>DISTRICT WIDE</b>					
All beaches and parts of beaches, excluding areas described elsewhere in this schedule			Off leash		
All public places excluding beaches and excluding other public places described elsewhere in this schedule	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				
<b>COROMANDEL-COLVILLE COMMUNITY BOARD AREA</b>					
Big Sandy Bay - entire beach					
Carey Road Beach - entire beach	On leash				
Hannafords Bay - entire beach					
Herds Bay - entire beach					
Little Bay - entire beach					
Little Sandy Bay - entire beach					
Long Bay - entire beach					

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times	
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	From Labour weekend to 1 March at all times (inclusive)	From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)
Oamaru Bay - entire beach				On leash. Off leash at all other dates and times	
Otautu Bay - entire beach				On leash. Off leash at all other dates and times	
Patukirikiri Reserve - grassed area west of courts and skate bowl as indicated by signs			Off leash		
Port Jackson Beach - the northern half of the beach from DOC campground, as indicated by signs (rest of beach off leash at all dates and times)				Prohibited. On leash at all other dates and times	
Tucks Bay - entire beach				On leash. Off leash at all other dates and times	
Waikawau Bay (east coast) - entire beach			Prohibited		
Wynua Bay - entire beach				On leash. Off leash at all other dates and times	
<b>MERCURY BAY COMMUNITY BOARD AREA</b>					
Brophys/Ohuaka Beach - entire beach					Prohibited. Off leash at all other dates and times
Buffalo Beach - area south of Taputapuatea Stream/Mother Browns Stream as indicated by signs					Prohibited. Off leash at all other dates and times
Buffalo Beach - Taputapuatea, Whitianga - area from Taputapuatea Stream/Mother Browns Stream north to the Mercury Bay Boating Club, excluding walkway, as indicated by signs					Prohibited. Off leash at all other dates and times
Cooks Beach - entire beach excluding the Purangi river flats from east side of playground to south side of boat ramp as indicated by signs (river flats area off leash at all dates and times)					Prohibited. Off leash at all other dates and times
Cooks Beach, Purangi Reserve - as indicated by signs			Off leash		

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	
Flaxmill Bay and Front Beach - entire beaches				From Labour weekend to 1 March at all times (inclusive)
Hahei Beach - entire beach				From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)
Hot Water Beach north - area from the Domain Road car park (middle car park) to the most northern end of the beach as indicated by signs				Prohibited.
Hot Water Beach south - area from the Domain Road car park (middle car park) to the most southern end of the beach as indicated by signs				Off leash at all other dates and times
Hot Water Beach - Old Campground - the western point of Pye Place Reserve bordering Taiwave Stream as indicated by signs				Prohibited.
Kuaotunu - Rings Beach - entire beach excluding western end from west side of car park as indicated by signs (excluded area off leash at all dates and times)				Off leash at all other dates and times
Kuaotunu Beach east and west (including Grays Beach) excluding the area 400 metres on each side of Quarry Point as indicated by signs				Prohibited.
Matapaua Beach - entire beach				Off leash at all other dates and times
Matarangi Beach - entire beach excluding northern spit area as indicated by signs				Prohibited.
Matarangi Beach - northern spit adjacent to the gold course excluding walkway as indicated by signs (walkway on leash at all dates and times)				Off leash at all other dates and times
Matarangi - Omara Boat Ramp Reserve - area as indicated by signs			Off leash	

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	
Opito Bay Beach - entire beach				From Labour weekend to 1 March at all times (inclusive) 9am and 6pm (inclusive)
Obama Beach - entire beach excluding east of the stream opposite the Black Jack Road and Otama Beach Road intersection as indicated by signs (excluded area off leash at all dates and times)				Prohibited. Off leash at all other dates and times
Robinson Road Reserve, Whitianga - part of the reserve west of the Robinson Road and Arthur Street intersection, as indicated by signs Wainuiototo/New Chums Beach - entire beach			Off leash	Prohibited. Off leash at all other dates and times
Whangapoua Beach - entire beach excluding northern end from north-facing side of Mangakahia car park (near lagoon) as indicated by signs		Prohibited		Prohibited. Off leash at all other dates and times
Whangapoua Beach north - the north side of Mangakahia car park (near lagoon) to the northern end of Whangapoua beach as indicated by signs		Prohibited		Prohibited. Off leash at all other dates and times
Whangapoua - Opera Point southern spit - area including carpark and beach area as indicated by signs	On leash			
Wharekaho Beach - entire beach as indicated by signs				Prohibited. Off leash at all other dates and times
<b>TAIRUA-PAUANUI COMMUNITY BOARD AREA</b>				
Pauanui Ocean Beach south and associated reserve - area south of Pauanui Surf Club as indicated by signs				Prohibited. Off leash at all other dates and times
Pauanui - Pleasant Point Reserve - area south of the bollards to Ajax Head as indicated by signs			Off leash	
Pauanui - South End Reserve - western side of South End Reserve as indicated by signs			Off leash	
Pauanui Ocean Beach north - area north of Pauanui Surf Club around the point to the north-east side of the boat ramp at Royal Billy Point as indicated by signs (boat ramp on leash at all dates and times)				Prohibited. Off leash at all other dates and times

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	
Pauanui - Tairua Harbour Estuary from the south-east side of the boat ramp at Royal Billy Point to the north-east side of the boat ramp at Pleasant Point (boat ramps at Royal Billy Point and Pleasant Point on leash at all dates and times)				From Labour weekend to 1 March at all times (inclusive) 9am and 6pm (inclusive)
Tairua - Boat Harbour Beach - entire beach	Prohibited			Prohibited. Off leash at all other dates and times
Tairua Estuary - Estuary east of Pepe Bridge as indicated by signs				Prohibited. Off leash at all other dates and times
Tairua - Ocean Beach - entire main beach				Prohibited. Off leash at all other dates and times
Tairua - Otara Bay - entire beach		Prohibited		Prohibited. Off leash at all other dates and times
<b>THAMES COMMUNITY BOARD AREA</b>				
Burke Street Beach - entire beach	On leash		Off leash	
Burke Street Reserve - the reserve area inland of the beach and directly south of Burke Street as indicated by signs				Prohibited. Off leash at all other dates and times
Kuranui Bay - entire beach and reserve				Prohibited. On leash at all other dates and times
Little Waikawau (west coast) - entire beach				On leash. Off leash at all other dates and times
Ngarimu Bay Beach - entire beach				On leash. Off leash at all other dates and times
Ruamahunga Bay Beach - entire beach				On leash.
Tapu Beach - entire beach and spit				On leash. Off leash at all other dates and times

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	
Tararu Beach - entire beach				On leash. Off leash at all other dates and times
Te Mata Beach, Little Te Mata and Te Mata Point - entire beaches				On leash. Off leash at all other dates and times
Te Puru Beach - entire beach				On leash. Off leash at all other dates and times
Thornton Bay Beach - entire beach				On leash. Off leash at all other dates and times
Waiomu Bay Beach - entire beach				On leash. Off leash at all other dates and times
Whakatete Bay Beach - entire beach				On leash. Off leash at all other dates and times
<b>WHANGAMATA COMMUNITY BOARD AREA</b>				
Oinemana Beach - south of Castle Rock as indicated by signs				Prohibited. On leash at all other dates and times
Opoutere Beach - entire beach excluding southern end as indicated by signs	On leash			
Opoutere Beach south - Sandspit and Wharekawa Estuary and south end bush, south from the point at which the car park bridge crosses the stream and the southernmost beach access but excluding the loop track (loop track on leash) as indicated by signs		Prohibited		
Opoutere bush north - the area north from the point at which the car park bridge crosses the stream and the southernmost beach access as indicated by signs			Off leash	

AREA AND DESCRIPTION	Rules at all dates and times			Rules at certain dates and/or certain times From Labour weekend to 1 March at all times (inclusive)
	On leash and under control at all dates and times	Prohibited at all dates and times	Off leash but under control at all dates and times	
Whangamata - Heatherington Road Reserve			Off leash	
Whangamata - Park Avenue Reserve as indicated by signs			Off leash	
Whangamata - Patiki Bay Reserve area located at the end of Durrant Drive and the adjoining reserve as indicated by signs			Off leash	
Whangamata Beach - from beach access 18 north to 100 metres north of the wharf as indicated by signs				Prohibited. Off leash at all other dates and times
Whangamata Beach - Otahu Estuary from beach access 18 to beach access 20				Prohibited. Off leash at all other dates and times