



# **Statement of Proposal for: Revised Dog Control Policy Te Kaupapa Here mō ngā Kurī**

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## Context

Council is undertaking joint consultation, hearing and deliberations on a revised Dog Control Policy and new Dog Control Bylaw, as required under the Dog Control Act 1996 (DCA). The current Bylaw will be revoked automatically as at 18 May 2023 under section 160A of the Local Government Act 2002 (LGA).

On 28 June 2022, Council completed a review of the current [Policy](#) and [Bylaw](#), as it was required to under the DCA and the LGA. Council resolved at the 28 June Council meeting to create a new bylaw to give effect to the Policy. The new draft Bylaw is the subject of a separate statement of proposal.

As part of the review the Council decided that the Policy should be updated to reflect new drafting practices and should be revised at the same time that the new Bylaw is drafted in order to be able to consider all public feedback.

## The proposal to revise the Policy and the reasons for the proposal

The Council is required to have a Policy under the Dog Control Act 1996 (DCA). Section [10\(4\)](#) of the DCA states the Council must have regard to the following when adopting the policy:

- (a) the need to minimise danger, distress, and nuisance to the community generally; and*
- (b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and*
- (c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and*
- (d) the exercise and recreational needs of dogs and their owners*

When it reviewed the current Policy on 28 June 2022, the Council decided that a revised Policy was required for the following reasons:

- o to achieve compliance with the Dog Control Act 1996
- o to reflect the changing needs of the community and surrounding wildlife; and
- o to update the current form of the policy.

The alternative option presented to Council included not revising the Policy. This was not adopted as it was considered that to not revise the Policy would impact the development and enforcement of the draft Bylaw and potentially cause increased risk to local wildlife that are susceptible to dog attacks through lack of updating the prohibited areas for dogs. This could also be a legal risk to Council. The full report outlining the options and recommendations can be viewed [here](#).

This proposal encompasses the changes identified, as well as some additional changes that have been identified by staff following the 28 June 2022 Council review.

The proposed amendments are shown in:

- Attachment 1, which is a clean version of the revised Policy, and
- Attachment 2, which is a table comparison of the current and revised Policy.

The following paragraphs summarise the clauses of the revised Policy and the changes proposed.

#### *General formatting, standard definitions, and clauses, and drafting changes*

The Council proposes a number of changes to:

- the form (the revised policy is targeted towards public consumption)
- standard definitions of terms used (for example, use of the term 'Council'), and
- standard clauses (for example, clauses on enforcement, offences and penalties).

These changes are recommended as they reflect current best practice drafting standards and make the terms in the policy more accurate and easier to understand.

#### *Title/background/commencement*

This section includes additional text to provide local context about the value of dogs to the community, and to set out the objectives of the policy and how it relates to other Council documents.

#### *Objectives/Policy statements*

The current Policy's policy statements are based on section [10\(3\)](#) of the DCA, but do not clearly relate to the objectives of the policy itself. The changes proposed in the revised Policy clearly identify the objectives and their related policies. The revised policy statements clearly set out the requirements for Council and dog owners, and also include informative references to the Bylaw. Policy statements that have been expanded include the DCA requirements and the working relationship between Department of Conservation (DOC) and Council. New policy statements have been created to inform the public how Council's actions related to the revised Policy and draft Bylaw.

#### *Schedule 1: General dog access rules*

The schedule outlines the level of restriction on dogs for particular public locations, which is the responsibility of the dog owner to comply with. The review of the Policy indicated that the current restrictions and the layout of the provisions were working well, and no major changes were required. The format of the schedule has remained the same with general

restrictions that apply across the District identified first, followed by location specific restrictions by Community Board area.

District Wide changes:

- Improve clarity and enforcement around sports fields and playgrounds by implementing a 5 metre setback from the edge of the surface of the area.
- Specify that dogs to be on leash and under control when on roads, pedestrian areas, margins and car parking areas.
- Remove Kings Birthday and Matariki from the holiday weekend restrictions. The holiday weekend restrictions are due to the higher number of visitors creating a potential risk for dog related issues. In winter (which is when Kings Birthday and Matariki occur) there is not as high a number of visitors and less sunlight hours, meaning that the restrictions are not necessary and unduly impact the exercise of dogs and their owners.
- Add Easter and ANZAC holiday weekends to the Labour weekend to 1 March restriction that is used to reduce the stress on dotterel and other wildlife breeding areas. These two holiday weekends result in significant numbers of visitors to beaches and other areas that can reduce the chances of a successful breeding season.

Coromandel-Colville Community Board area changes:

- Hauraki Road – WW1 Memorial Forest 520 Hauraki Road (*Off leash*).
- Tuatēawa Walkway, Waihirere Drive and entire beach (*Prohibited*).

Mercury Bay Community Board area changes:

- Kūāotunu Beach west from Kawhero Street Beach access (*Prohibited from 20 December to 31 January and all holiday weekends between 9am and 6pm*).
- Kūāotunu Beach east from Kawhero Street Beach access (*Prohibited from Labour weekend to 1 March at all times and Easter and ANZAC holiday weekends*).
- Kūāotunu Grays Beach entire Beach (*Prohibited from 20 December to 31 January and all holiday weekends between 9am and 6pm*).

Tairua- Pāuanui Community Board area changes:

- Slipper Island – Whakahau all Council reserves (*Prohibited*).
- Otara Bay - entire beach and accessway (*Prohibited*).

Thames Community Board area changes:

- Hauraki Rail Trail from south of the Kōpū Bridge to Hikutaia (*Prohibited*).

## How to give your views on the proposal

The Council encourages any person or organisation affected by or having an interest in the revised Dog Control Policy |Te Kaupapa Here mō ngā Kurī and/or the new draft Dog Control Bylaw |Te Ture a-Rohe mō ngā Kaupapa Kurī to present their views to the Council by making a submission on the Statements of Proposal for the Policy and Bylaw. Submissions can be made in any of the following manners or formats:

- Online at the Council's website: [www.tcdc.govt.nz/dogsreview](http://www.tcdc.govt.nz/dogsreview)
- Email your submission to [consultation@tcdc.govt.nz](mailto:consultation@tcdc.govt.nz)
- Post your submission to Thames-Coromandel District Council, Private Bag 1001, Thames 3540

- Drop-off your submission at any Council office in Thames, Coromandel, Whitianga or Whangamatā, you can get information about addresses and opening hours by phoning the Council on 07 868 0200 or emailing [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz), or
- Make an oral presentation of your submission at a meeting of the Council's governing body. If you wish to make an oral presentation and you have not already informed us via a written or online submission that you wish to be heard, please contact the Council during the public consultation period to inform us that you wish to be heard.

Please include your full name and email address or postal address in your submission if you want:

- the Council to acknowledge receipt of your submission, or
- to make an oral presentation – you will be contacted about when and where the meetings for this are taking place.

The period within which views on the proposal may be provided to the Council is between from **Friday 28 October to Friday 2 December 2022**. An opportunity for oral presentation of views will be provided after that period.



# Thames-Coromandel District Council

## Kaupapa mo ngā Kuri

# POLICY ON DOGS



# Thames-Coromandel District Council

## Kaupapapa mo ngā Kuri

# POLICY ON DOGS

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# Part A - Introduction

## A.1 Application

### Commencement of the Policy

As at [to be inserted]

Resolution: [to be inserted]

Last Updated: [to be inserted]

This Policy comes into force on: [to be inserted]

This Policy applies to the district of the Thames- Coromandel as defined in the Local Government (Waikato Region) Reorganisation Order 1989, Gazette 1989, p 2460.

### Ownership of the Policy

The Dog Control Policy and Bylaw are owned by the Licensing and Compliance Team, which is part of the Council's Regulatory Group.

### Relevant documents and legislation

- Local Government Act 2002
- The Animal Welfare Act 1999
- Animal Welfare (Dogs) Code of Welfare 2010
- Dog Control Act 1996
- Thames- Coromandel District Council Dog Control Bylaw

## A.2 Background

It is estimated that dogs were domesticated about 7,000 to 9,000 years ago as herders and guardians of sheep, goats and cattle. As well as continuing to be used for these purposes, dogs are now also employed for border control and police work, for disability assistance and companionship.

In traditional Māori society, dogs (kurī) were given the best cuts of meat and were highly regarded as sacred animals. Their fur was highly regarded for cloaks reserved for rangatira. In the 1800s, kurī were used for catching kiwi, kakapō, weka, pūkeko and māunu (moulting ducks).

Dogs hold an important place in Māori stories about the creation of the Waikato landscape we live in. According to local iwi, Mt Tongariro sent a servant dog to cut a pathway for the Waikato River to reach Mt Taupiri when she took ill. The result of this is that the course of the Waikato River was changed so that it no longer flows through the Hinuera Gap, across the Hauraki Plains and into the Hauraki Gulf.

Within the Thames-Coromandel District there is a growing population of registered dogs, with 5,057 registered in 2022. Many dogs are considered to be family members, and there is a need to provide public spaces for dogs and their Owners for exercise and recreation.

At the same time, there is recognition that dogs can adversely affect local wildlife, enjoyment of our public spaces and potentially cause injuries to people. This Policy and the associated Bylaw seek to balance the potential adverse outcomes of dogs in the community while recognising the importance of dogs to people in the district.

For more information on how our district provides for dogs, check out our webpages at:

[www.tcdc.govt.nz/dogs](http://www.tcdc.govt.nz/dogs)



### A.3 Relationship between the Policy and the Bylaw

Under the Dog Control Act 1996 (the Act), Council is required to develop a Dog Control Policy and make a Bylaw to implement its Dog Control Policy. The Bylaw cannot be inconsistent with the Policy. Dog Owners who do not comply with the Act, the Council's Dog Control Policy or the Bylaw may be subject to enforcement action. Enforcement can be either directly under the Act or jointly through the Act, the Bylaw and the Local Government Act 2002. Infringement offences under the Act can be viewed [here](#).

The Act, Policy and Bylaw can be summarised as each requiring the following:

Document	Purpose	What the document covers
<b>Dog Control Act 1996</b>	<p>Objects of the Act:</p> <ul style="list-style-type: none"> <li>• <i>Better provision for the care and Control of dogs</i></li> <li>• <i>To make provision in relation to damage caused by dogs.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Requires the registration of dogs</li> <li>• Makes provisions in regard to dangerous and menacing dogs</li> <li>• Obligations of dog Owners including: <ul style="list-style-type: none"> <li>• Control of dogs on Owner's property</li> <li>• Barking dogs</li> <li>• Dogs causing serious injury, distress or endangerment to people, stock, domestic animals or protected wildlife</li> <li>• Seizure or destruction of dogs</li> <li>• Infringement offences</li> <li>• Custody of dogs</li> </ul> </li> <li>• Prohibiting the importation of certain dogs</li> <li>• Micro-chipping</li> <li>• Enforcement</li> </ul>
<b>Dog Control Policy</b>	<p>Required to have regard to:</p> <ul style="list-style-type: none"> <li>• <i>minimise danger, distress, and nuisance</i></li> <li>• <i>restrict uncontrolled access to Public Places that are frequented by children,</i></li> <li>• <i>the use of streets and public amenities without fear of attack or intimidation by dogs; and</i></li> <li>• <i>the exercise and recreational needs of dogs and their Owners.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Nature and application of the Bylaw</li> <li>• Types of dog restrictions and locations/Public Places where restrictions apply</li> <li>• Locations where dogs may be exercised</li> <li>• Requirements for Menacing Dogs</li> <li>• Owner education programmes</li> <li>• Council's and dog Owners' obligations</li> </ul>
<b>Dog Control Bylaw</b>	<p>Purpose:</p> <p><i>to provide adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their Owners while minimising any danger, distress, or nuisance caused by dogs.</i></p>	<ul style="list-style-type: none"> <li>• Specific conditions on when a dog may be prohibited from a public space</li> <li>• Specific areas where dogs are prohibited, including any date or time restrictions</li> <li>• Specific areas where leashes are required, including any date or time restrictions</li> <li>• Specific dog exercise areas, including any date or time restrictions</li> <li>• Temporary area restrictions</li> <li>• Dog fouling</li> <li>• Impounding of dogs</li> <li>• Enforcement, offences and penalties</li> </ul>

The Dog Control Bylaw:

- provides adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their Owners
- minimises the potential for any danger, distress, or nuisance caused by dogs; and
- promotes the responsible management of dogs.

The Bylaw does this by:

- regulating Public Places where an Owner can take their dog
- requiring dog Owners to take responsibility for their dog's actions
- requiring dog Owners to look after their dogs; and
- offences and penalties.

The Bylaw applies across the District to all dog owners residing or visiting the District.

Council provides a report annually for the community and central government on the administration of the Dog Control Policy (including actions taken under the Dog Control Act 1996 or Dog Control Bylaw) and its dog control practices.

#### **A.4 Fees and charges relating to dogs**

[Section 37](#) of the Dog Control Act 1996 sets out what Council may set fees for in relation to its Dog Control activities. Council's ability to set and collect fees is reviewed through the Long Term Plan and Annual Plan processes under the Local Government Act 2002.

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#### **A.5 Interpretation**

In this Policy, 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 Policy.

**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 so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.

**Council** means the governing body of the Thames-Coromandel District Council, or any person delegated to act on its behalf.

**Dangerous Dog** means a dog which has been classified as a dangerous dog under [section 31](#) of the Dog Control Act 1996.

**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 excluding weekends adjoining Kings Birthday and Matariki.

**Menacing Dog** means a dog that has been classified as a menacing dog under [section 33A](#) or [33C](#) of the Dog Control Act 1996.

**Neutered Dog** has the same meaning as defined in [section 2](#) of the Dog Control Act 1996.

**Owner** has the same meaning as defined in [section 2](#) of the Dog Control Act 1996.

**Premises** means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same,

or enclosed space separately occupied. All lands, buildings, and places adjoining each other and occupied together are deemed to be the same Premises.

**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.

**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.


**Working Dog** has the same meaning as defined in [section 2](#) of the Dog Control Act 1996.

## A.6 Objectives of the Policy

This Policy provides for dogs and their Owners in a way that protects animals, wildlife and the community by focusing on the following objectives:

- Objective 1: Minimising potential danger, distress and nuisance to the community generally and to native wildlife.
- Objective 2: Encouraging and supporting responsible dog ownership.
- Objective 3: Enabling people to enjoy the benefits of dog ownership and providing for the controlled exercise and recreational needs of dogs and their Owners.
- Objective 4: Enabling, to the extent that it is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs.

The Policy sets out what Council will do to achieve these objectives, what Council expects its dog Owners will do to contribute to their achievement; and what the Dog Control Bylaw will cover to ensure they can be achieved.



**Objective 1:  
Minimising potential  
danger, distress and  
nuisance to the  
community generally  
and to native wildlife.**

**1.1 What will Thames-Coromandel District Council do?**

**Work with the Department of Conservation to ensure the welfare of wildlife by:**

- (a) identifying sites of breeding native birds and creating additional restrictions on dogs at these locations.
- (b) adjusting areas where there are restrictions on dogs in order to protect new native wildlife breeding areas.
- (c) sharing information about how to contact the Department of Conservation regarding its Policy on dogs.
- (d) requiring that dogs be under Control at all times.


**1.2 What does Thames-Coromandel Council expect of dog Owners?**

- (a) Know and comply with the rules concerning the management of your dog.
- (b) Be responsible for your dog's behaviour and take all reasonable steps to ensure that your dog does not cause a nuisance to any other person (particularly children) or wildlife in the area.

**1.3. What is covered by the Dog Control Bylaw?**

- (a) Restrictions to dogs' access to particular locations during wildlife breeding seasons.
- (b) Restrictions to dogs' access to areas highly frequented by children or large groups of people.
- (c) The requirement to have dogs under Control at all times.

*Owners who do not comply with the above are in breach of the Dog Control Bylaw and may be subject to enforcement action.*



## Objective 2: Encouraging and supporting responsible dog ownership.

### 2.1 What will Thames-Coromandel Council do?

#### **Provide registration administration services including:**

- (a) maintaining a record of all dogs registered in the district, including those classified as Dangerous or Menacing.
- (b) maintaining a record of probationary and disqualified Owners.
- (c) informing and educating dog Owners through the registration process.
- (d) following up on non-registered dogs and non-compliance with the Bylaw or the Dog Control Act 1996.

#### **Provide information, education and services by:**

- (e) encouraging educational opportunities to promote the purposes of the Policy and Bylaw from time to time.
- (f) promoting the welfare of dogs, as stated in the [Code of Welfare for Dogs](#) and [Animal Welfare Act 1999](#). This includes, but is not limited to providing sufficient food, water, shelter and care.
- (g) providing information to dog Owners via signage and the council website that is comprehensive, easy to understand, and up to date.

#### **Maintain dog compliance and enforcement best-practice that proactively uses Council's powers under the Dog Control Act 1996 to:**

- (h) seize and hold dogs that are a threat to public safety.
- (i) classify dogs identified as Menacing or Dangerous as defined in the Dog Control Act 1996 ensure compliance with classification requirements.
- (j) classify and disqualify Owners as necessary as per sections [21](#) and [25](#) of the Dog Control Act 1996.
- (k) provide services that promote responsible dog management, including:
  - i. 24-hour dog management service; and
  - ii. investigation and resolution of dog related issues.

#### **As required, review this Policy and the Dog Control Bylaw in order to:**

- (l) provide for changes in the physical environment
- (m) respond to a local issue
- (n) protect vulnerable wildlife or flora from dogs
- (o) protect dogs from pest control measures
- (p) comply with the Dog Control Act 1996 and the Local Government Act 2002; or
- (q) other circumstances of a comparative nature.

## 2.2 What does Thames-Coromandel Council expect of dog Owners?

- (a) Register your dog(s).
- (b) Keep your dog under Control at all times.
- (c) Owners of dogs classified as Dangerous or Menacing must meet the expectations under the Dog Control Act 1996 ([section 32](#) and [section 33E](#)) (see note 1 below).
- (d) Neuter your dog if required (see note 2 below).
- (e) Owners classified as probationary or disqualified must meet the requirements under the Dog Control Act 1996 ([section 21](#) and [section 25](#)).
- (f) Know and comply with the rules concerning the management of your dog.
- (g) Be responsible for your dog's behaviour.
- (h) Provide proper care and attention to your dog, including providing sufficient food, water, shelter and adequate exercise, as defined by the [Animal Welfare Act 1999](#) and Dog Control Act 1996.
- (i) Microchip your dog.
- (j) Take all reasonable steps to ensure your dog does not cause a nuisance to any other person. Be particularly vigilant near children and closely supervise interaction.
- (k) Respect other people's personal space. Public Places are for everyone's enjoyment and not everyone is fond of dogs.
- (l) Ensure your dog does not leave your property by itself.
- (m) Always carry a leash in public.
- (n) If your dog is impounded, pay any associated fees (see note 3 below).

### **Note 1: Classification of dogs as Menacing due to behaviour**

- If a dog has been classified as Menacing due to their behaviour, under [section 33A](#) of the Dog Control Act 1996, the Owner may request the classification be reviewed after a 12-month period if:
  - the Owner provides evidence of a dog behavioural assessment report, at the Owner's expense
  - the Owner has not obtained any infringements in relation to the dog within the preceding 12-month period;
- Removing the classification of the dog is at the Council's discretion.

### **Note 2: Requirement for dogs to be Neutered**

- (1) If a dog is required to be Neutered, the Owner of that dog –
  - (a) may, within 14 days of receiving the notice, object to the requirement by way of writing to the Council; and
  - (b) has the right to be heard in support of their objection under subclause (1)(a).
- (2) The Council when considering an objection under subclause (1) may uphold or rescind the requirement. In making its determination, the Council must have regard to—
  - (a) the evidence which formed the basis for the requirement
  - (b) the matters relied upon in support of the objection; and
  - (c) any other relevant matters.
- (3) Following its consideration of an objection under subclause (2), the Council must, as soon as practicable, give written notice to the Owner of—
  - (a) its determination of the objection; and
  - (b) the reasons for its determination.

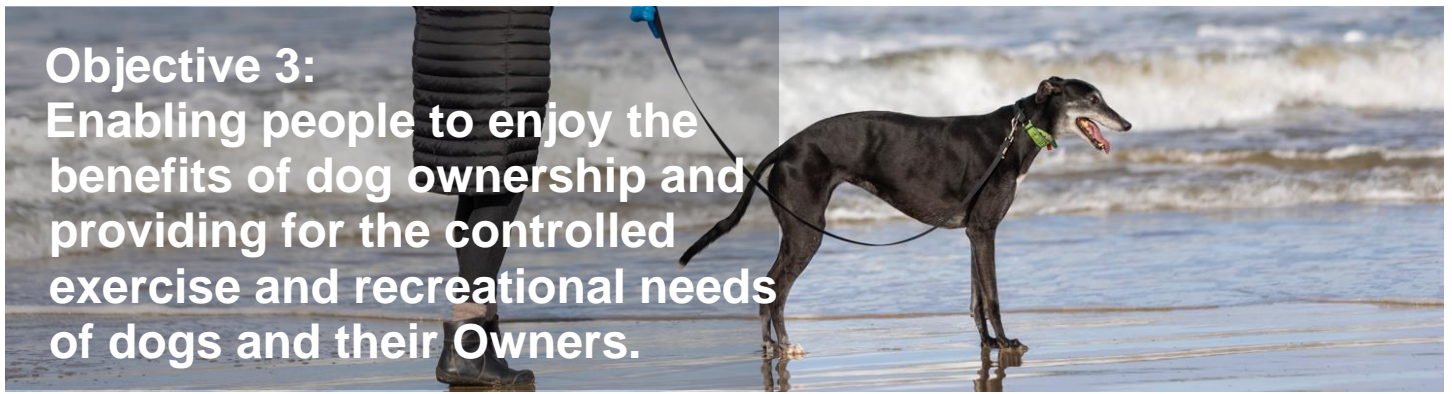
**Note 3: Impounding of Dogs**

- Any dog impounded shall not be released until the impounding fees set by resolution of Council and the full registration fee, if the dog is unregistered, have been paid.
- If a dog, impounded in accordance with the Dog Control Bylaw is not claimed and the fees payable have not been paid within seven days after the Owner has received written notice in accordance with [section 69](#) of the Dog Control Act 1996, that dog may be destroyed, sold or otherwise disposed of by or on behalf of the Council.
- If the owner of a dog so impounded is not known and cannot be identified from the dog registration label or by any other means, the Council may, after the expiration of seven days after the date of seizure of the dog, destroy, sell or otherwise dispose of the dog.
- Council may require dogs impounded on more than three occasions within a continuous period of 24 months to be neutered at the owner's expense (whether or not the owner of the dog has been convicted of an offence against [sections 52A](#) or [53](#) of the Dog Control Act 1996).

**2.3 What is covered by the Dog Control Bylaw?**

- (a) The requirement of a dog Owner to ensure the immediate removal and disposal of their dog's faeces in Public Places in a way that does not cause nuisance.
- (b) The requirement to have all dogs under Control at all times.
- (c) The minimum standards for accommodation of dogs.
- (d) The requirement to keep dogs safe in or on vehicles.
- (e) The requirement to prevent dog nuisances.

*Owners who do not comply with the above are in breach of the Dog Control Bylaw and may be subject to enforcement action.*



**Objective 3:  
Enabling people to enjoy the  
benefits of dog ownership and  
providing for the controlled  
exercise and recreational needs  
of dogs and their Owners.**

**3.1. What will Thames-Coromandel Council do?**

**Provide dog access rules in the Dog Control Bylaw that are comprehensive, consistent, easy to understand and comply with the following approaches:**

- (a) Recognise dog Owners as legitimate users of Public Places and that dog access to these places is essential for dog welfare.
- (b) Integrate, where practicable, dog Owners and their dogs with other users of Public Places.
- (c) Provide opportunities for dog Owners to take their dog(s) to Public Places that are accessible, desirable, and provide diversity of experience for both the dog and Owner.
- (d) Promote safe interaction between dogs and people using Public Places to ensure that dogs do not injure, endanger, intimidate or otherwise cause distress to any person, in particular, children and vulnerable adults.
- (e) Manage conflict between dogs and protected wildlife, native flora, livestock, poultry, domestic animals and property.
- (f) Recognise that working farm dogs need documented exemptions from some Bylaw rules in order to be able to carry out their work function.

**Maintain rules on dog access in Public Places (see Schedule 1 of this Policy)**

- (g) The dog rules in the Dog Control Bylaw restrict dog access in Public Places in the following ways:
  - i. Rules at all dates and times:
    - *on-leash and under Control* – a place shared with other users, where dogs must be on a leash and under Control at all times.
    - *prohibited* – a place where dogs are not permitted to be, and other users have priority.
    - *off-leash and under Control* – a place shared with other users, where dogs may be off a leash but must still be under Control at all times.
  - ii. Time and season areas:
    - *from Labour weekend to 1 March and Easter and ANZAC holiday weekends* – a place where dogs are either prohibited or on leash, and identified native wildlife have priority.
    - *From 20 December to 31 January and identified Holiday Weekends, between 9am and 6pm (inclusive)*– a place where dogs are either prohibited or on leash. This is to minimise the conflict between dogs and other users of the space during peak hours, and identified native wildlife have priority.
- (h) Dogs must be under Control on-leash in Council-controlled Public Places unless otherwise stated in Schedule 1. This includes:
  - i. within 5 metres of the edge of Playgrounds, Sport Surfaces including skateparks; and
  - ii. all Beaches and parts of Beaches, excluding areas described elsewhere in this schedule.

**Consider the following before making any change to a dog access rule on parks and Beaches that would provide more dog access:**

- (i) Identify and assess current and future use of the place and whether there may be any potential conflicts to ensure the change would not result in any additional risk to any:
  - i. person (in particular children or vulnerable adults)



- ii. protected wildlife vulnerable to dogs (in particular ground nesting birds)
- iii. protected flora vulnerable to dogs (in particular kauri dieback)
- iv. stock, poultry, or domestic animal; or
- v. property (in particular natural habitat and public amenities).

### **Temporary changes to dog access rules**

- (j) From time to time, the Council may make temporary changes to dog access rules in Schedule 1 in relation to:
  - i. leisure and cultural events (including dog friendly events)
  - ii. protect wildlife vulnerable to dogs
  - iii. protect flora vulnerable to dogs
  - iv. pest control in any park and/or Beach; or
  - v. other circumstances of a comparative nature.

### **3.2. What does Thames-Coromandel Council expect of dog Owners?**

- (a) The Owner of any female dog in season or dog with a disease must ensure the dog does not enter or remain in any Public Place unless:
  - i. the dog is confined in a vehicle or cage for the purposes of transportation.
  - ii. the Owner of the dog has the permission of the occupier or person controlling the Public Place and complies with any reasonable conditions imposed.
- (b) Dog Owners make reasonable effort to determine and comply with the dog access rule that applies in a park or Beach before taking their dog(s) into the area.

### **3.3 What is covered by the Dog Control Bylaw?**

- (a) Owners must exercise their dog(s) in locations and/or ways that are consistent with the dog access rules. This includes ensuring the dog is under Control on-leash, off-leash or in designated dog exercise area as specified.
- (b) Dog Owners must ensure that their dog is kept under Control in public and private locations.
- (c) Recognition of the need to have exemptions for Working Dogs.
- (d) Identification of prohibited, off leash and on leash public areas.
- (e) Restrictions on dogs in season and Diseased dogs.
- (f) The ability to temporary change area restrictions in response to a community or biodiversity need.
- (g) The requirement to have dogs under Control at all times.

*Owners who do not comply with the above are in breach of the Dog Control Bylaw and may be subject to enforcement action.*



**Objective 4:**  
Enabling, to the extent that it is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs.

#### **4.1 What will Thames-Coromandel District Council do?**

*Proactively reduce the danger and nuisance caused by dogs by:*

- (a) requiring that dogs be under Control at all times.
- (b) restricting dog access in areas highly populated by people (Playgrounds, Sports Surfaces - including skateparks). See Schedule 1 for more details.
- (c) encouraging education opportunities that promote the purposes of the Policy and Bylaw from time to time.
- (d) providing community education and assistance focused on children, families and people working in the community to increase public awareness on how to be safe around dogs).
- (e) promoting dog safe communities through encouraging compliance and undertaking enforcement.
- (f) ensuring public safety and comfort, working to change attitudes and behaviours of irresponsible dog Owners, and where appropriate penalising irresponsible dog Owners.
- (g) requiring that dogs registered within the district and classified as Menacing by deed, breed or type by the Council or another territorial authority be Neutered.

#### **4.2 What does Thames-Coromandel Council expect of dog Owners?**

- (a) Know and comply with the rules concerning the management of your dog.
- (b) Be responsible for your dog's behaviour and take all reasonable steps to ensure that your dog does not cause a nuisance to any other person (particularly children) or wildlife in the area.
- (c) If your dog is impounded, pay any associated fees.

#### **4.3 What is covered by the Dog Control Bylaw?**

- (a) Restrictions to dogs' access to particular locations during wildlife breeding seasons.
- (b) Restrictions to dogs' access to areas highly frequented by children or large groups of people.
- (c) The requirement to have dogs under Control at all times.

*Owners who do not comply with the above are in breach of the Dog Control Bylaw and may be subject to enforcement action.*

# Schedule 1: General dog access rules

General areas where dogs are prohibited, where dogs must be on leash, or areas designated as off leash dog exercise areas are listed in the table below. All dogs must be under Control at all times in Public Places regardless of if they are off leash.

All Public Places within the district are either prohibited, on leash or off leash but still under Control areas. Council puts up signs at popular locations to help inform the public. Although these are subject to change from time to time, examples of current signage are provided below:



**Green signs denote exercise areas:** Dogs can be off leash but under Control at all dates and times that this sign is showing.



**Orange signs denote restricted areas:** Council uses the restricted term for the summer period and Holiday Weekends. It means that there are restrictions around dog access during certain dates and times. There are also some areas that dogs are restricted from all year round.



**Red signs denote prohibited areas:** This means no dogs at all. The district has some areas that are prohibited all year round.

The table below lists general areas of dog Control in the district. The Bylaw gives effect to the Controls stipulated for each of the areas identified in the table.

Refer to section A.5 Interpretation for definitions of terms used in the table, including for Beach, Playground, Public Place, and Sports Surface.

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) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
<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				
Roads including pedestrian areas, margins and car parks	On leash				
Within 5m of the edge of a children's playground		Prohibited			
Within 5m of the edge of a sports surfaces including skateparks		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					On leash. Off leash at all other dates and times
Carey Road Beach - entire beach	On leash				
Hannafords Bay - entire beach					On leash. Off leash at all other dates and times
Hauraki Road – WW1 Memorial Forest 520 Hauraki Road			Off leash		
Herds Bay - entire beach					On leash. Off leash at all other dates and times
Little Bay - entire beach					On leash. Off leash at all other dates and times
Little Sandy Bay - entire beach					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	
	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) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
Long Bay - entire beach					On leash. Off leash at all other dates and times
Ōāmaru Bay - entire beach					On leash. Off leash at all other dates and times
Ōtautū Bay - entire beach					On leash. Off leash at all other dates and times
Patukirikiri Reserve - grassed area west of courts and skate bowl			Off leash		
Port Jackson Beach - the northern half of the beach from DOC campground, (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
Tuateawa Walkway, Waihiere Drive and entire beach		Prohibited			
Waikawau Bay (east coast) - entire beach		Prohibited			
Wyuna Bay - entire beach					On leash. Off leash at all other dates and times
<b>MERCURY BAY COMMUNITY BOARD AREA</b>					
Brophys/ Ōhuka Beach - entire beach					Prohibited. Off leash at all other dates and times
Buffalo Beach - area south of Taputapuatea Stream/Mother Browns Stream					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	From Labour weekend to 1 March at all times (inclusive) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
Buffalo Beach - Taputapuatea, Whitianga - area from Taputapuatea Stream/Mother Browns Stream north to the Mercury Bay Boating Club, excluding walkway				Prohibited. Off leash at all other dates and times	
Cooks Beach - entire beach excluding the Pūrangi river flats from east side of playground to south side of boat ramp (river flats area off leash at all dates and times)					Prohibited. Off leash at all other dates and times
Cooks Beach, Pūrangi Reserve			Off leash		
Flaxmill Bay and Front Beach - entire beaches					Prohibited. Off leash at all other dates and times
Hāhei Beach - entire beach					Prohibited. Off leash at all other dates and times
Hot Water Beach north - area from the Domain Road car park (middle car park) to the most northern end of the beach				On leash. Off leash at all other dates and times	
Hot Water Beach south - area from the Domain Road car park (middle car park) to the most southern end of the beach				Prohibited. On leash at all other dates and times	
Hot Water Beach - Old Campground - the western point of Pye Place Reserve bordering Taiwawe Stream			Off leash		
Kūaotunu - Rings Beach - entire beach excluding western end from west side of car park (excluded area off leash at all dates and times)					Prohibited. Off leash at all other dates and times
Kūaotunu Beach east from Kawhero Street Beach access.				Prohibited. Off leash at all other dates and times	
Kūaotunu Beach west from Kawhero Street Beach access					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	From Labour weekend to 1 March at all times (inclusive) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
Kūaotunu Grays Beach entire beach					Prohibited. Off leash at all other dates and times
Matapaua Beach - entire beach					Prohibited. Off leash at all other dates and times
Matarangi Beach - entire beach excluding northern spit area					Prohibited. Off leash at all other dates and times
Matarangi Beach - northern spit adjacent to the golf course excluding walkway (walkway on leash at all dates and times)		Prohibited			
Matarangi - Omara Boat Ramp Reserve			Off leash		
Ōpito Bay Beach - entire beach					Prohibited. Off leash at all other dates and times
Ōtama Beach - entire beach excluding east of the stream opposite the Black Jack Road and Ōtama Beach Road intersection (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			Off leash		
Wainui-o-Toto/New Chums Beach - entire beach		Prohibited			
Whangapoua Beach - entire beach excluding northern end from north-facing side of Mangakahia car park (near lagoon)					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		Prohibited			
Whangapoua - Opera Point southern spit - area including carpark and beach area	On 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	From Labour weekend to 1 March at all times (inclusive) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
Wharekaho Beach - entire beach					Prohibited. Off leash at all other dates and times
<b>TAIRUA-PĀUANUI COMMUNITY BOARD AREA</b>					
Pāuanui Ocean Beach south and associated reserve - area south of Pāuanui Surf Club					Prohibited. Off leash at all other dates and times
Pāuanui - Pleasant Point Reserve - area south of the bollards to Ajax Head			Off leash		
Pāuanui - South End Reserve - western side of South End Reserve			Off leash		
Pāuanui Ocean Beach north - area north of Pāuanui Surf Club around the point to the north-east side of the boat ramp at Royal Billy Point (boat ramp on leash at all dates and times)				Prohibited. Off leash at all other dates and times	
Pāuanui - 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)					Prohibited. Off leash at all other dates and times
Slipper Island – Whakahau all Council reserves		Prohibited			
Tairua - Boat Harbour Beach - entire beach		Prohibited			
Tairua Estuary - Estuary east of Pepe Bridge					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 and accessway		Prohibited			
<b>THAMES COMMUNITY BOARD AREA</b>					
Burke Street Beach - entire beach	On leash				
Burke Street Reserve - the reserve area inland of the beach and directly south of Burke Street			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	From Labour weekend to 1 March at all times (inclusive) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
Hauraki Rail Trail - South of Kōpū Bridge to Ferry Road Hikutaia		Prohibited			
Kuranui Bay - entire beach and reserve					Prohibited. Off leash at all other dates and times
Little Waikawau (west coast) - entire beach				Prohibited. On leash at all other dates and times	
Ngārimu Bay Beach - entire beach					On leash. Off leash at all other dates and times
Ruamāhunga Bay Beach - entire beach					On leash. Off leash at all other dates and times
Tapu Beach - entire beach and spit				On leash. Off leash at all other dates and times	
Tararū Beach - entire beach					On leash. Off leash at all other dates and times
Te Mātā Beach, Little Te Mātā and Te Mātā 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

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) and Easter and ANZAC holiday weekends	From 20 December to 31 January and holiday weekends, between 9am and 6pm (inclusive)
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>WHANGAMATĀ COMMUNITY BOARD AREA</b>					
Onemana Beach - south of Castle Rock				Prohibited. On leash at all other dates and times	
Ōpoutere Beach - entire beach excluding southern end	On leash				
Ōpoutere 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)		Prohibited			
Ōpoutere bush north - the area north from the point at which the car park bridge crosses the stream and the southernmost beach access			Off leash		
Whangamatā - Hetherington Road Reserve			Off leash		
Whangamatā - Park Avenue Reserve			Off leash		
Whangamatā - Patiki Bay Reserve area located at the end of Durrant Drive and the adjoining reserve			Off leash		
Whangamatā Beach - from beach access 18 north to 100 metres north of the wharf					Prohibited. Off leash at all other dates and times
Whangamatā Beach - Ōtahu Estuary from beach access 18 to beach access 20				Prohibited. Off leash at all other dates and times	



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## Appendix 2: comparison of the current and revised Dog Control Policy | Te Kaupapa Here mō ngā Kuri

The table below shows a comparison of the current and revised policies by topic.

In general, the revised policy uses a different structure and different words. The reason for this change is to make the policy easier to understand.

The differences between the structure and wording make a direct comparison difficult and the size of the table long. To mitigate this the table:

- does not show administrative clauses (for example title, commencement and revocations)
- follows the order of the current Dog Control Policy
- equivalent clauses from the current policy will often appear out of sequence and may appear more than once
- long sections that are less significant are summarised as opposed to stated verbatim
- differences that are less significant are referenced as opposed to stated

### Differences between the current Policy and the revised Dog Control Policy

Topic	Current (2016) Policy	Summary of changes in the revised Policy	Reasons for change
Formatting /layout	<i>Goes through the topics identified in the Dog Control Act to consider in the Policy</i>	New layout focused on readability to the public. Tells the story of the goal and the partnership between owners and Council that is expected to achieve the objectives. This is then cross referenced with the bylaw for clear identification.	The current policy is not highly used by the public and it is intended that the draft policy will be more readable and provide better explanations to the public about dog control.
Description	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.	Application section Background section	Provides increased clarity on local matters relating to the Dog Control Policy.
Objectives	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.	This Policy provides for dogs and their Owners in a way that protects animals, wildlife and the community by focusing on the following objectives: Objective 1: Minimising potential danger, distress and nuisance to the community generally and to native wildlife.	Amended – Minor changes to improve clarity while still being consistent with the Dog Control Act 1996.

	<p>b) Encourage and support responsible dog ownership.</p> <p>c) Minimise potential danger, distress and nuisance to the community generally and native wildlife.</p> <p>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.</p>	<p>Objective 2: Encouraging and supporting responsible dog ownership.</p> <p>Objective 3: Enabling people to enjoy the benefits of dog ownership and providing for the controlled exercise and recreational needs of dogs and their Owners.</p> <p>Objective 4: Enabling, to the extent that it is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs.</p>	
<p>Nature and application of Bylaw</p>	<p>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.</p> <p>2.2. Under section 10(1) of the Act the Council must adopt a policy in respect of dogs in the Thames-Coromandel District.</p> <p>2.3. Under section 10(6) of the Act, the Council must give effect to its policy by having a bylaw.</p> <p>2.4. The Council's policy and bylaw must be made in accordance with the Local Government Act 2002.</p> <p><i>Plus a table identifying the Act, Policy and Bylaw requirements</i></p>	<p>A.3. Relationship between the Policy and the Bylaw Under the Dog Control Act (the Act), Council is required to develop a Dog Control Policy and make a Bylaw to implement its Dog Control Policy. The Bylaw cannot be inconsistent with the Policy. Dog Owners who do not comply with the Act, the Council's Dog Control Policy or the Bylaw may be subject to enforcement action. Enforcement can be either directly under the Act or jointly through the Act, the Bylaw and the Local Government Act 2002. Infringement offences under the Act can be viewed <a href="#">here</a>.</p> <p>The Dog Control Bylaw:</p> <ul style="list-style-type: none"> <li>o provides adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their Owners</li> <li>o minimises the potential for any danger, distress, or nuisance caused by dogs; and</li> <li>o promotes the responsible management of dogs.</li> </ul> <p>The Bylaw does this by:</p> <ul style="list-style-type: none"> <li>o regulating Public Places where an Owner can take their dog</li> <li>o requiring dog Owners to take responsibility for their dog's actions</li> <li>o requiring dog Owners to look after their dogs; and</li> <li>o offences and penalties.</li> </ul>	<p>Expanded – A text explanation is given of the relationship between the Dog Control Act, Policy and Bylaw instead of legislation references.</p> <p>The tables are amended to better reflect the revised and draft policy and bylaw. See the revised policy for more details.</p>

		The Bylaw applies across the District to all dog owners residing or visiting the District. <i>Plus a table identifying the Act, Policy and Bylaw requirements</i>	
	<b>Definitions</b>		
Interpretation	<b>6. DEFINITIONS</b> 6.1. In this bylaw, unless the context requires otherwise -	<b>A.5 Interpretation</b> In this Policy, unless the context requires otherwise:	Staff have removed definitions that are no longer used in the bylaw. Where possible, the bylaw refers to definitions defined in legislation or an English Dictionary.
	<b>Chief Executive</b> means the person employed by Council as the Chief Executive of the Council for the time being.		Removed - not used in the draft bylaw.
	<b>Control</b> 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.	<b>Control</b> 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 so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.	Altered – to clarify that a loss of control or inability to physically restrain the dog is considered a loss of control.
	<b>Council</b> refers to the Thames-Coromandel District Council.	<b>Council</b> means the governing body of the Thames-Coromandel District Council, or any person delegated to act on its behalf.	Altered – standardised across Council bylaws.
	<b>District</b> means the Thames-Coromandel District. <b>Foreshore</b> has the meaning as defined in section 2 of the Resource Management Act 1991.		Removed - not used in the draft bylaw.
	<b>Holiday Weekend</b> means any weekend which immediately precedes or follows a public holiday, and includes any public holiday as defined in the Holidays Act 2003.	<b>Holiday Weekend</b> means any weekend which immediately precedes or follows a public holiday, and includes any public holiday as defined in the Holidays Act 2003 excluding weekends adjoining Kings Birthday and Matariki.	Altered – The bylaws have additional restrictions on dogs for holiday weekends. The purpose of the restrictions is to provide ample public space for the public to enjoy without

			distress or nuisance from dogs. The winter holiday weekends (Kings Birthday and Matariki) result in less visitors to the district than the other holidays, meaning that the restrictions are not necessary and unreasonably restrict dog owners from exercising their dogs when there is less daylight. The draft bylaw excludes the winter holiday weekends.
	<p><b>Park</b> means –</p> <p>a) any land vested in or administered by the Council, or the Department of Conservation, under the provisions of the Reserves Act 1977; or</p> <p>b) any park, domain or recreational area under the control or ownership of the Council.</p> <p><b>Reserve</b> has the same meaning as Park.</p>		Removed – covered by the definition of ‘public place’ which is defined by the Dog Control Act 1996 and is therefore the preferred definition for this bylaw.
	<b>The Act</b> refers to the Dog Control Act 1996.		Removed - not used in the draft bylaw.
	<b>Policy Statement</b>		
Education	4.1.1 The Council will encourage education opportunities to promote the purposes of the policy and bylaw from time to time.	<p>2.1 Provide information, education and services by:</p> <p>(e) encouraging educational opportunities to promote the purposes of the Policy and Bylaw from time to time.</p> <p>(f) promoting the welfare of dogs, as stated in the Code of Welfare for Dogs and Animal Welfare Act 1999. This includes, but is not limited to providing sufficient food, water, shelter and care.</p> <p>(g) providing information to dog Owners via signage and the council website that is comprehensive, easy to understand, and up to date.</p>	Expanded – provides additional sources of information and educational opportunities.

<p>Neutering</p>	<p>4.2.1. Dogs registered within the district and classified as menacing by the Council must be neutered.</p> <p>4.2.2. Dogs registered within the district and classified as menacing by deed by another territorial authority must be neutered.</p> <p>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.</p>	<p>2.2 What does Thames-Coromandel Council expect of dog Owners?</p> <p>...</p> <p>(c) Owners of dogs classified as Dangerous or Menacing must meet the expectations under the Dog Control Act 1996 (section 32 and section 33E) (see note 1 below).</p> <p>(d) Neuter your dog if required (see note 2 below).</p> <div data-bbox="952 416 1621 786" style="border: 1px solid black; padding: 5px;"> <p><b>Note 1: Classification of dogs as Menacing due to behaviour</b></p> <ul style="list-style-type: none"> <li>• If a dog has been classified as Menacing due to their behaviour, under <a href="#">section 33A</a> of the Dog Control Act 1996, the Owner may request the classification be reviewed after a 12-month period if: <ul style="list-style-type: none"> <li>• the Owner provides evidence of a dog behavioural assessment report, at the Owner's expense;</li> <li>• the Owner has not obtained any infringements in relation to the dog within the preceding 12-month period;</li> </ul> </li> <li>• Removing the classification of the dog is at the Council's discretion.</li> </ul> </div> <div data-bbox="952 799 1621 1273" style="border: 1px solid black; padding: 5px;"> <p><b>Note 2: Requirement for dogs to be Neutered</b></p> <p>(1) If a dog is required to be Neutered, the Owner of that dog –</p> <ol style="list-style-type: none"> <li>(a) may, within 14 days of receiving the notice, object to the requirement by way of writing to the Council; and</li> <li>(b) has the right to be heard in support of their objection under subclause (1)(a).</li> </ol> <p>(2) The Council when considering an objection under subclause (1) may uphold or rescind the requirement. In making its determination, the Council must have regard to—</p> <ol style="list-style-type: none"> <li>(a) the evidence which formed the basis for the requirement;</li> <li>(b) the matters relied upon in support of the objection; and</li> <li>(c) any other relevant matters.</li> </ol> <p>(3) Following its consideration of an objection under subclause (2), the Council must, as soon as practicable, give written notice to the Owner of—</p> <ol style="list-style-type: none"> <li>(a) its determination of the objection; and</li> <li>(b) the reasons for its determination.</li> </ol> </div>	<p>Expanded – Details from the Dog Control Act 1996 provides</p>
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Fees	4.3.1. Fees and charges shall be determined by the Council in accordance with section 37 of the Act.	A.4 Fees and charges relating to dogs Section 37 of the Dog Control Act 1996 sets out what Council may set fees for in relation to its Dog Control activities. Council's ability to set and collect fees is reviewed through the Long Term Plan and Annual Plan processes under the Local Government Act 2002.	Expanded- The revised policy does not have a 'fees' part of the policy as the amount and method of collecting any fees associated with Dog Control is considered a separate issue managed under the Annual Plan. Section 27 of the Dog Control Act 1996 outlines what Council can collect fees for in relation to dog activities.
Infringements	4.4.1. The Council may issue infringement notices for breaches of the bylaw.	A.3. Dog Owners who do not comply with the Act, the Council's Dog Control Policy or the Bylaw may be subject to enforcement action. Enforcement can be either directly under the Dog Control Act 1996 (the Act) or jointly through the Act, the Bylaw and the Local Government Act 2002. Infringement offences under the Act can be viewed here. <i>In each section of the policy:</i> Owners who do not comply with the above are in breach of the Dog Control Bylaw and may be subject to enforcement action.	Amended – Infringement Notices can be issued also be issued directly through the Dog Control Act 1996. There are also other enforcement options identified.
Areas	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.	3.1 Maintain rules on dog access in Public Places (see Schedule 1 of this Policy) (g) The dog rules in the Dog Control Bylaw restrict dog access in Public Places in the following ways: (i). Rules at all dates and times: <ul style="list-style-type: none"> <li>• on-leash and under Control – a place shared with other users, where dogs must be on a leash and under Control at all times.</li> <li>• prohibited – a place where dogs are not permitted to be, and other users have priority.</li> </ul>	Expanded – An explanation of the various restrictions are provided for clarity purposes.

		<ul style="list-style-type: none"> <li>• off-leash and under Control – a place shared with other users, where dogs may be off a leash but must still be under Control at all times.</li> </ul> <p>(ii). Time and season areas:</p> <ul style="list-style-type: none"> <li>• from Labour weekend to 1 March and Easter and ANZAC holiday weekends – a place where dogs are either prohibited or on leash, and identified native wildlife have priority.</li> <li>• From 20 December to 31 January and identified Holiday Weekends, between 9am and 6pm (inclusive)– a place where dogs are either prohibited or on leash. This is to minimise the conflict between dogs and other users of the space during peak hours, and identified native wildlife have priority.</li> </ul> <p>(h) Dogs must be under Control on-leash in Council-controlled Public Places unless otherwise stated in Schedule 1. This includes:</p> <p>(i). within 5 metres of the edge of Playgrounds, Sport Surfaces including skateparks and</p> <p>(ii). all Beaches and parts of Beaches, excluding areas described elsewhere in this schedule.</p>	
<p>Department of Conservation (DOC)</p>	<p>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.</p> <p>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.</p>	<p>1.1 Work with the Department of Conservation to ensure the welfare of wildlife by:</p> <p>(a) identifying sites of breeding native birds and creating additional restrictions on dogs at these locations.</p> <p>(b) adjusting areas where there are restrictions on dogs in order to protect new native wildlife breeding areas.</p> <p>(c) sharing information about how to contact the Department of Conservation regarding its Policy on dogs.</p> <p>(d) requiring that dogs be under Control at all times.</p>	<p>Amended – Clarifies how Council and DOC will work together.</p>

<b>New sections to the revised Policy</b>		
New subsections	What does Thames-Coromandel Council expect of dog Owners?	Information - each objective of the revised policy has been given these subheadings to provide clarity to the public on what they need to do and how the objective will be enforced through the Dog Control Bylaw.
	What is covered by the Dog Control Bylaw?	
Administration	<p>2.1 Provide registration administration services including:</p> <ul style="list-style-type: none"> <li>(a) maintaining a record of all dogs registered in the district, including those classified as Dangerous or Menacing.</li> <li>(b) maintaining a record of probationary and disqualified Owners.</li> <li>(c) informing and educating dog Owners through the registration process.</li> <li>(d) following up on non-registered dogs and non-compliance with the Bylaw or the Dog Control Act.</li> </ul>	Information – explains the requirements on Council to enforce registration of dogs.
Enforcement	<p>2.1 Maintain dog compliance and enforcement best-practice that proactively uses Council's powers under the Dog Control Act 1996 to:</p> <ul style="list-style-type: none"> <li>(h) seize and hold dogs that are a threat to public safety.</li> <li>(i) classify dogs identified as Menacing or Dangerous as defined in the Dog Control Act 1996 ensure compliance with classification requirements.</li> <li>(j) classify and disqualify Owners as necessary as per sections <a href="#">21</a> and <a href="#">25</a> of the Dog Control Act 1996.</li> <li>(k) provide services that promote responsible dog management, including: <ul style="list-style-type: none"> <li>i. 24-hour dog management service and</li> <li>ii. investigation and resolution of dog related issues.</li> </ul> </li> </ul>	Information – outlines Council's enforcement responsibilities under the Dog Control Act 1996.
Additional reviews	<p>2.1 As required, review this Policy and the Dog Control Bylaw in order to:</p> <ul style="list-style-type: none"> <li>(l) provide for changes in the physical environment</li> <li>(m) respond to a local issue</li> <li>(n) protect vulnerable wildlife or flora from dogs</li> <li>(o) protect dogs from pest control measures</li> <li>(p) comply with the Dog Control Act 1996 and the Local Government Act 2002; or</li> <li>(q) other circumstances of a comparative nature.</li> </ul>	Information – informs the circumstances in which Council will review the policy or bylaw.

<p>Approach used to manage dog access</p>	<ul style="list-style-type: none"> <li>• 3.1 Provide dog access rules in the Dog Control Bylaw that are comprehensive, consistent, easy to understand and comply with the following approaches: <ul style="list-style-type: none"> <li>(a) Recognise dog Owners as legitimate users of Public Places and that dog access to these places is essential for dog welfare.</li> <li>(b) Integrate, where practicable, dog Owners and their dogs with other users of Public Places.</li> <li>(c) Provide opportunities for dog Owners to take their dog(s) to Public Places that are accessible, desirable, and provide diversity of experience for both the dog and Owner.</li> <li>(d) Promote safe interaction between dogs and people using Public Places to ensure that dogs do not injure, endanger, intimidate or otherwise cause distress to any person, in particular, children and vulnerable adults.</li> <li>(e) Manage conflict between dogs and protected wildlife, native flora, livestock, poultry, domestic animals and property.</li> <li>(f) Recognise that working farm dogs need documented exemptions from some Bylaw rules in order to be able to carry out their work function.</li> </ul> </li> </ul>	<p>Information – provides the background as to why restrictions are considered</p>
<p>Approach used to change level of dog access</p>	<p>3.1 Consider the following before making any change to a dog access rule on parks and Beaches that would provide more dog access:</p> <ul style="list-style-type: none"> <li>(i) Identify and assess current and future use of the place and whether there may be any potential conflicts to ensure the change would not result in any additional risk to any: <ul style="list-style-type: none"> <li>(i). person (in particular children or vulnerable adults)</li> <li>(ii). protected wildlife vulnerable to dogs (in particular ground nesting birds)</li> <li>(iii). protected flora vulnerable to dogs (in particular kauri dieback)</li> <li>(iv). stock, poultry, or domestic animal; or</li> <li>(v). property (in particular natural habitat and public amenities).</li> </ul> </li> </ul>	<p>Information – provides the criteria as to why a review of restrictions are considered</p>
<p>Approach used to temporarily change level of dog access</p>	<p>3.1 Temporary changes to dog access rules</p> <ul style="list-style-type: none"> <li>(j) From time to time, the Council may make temporary changes to dog access rules in Schedule 1 in relation to: <ul style="list-style-type: none"> <li>(i). leisure and cultural events (including dog friendly events)</li> <li>(ii). protect wildlife vulnerable to dogs</li> <li>(iii). protect flora vulnerable to dogs</li> <li>(iv). pest control in any park and/or Beach; or</li> <li>(v). other circumstances of a comparative nature.</li> </ul> </li> </ul>	<p>Information – provides the criteria as to why a review of restrictions are considered</p>

Reducing danger	<p>4.1 Proactively reduce the danger and nuisance caused by dogs by:</p> <p>(a) requiring that dogs be under Control at all times.</p> <p>(b) restricting dog access in areas highly populated by people (Playgrounds, skateparks and Sports Surfaces). See Schedule 1 for more details.</p> <p>(c) encouraging education opportunities that promote the purposes of the Policy and Bylaw from time to time.</p> <p>(d) providing community education and assistance focused on children, families and people working in the community to increase public awareness on how to be safe around dogs).</p> <p>(e) promoting dog safe communities through encouraging compliance and undertaking enforcement.</p> <p>(f) ensuring public safety and comfort, working to change attitudes and behaviours of irresponsible dog Owners, and where appropriate penalising irresponsible dog Owners.</p> <p>(g) requiring that dogs registered within the district and classified as Menacing by deed, breed or type by the Council or another territorial authority be Neutered.</p>	Information – provides the background as to why restrictions are considered
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**Differences between the current policy section 4.5 areas of dog control in public places and the revised policy schedule 1: General dog access rules**

Current (2016) Policy	Summary of changes in the revised Policy	Reasons for change
<b>District wide restrictions</b>		
Children’s Playground	Within 5m of the edge of a children's playground	Amended - to ensure there is a sufficient buffer to protect users especially children while they are using the playground.
Sport surface	Within 5m of the edge of a sports surfaces including skateparks	Amended – to ensure health and safety of those using the sports surface.
	Roads including footpaths, pedestrian areas, margins and car parks	New – provides clarification that roads are a public place that require dogs to be on leash.
<b>Coromandel-Colville Community Board Area</b>		
	WW1 Memorial Forest - Hauraki Road; <i>Off leash at all dates and times</i>	New – Off-leash area for people to exercise dogs. This area has been identified as suitable and can accommodate off lead.

Current (2016) Policy	Summary of changes in the revised Policy	Reasons for change
	Tuateawa walkway and entire beach; <i>Prohibited at all dates and times</i>	New – Prohibited area for wildlife protection as this is an important habitat for Kiwi and multiple bird species all year round.
<b>Mercury Bay Community Board Area</b>		
Kuaotunu Beach east and west (including Grays Beach) excluding the area 400 metres on each side of Quarry Point as indicated by signs  <i>Prohibited. From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)</i>	Kūaotunu Beach east from Kawhero Street Beach access; <i>Prohibited from Labour weekend to 1 March at all times (inclusive) and including Easter and ANZAC holiday weekends</i>	Amended – Clarified the restrictions to make it clear which parts of the beach the different restrictions apply to.
	Kūaotunu Beach west from Kawhero Street Beach access; <i>Prohibited. From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)</i>	Kūaotunu Beach east from Kawhero Street Beach access. DOC have advised there are several breeding dotterel pairs in this area that are disturbed by off lead dogs. This reason for the proposed restriction is to protect the wildlife in this area during the breeding season.
	Kūaotunu Grays Beach entire beach; <i>Prohibited From 20 December to 31 January and all holiday weekends, between 9am and 6pm (inclusive)</i>	Kūaotunu Beach west from Kawhero Street Beach access and Kūaotunu Grays Beach entire beach. The proposal to prohibit for the summer period is for health and safety as these beaches are a popular location for people during this time.
<b>Tairua- Pāuanui Community Board Area</b>		
	Slipper Island Whakahau – all council reserves; <i>Prohibited at all dates and times</i>	New - The wildlife in this area requires protection.
<b>Thames Community Board Area</b>		
	Hauraki Rail Trail south of Kōpū Bridge to Ferry Road Hikutaia; <i>Prohibited at all dates and times</i>	New – The rail trail crosses the district boundary and goes through rural land with stock. The restriction is consistent with other parts of the trail and will protect stock.
<b>Whangamatā Community Board Area</b>		
		No location specific changes identified.