



Dog Control Bylaw

Consultation Document

Submissions close 12pm on Tuesday 7 November 2023



Waimate
District Council

Background

There are over 2,800 registered dogs in the Waimate District and the number is continuing to grow. Being a dog owner comes with responsibilities and obligations – to your dog, your neighbours and the community.

Council is responsible for ensuring effective regulation of dogs within the Waimate District. This keeps both the dogs and community safe. Council recognises that dogs are an important part of our community and can enhance social wellbeing by providing companionship and positive experiences for their owners.

The Dog Control Bylaw fulfils Council's statutory obligations under the Dog Control Act 1996. It outlines how Council will provide the framework of responsibilities and obligations for dog owners within the district.



Reason for the proposal

As the district grows and changes through time so does the use of our parks and public spaces. Feedback from dog owners, businesses, the Animal Management team and the community at large gives us a better idea of existing and emerging trends and patterns around suitable places to walk dogs, enforcement of proper disposal of animal waste and areas of conflict related to dogs.

The current bylaw mandates Council to neuter all dogs labelled as “menacing”. The bylaw does not allow Council to use its discretion in relation to neutering, even in cases where the Animal Management team believes there are justifiable grounds to not neuter a dog. These may be factors like age, demeanour and whether the behaviour is learned, and whether neutering will alter the behaviour.

The Local Government Act 2002 mandates Council to seek public consultation whenever the bylaw is amended. Council wants the community to have an opportunity to give their feedback on the proposed changes to the bylaw.

The proposal

Council is proposing some changes to the “Dog Exercise and Prohibited Areas” maps and adding new “Dog on Leash” areas to strike a balance between providing dog owners with spaces to enrich their experience and exercise their dogs while minimising nuisance and risk to the community. The updated maps reflect bylaw restrictions while considering past trends, previous conflicts and community input.

Important definitions:

Dog Exercise Area means a public place identified as an area where dogs may be exercised at large without being controlled on a leash.

Dog on Leash means that the dog must be continually controlled on a leash by the owner or person in charge of the dog.

Dog Prohibited Public Place means a public place within the district where a dog is prohibited (unless exempt).

Dog Exercise and Prohibited Areas Proposed Maps

1. Knottingley Park and Arboretum

It is proposed to change the campgrounds from a “Dog Exercise Area” to a “Dog on Leash” area. As campgrounds are a mixed-use public space, designating them accordingly allows campers the opportunity to bring their dogs while ensuring the safety of others.



2. Boland Park

It is proposed to change the northeast corner from a “Dog Exercise Area” to a “Dog Prohibited Public Area”. The current splitting of Boland Park into one section that allows dogs and another that doesn’t, generates confusion. Additionally, the park is often used for events that restrict access to dogs. While being hesitant to reduce exercise areas for dogs, Council wants to prevent having to change dog access regulations for the park frequently.



3. Victoria Park

It is proposed to change the campground from a “Dog Exercise Area” to a “Dog on Leash” area and designate the netball court and lawn bowling green as a “Dog Prohibited Public Area”. Victoria Park represents one of the largest mixed-use spaces in Waimate and we want to make sure that campers, dog owners, and the public are all able to utilize the park. As campgrounds are a mixed-use public space, designating them as “Dog on Leash” areas allows campers the opportunity to bring their dogs while ensuring the safety of others. Designating the netball courts and lawn bowling green as “Dog Prohibited Public Area” ensures the map accurately reflects the bylaw.



4. Glenavy Recreation Reserve

The Glenavy Recreation Reserve provides an open space for people to walk their dogs. The reserve allows for dogs to be walked without leashes in the “Dog Exercise Area.” However, the “Dog on Leash” area, requires dogs to be kept on a lead due to the presence of children and cyclists using the pocket park.



5. St Andrews Recreation Reserve

It is proposed to change the existing “Dog Exercise Area” and split it into a “Dog Prohibited Public Area” and a “Dog on Leash” area to suitably enhance the site. Part of the area is being used for grazing sheep and prohibits dog access. The campground requires all dogs to be on a leash as required by all other Council campgrounds within the district.



6. Seddon Square

The "Dog Prohibited Public Area" boundaries within Seddon Square are being extended to include the tennis court.



Neutering of dogs

It is proposed to amend the bylaw to allow Council to use its discretion in neutering dogs labelled as “menacing.” Neutering is a serious matter, and the Animal Management team sees it as a last resort in many cases. Amending the bylaw to make neutering discretionary will help in cases where it may not be required.

Menacing dogs

It is proposed to amend the bylaw to mandate Council to classify any dog listed in Schedule 4 of the Animal Control Act 1966 as “menacing”. This will bring the bylaw in accordance with section 33C of the Dog Control Act 1996.

The following type and/or breed of dog are classified as menacing dogs under Schedule 4 of the Act: (a) American Pit Bull Terrier (b) Dogo Argentino (c) Brazilian Fila (d) Japanese Tosa (e) Perro de Presa Canario.

Waimate District Consolidated Bylaw 2018 *Dog Control Chapter 6* Proposed amendments

610 *Neutering of Dogs*

(1) *Every dog classified by Council as Dangerous under section 31 of the Act, or any dog so classified as Dangerous, which is transferring to the Waimate District, is required to be neutered within one month of notification.*

(2) *All dogs over the age of three months and classified as Menacing ~~must be~~ **may be required to be** neutered within one month of notification as per the provisions of section 33E of the Act, or any dog classified as menacing which is transferring to the Waimate District is required to be neutered within one month of notification*

621 *Menacing and Prohibited Dogs*

(1) *The Council may classify any dog as ‘Menacing’ under section 33A-F of the Act if:*

(a) *a dog is considered to pose a threat to any person, stock, poultry, domestic animal or protected wildlife; and*

(b) *~~a dog has not been classified as Dangerous;~~ ~~and/or~~*

(2) ***The Council must classify any dog as ‘Menacing’ under section 33C of the Act if:***

~~(a)~~ *Council has reasonable grounds to believe that a dog belongs to, or is bred, wholly or predominantly from one of the five breeds or type listed in Schedule 4 of the Act.*

Supporting information

The following documents are available on the Current Consultations page on Council’s website:

- Draft Waimate District Consolidated Bylaw – Chapter 6 – Dog Control

Key dates



Submissions open:	Thursday 5 October 2023
Submissions close:	12pm on Tuesday 7 November 2023
Submission hearings:	Tuesday 21 November 2023
Decision made by Council:	Tuesday 21 November 2023
Notification of decision:	Wednesday 22 November 2023

How do I make a submission?

All submissions must be received by 12pm on Tuesday 7 November 2023

- **Online:**
waimatedc.govt.nz/dogs
- **Email:**
Scan and email your submission to submission@waimatedc.govt.nz ('Submission: Dog Control Bylaw' in subject field)
- **Post:**
Submission: Dog Control Bylaw,
Waimate District Council,
PO Box 122, Waimate 7960
- **Deliver:**
To Council reception,
125 Queen Street, Waimate





Personal details

First name: _____ Last name: _____

Organisation: _____

Postal address: _____

Home phone: _____ Mobile: _____

Email: _____

Privacy

A full copy of all submissions will be made publicly available. Yes No
Would you like your contact details withheld?

Speak to your submission

Do you wish to speak to your submission at the Submission Hearing on Tuesday 21 November 2023? Yes No

If yes, please ensure your daytime phone number is recorded above so we can contact you to arrange a suitable time.

Your feedback

1. What do you think of the proposed changes to the “Dog Exercise and Prohibited Area” maps?

a. Knottingley Park and Arboretum Support Do not support

b. Boland Park Support Do not support

c. Victoria Park Support Do not support

d. Glenavy Recreation Reserve Support Do not support

e. St Andrews Recreation Reserve Support Do not support

f. Seddon Square Support Do not support

Are there any comments you would like to make?: _____

Please turn over

2. **What do you think of the proposed changes around neutering of dogs?** Support Do not support

Are there any comments you would like to make?: _____

3. **What do you think of the proposed changes around “menacing” dogs?** Support Do not support

Are there any comments you would like to make?: _____

4. **Please let us know if you have any other comments.**
Please use additional paper if needed.

Thank you for your submission.
All submissions must be received by 12pm on Tuesday 7 November 2023.



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