

## **Kaupapa Whakahaere Kuri a Tairāwhiti 2023**

### **(Tairāwhiti Dog Control Policy 2023)**

Made by Gisborne District Council

Resolution of Council dated **10 August 2023**

Review date **28 October 2031**

## Contents

<b>1. INTRODUCTION</b>	<b>3</b>
<b>2. OBJECTIVE OF THIS POLICY</b>	<b>3</b>
<b>3. OUR POLICY</b>	<b>3</b>
(1) REGISTER YOUR DOG/S	3
(2) EXERCISE AREAS FOR DOGS	4
(3) ENCOURAGE RESPONSIBLE DOG OWNERSHIP	5
(4) ENFORCE DOG OWNER OBLIGATIONS	6
(5) EDUCATION	6
(6) PROVIDE ADEQUATE FUNDING FOR DOG MANAGEMENT SERVICES	6
(7) GATHER INFORMATION TO ASSESS THE EFFECTIVENESS AND FAIRNESS OF OUR POLICY ON DOGS	7
(8) PROVIDE FOR SPECIAL PURPOSE DOGS	7
<b>4. SCHEDULE 1 – PROHIBITED AREAS</b>	<b>8</b>
<b>5. SCHEDULE 2 - OFF LEASH AREAS</b>	<b>9</b>
<b>6. SCHEDULE 3 – MAPS SHOWING OFF-LEASH AND PROHIBITED ZONES:</b>	<b>10</b>
<b>7. SCHEDULE 4 – INFRINGEMENT FEES</b>	<b>22</b>

## **1. Introduction**

This policy on dogs is prepared in accordance with the requirements of the Dog Control Act 1996 ('the Act') and came into force on **10 September 2023**.

This policy aims to give effect to the Act by ensuring the health and safety of the public whilst also ensuring the well-being and welfare of dogs through responsible ownership.

The community expects dog owners to act as responsible owners. It is recognised that many in the community believe dogs can play a positive role in society and provide enjoyment for individuals and families. This policy seeks to balance those two expectations.

## **2. Objective of this Policy**

The objective of this policy is to encourage responsible dog ownership, spread awareness within the community and promote an environment where dogs and people can happily and peacefully co-exist.

In order to meet this objective, dog owners must:

1. Register their dog/s at three months of age and every year after;
2. Provide for the health and wellbeing of their dog;
3. Keep their dogs under control when in a public place, particularly in and near places frequented by children;
4. Ensure their dog doesn't cause a nuisance to neighbours and other people by persistent and loud barking or howling;
5. Keep their dog under direct control or confined on their property so it doesn't wander or become lost;
6. Pick up any faeces left by their dog in public places or on land not occupied by the dog owner;
7. Take all reasonable steps to ensure their dog doesn't injure, endanger, intimidate, or otherwise cause distress to children and other people so that the public can use streets and public amenities without fear of attack or intimidation;
8. Take all reasonable steps to ensure their dog doesn't injure, endanger or cause distress to any stock, poultry, domestic animal, or protected wildlife and is kept out of prohibited areas;
9. Ensure their dog doesn't damage or endanger any property belonging to other people;
10. Provide for the training, exercise and recreational needs of their dogs.

## **3. Our policy**

### **(1) Register your dog/s**

All dog owners must register their dogs so the council can identify the person responsible for the care and control of each dog and ensure that the costs of dog control are evenly distributed. All dogs registered after 1 July 2006 must be microchipped. Also, from that date, all dogs that are classified as dangerous or menacing under the Dog Control Act 1996 (including dogs classified since 1 December 2003) are required to be microchipped.

**A. How to will achieve this:**

- (i) Keep a register of dogs, including those classified as dangerous and menacing, and provide information to the National Dog Control Information Database.
- (ii) Maintain a record of probationary and disqualified owners.
- (iii) Set registration fees and provide dog owners with relevant information.
- (iv) Inform and educate dog owners through the registration and microchipping process.
- (v) Send annual registration renewal forms to all known dog owners.
- (vi) Offer registration fee incentives for owners who have de-sexed their dogs,
- (vii) Target unregistered dogs and take strong enforcement action against owners of unregistered dogs.
- (viii) Require dogs leaving the pound to be registered before release.

## **(2) Exercise areas for dogs**

The Council provides dog owners with a reasonable level of access to public places without compromising public safety and comfort.

**A. How to achieve this:**

When making bylaws controlling the access of dogs to public places, Council will:

- (i) Recognise the right of children and the general public to use public places without fear of attack or intimidation.
- (ii) Recognise the responsible dog owner as a user of public places.
- (iii) Aim for peaceful co-existence between dogs and their owners with other park users.
- (iv) Provide areas where dogs may be exercised off-leash in parks and reserves on a district-wide basis.
- (v) Provide suitable signage in areas where dogs are prohibited and where they can be off-leash.
- (vi) Protect sensitive public areas and significant ecological areas from dogs, such as areas where dogs may be a danger to children, wildlife or other animals or where their presence may be offensive or disturbing e.g., Cemeteries.

**B. Make bylaws that are consistent with the above principles:**

- (i) Require dog owners to keep their dogs on a leash at all times in public places not designated as an off-leash area or a prohibited area.
- (ii) Recognise that dogs confined in a vehicle or cage, dogs taking part in council-approved special events or working dogs carrying out work duties should not be prohibited from public places or required to be on a leash.
- (iii) Require dog owners to immediately remove any faeces left by their dog on all areas other than their own property.
- (iv) Inform dog owners of areas in the Gisborne District that are prohibited to dogs or where dogs are allowed off leash.
- (v) Take enforcement action against owners who breach the Act or the Dog Control Bylaw by failing to contain or control their dogs.

**C. Guidance for assessing the suitability of areas for dogs:**

Council may apply the following criteria as a guide for determining dog access areas as off-leash or prohibited. In public places not specified as off-leash or prohibited, dogs must be kept on a leash at all times.

### **1. Off-leash areas:**

For an area to be designated as an off-leash area, Council will identify and assess the current and future use of the place and whether there may be any potential conflicts to ensure the designation would not result in any significant risk or nuisance to any:

- a. Person (in particular children or vulnerable adults). In making this assessment, Council will consider:
  - a. The presence of a playground with no effective built or natural barrier (for example, a fence or stream)
  - b. Presence of sporting activity, including mountain biking.
- b. Protected wildlife vulnerable to dogs (in particular ground nesting birds or penguins).
- c. Stock, poultry, or domestic animal.
- d. Property (in particular, natural habitat and public amenities such as sports grounds).

### **2. Prohibited areas:**

For an area to be designated as a prohibited area, Council will determine that:

- a. The criteria for being designated an off-leash area has not been met.
- b. Any risk identified in relation to the off-leash criteria would not be sufficiently managed by dogs being on-leash.
- c. There are no practicable alternative solutions to address the conflict between uses of the place (design and management solutions include fencing, different zones in one place, and time-share arrangements).
- d. Displaced dog owners and their dogs have access to other places or that such access is provided as part of the same decision.

## **(3) Encourage responsible dog ownership**

Dog owners must be encouraged to meet their obligations under the Act, to protect their dog's health and well-being and to ensure that neighbourhoods remain safe and pleasant. A responsible dog owner will:

- Ensure that the dog they purchase or adopt is suitable to their needs and their ability to care for the dog.
- Provide appropriate accommodation for the dog and the exercise space needed for the breed.
- Carry a bag to pick up their dog's faeces when in a public place.
- Ensure that faeces are picked up.
- Attend appropriate dog owner and training courses.
- Ensure that their dog/s don't enter private land or prohibited Department of Conservation areas.

### **A. How to achieve this:**

- (i) Reward dog owners demonstrating a specified level of responsible dog ownership.
- (ii) Provide educational information on Council's website on the shelter and health needs of dogs.
- (iii) Include in the Dog Control Bylaw, limitations on the number of dogs that can be kept within the urban areas and only allow exemptions where there are no adverse effects.

- (iv) Ensure dog owners take the necessary steps to ensure their dog's health and wellbeing.
- (v) Prescribe minimum accommodation standards for dogs in the Dog Control Bylaw.

#### **(4) Enforce dog owner obligations**

Powers of enforcement under the Act should be used appropriately to ensure public safety and comfort and to penalise and deter irresponsible dog ownership.

##### **A. How to achieve this:**

- (i) Receive, investigate and resolve, and respond to dog complaints from members of the public.
- (ii) Remove dogs threatening public safety and comfort.
- (iii) Assist dog owners and the public by:
  - (a) Giving out good dog owner information.
  - (b) Issuing warnings.
  - (c) Issuing infringement notices, prosecuting owners and, where required using menacing dog, dangerous dog, probationary and disqualified dog owner classifications.
  - (d) Taking immediate enforcement action against unregistered dogs.
- (iv) Require that all dogs classified as menacing dogs be neutered in accordance with s.33E(1)(b) of the Act within one month after receipt of notice of the classification. In the case of dogs classified as menacing by another territorial authority, the dog must be neutered within one month of registration with the Council.
- (v) Include a provision in the Bylaw that allows Council to require dogs to be neutered if they are found not to be under the control of their owners by Council on two or more occasions within a one-year period.
- (vi) Ensure female dogs in season are kept confined to their premises within a dog-proof enclosure for the duration of the oestrus cycle.

#### **(5) Education**

Dog Control Officers will work with schools, children and dog owners and the community so that the public is aware of how to live with dogs.

##### **A. How to achieve this:**

- (i) Inform and educate dog owners and the general public through media such as brochures, the Council's website and school education programmes.
- (ii) Promote the availability of dog obedience courses.

#### **(6) Provide adequate funding for dog management services**

Adequate funding must be provided to maintain an acceptable level of dog management services.

When considering dog-related fees, Council will take into account the user-pays principle, penalty-based fees, legislative requirements, the council's funding policies, community responsibilities and recognition of responsible dog ownership.

**A. How to achieve this:**

- (i) Set reasonable fees for the registration and control of dogs in accordance with the information above.
- (ii) Set lower registration fees for working dogs and for owners demonstrating a specified level of responsible dog ownership.
- (iii) Set a higher registration fee for owners who do not meet the date given for payment of registration fees.

## **(7) Gather information to assess the effectiveness and fairness of our policy on dogs**

Information will be gathered to determine if the Council's methods are working towards achieving the objectives of this policy.

**A. How to achieve this:**

Report annually on the council's administration of dog control methods and the dog policy. The Council must give public notice of the report and send a copy to the Secretary for Local Government.

## **(8) Provide for special purpose dogs**

Council recognises that where a person with special needs (certified by a Medical Practitioner) requires a special purpose dog, that dog is recognised as a working dog provided that dog has had training acceptable to Council. This approval, where granted, will allow the dog to enter public buildings and prohibited areas whilst it is working as a special purpose dog.

**A. How to achieve this:**

Where a dog provides for the special needs of a member of the public, and this is demonstrated to the satisfaction of the Council, Council will resolve that the dog will be a working dog for the purposes of Gisborne City's Dog Control Bylaw.

## **Schedule 1 – Prohibited Areas**

1. Gladstone Road – Roebuck Road to Customhouse Street
2. Adventure Playground
3. Alfred Cox Park - Pump Track
4. Watson Park
5. Barry Park
6. Botanical Gardens
7. Childers Road Reserve
8. Titirangi Park
9. He Pipi Park
10. Harry Barker Reserve
11. Kiwa pools
12. The Oval
13. Outdoor Theatre (Gisborne Soundshell)
14. Innes Street Reserve
15. Railway Reserve
16. Alfred Cox Skateboard Park
17. Victoria Domain
18. Heath Johnston Park (Wainui Road end)
19. Waikanae to Midway Beach – The cut to Roberts Road
20. Rugby Park
21. Kaiti Mall
22. Anzac Park
23. Gisborne Airport
24. Kaiti Beach and dunes (up to but not including adjacent road corridor)
25. Nelson Park Sports Grounds (Excluding the surrounding area)
26. Waikirikiri Reserve Sports Grounds (Excluding the surrounding area)



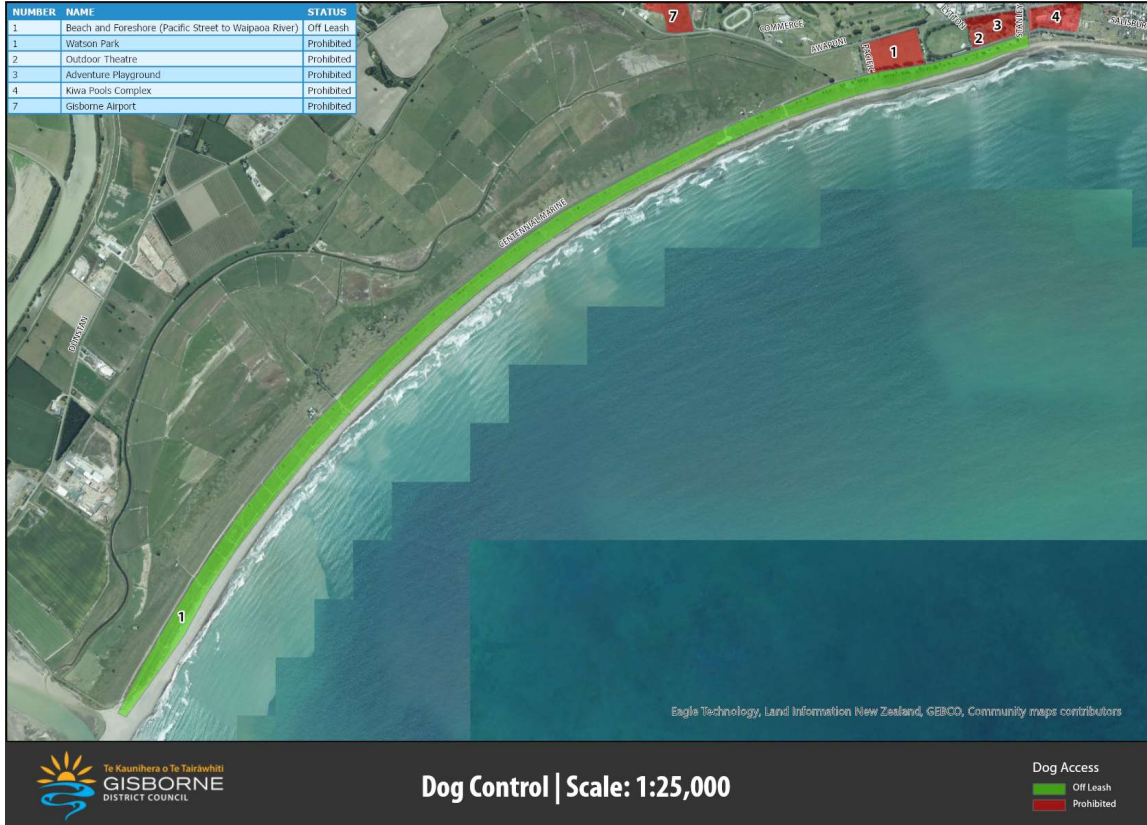
## **Schedule 2 - Off Leash Areas**

Areas in which dogs may be exercised without physical constraint but under the oral command of their owners or on a leash:

1. Waiteata Park (North side of the waterway – non-playground side)
2. Beach and Foreshore (Stanley Road to Waipaoa River)
3. Nelson Park - adjacent to the footbridge
4. Heath Johnston Park (Paraone Road end)
5. Wainui Beach (except between the flags)
6. Coldstream Reserve
7. Ayton Park
8. Whataupoko Reserve

# Schedule 3 – Mapping of Dog Access Areas

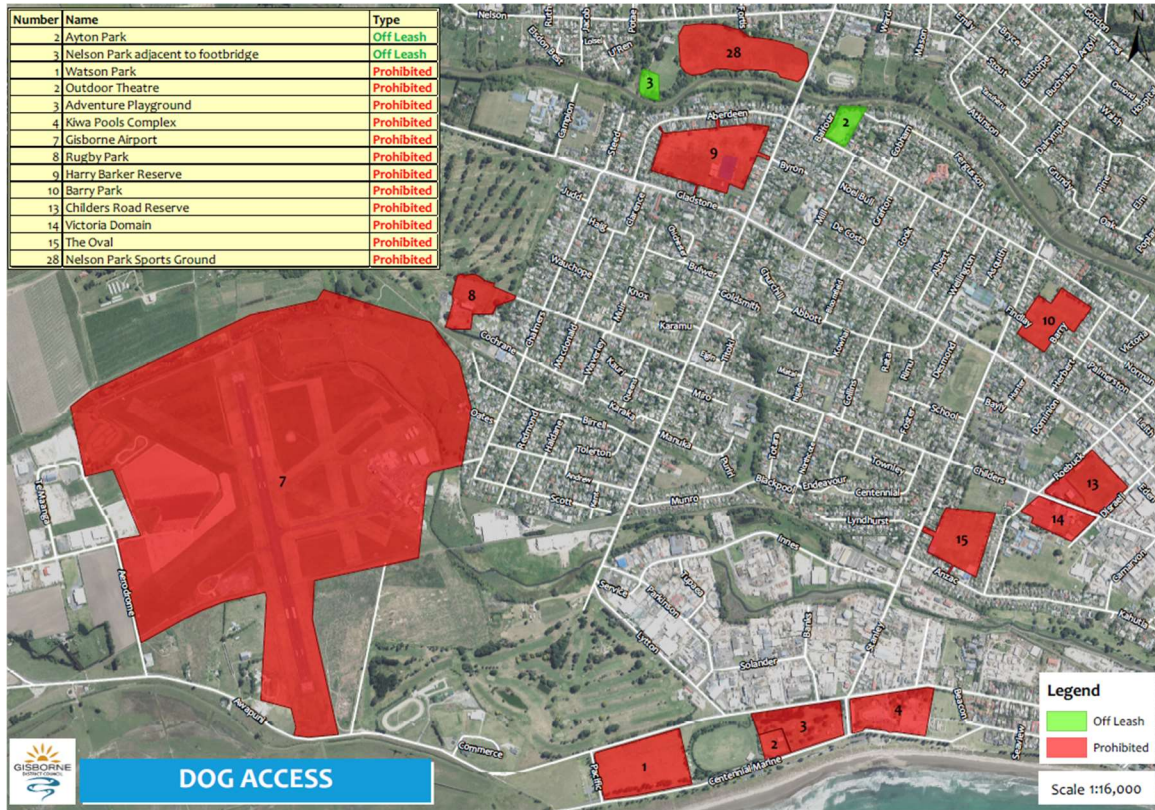
Map 1: Waikanae to Waipaoa River Mouth



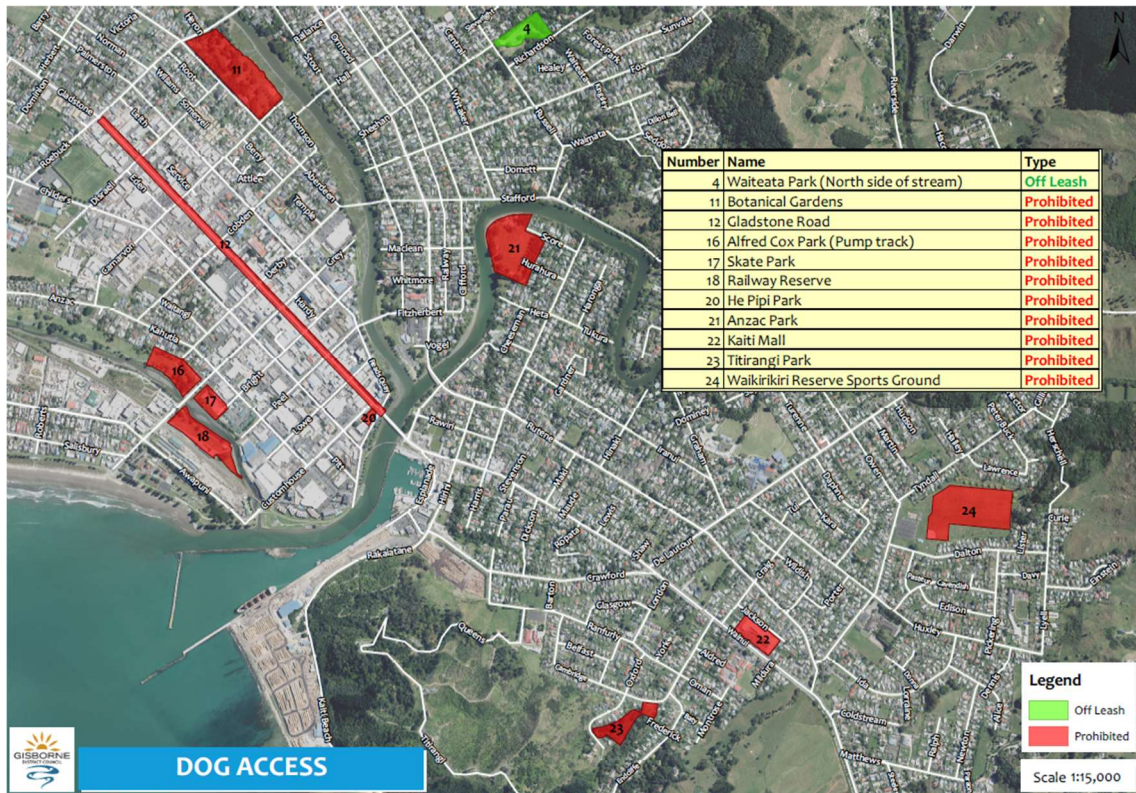
Map 2: Waikanae Prohibited Area



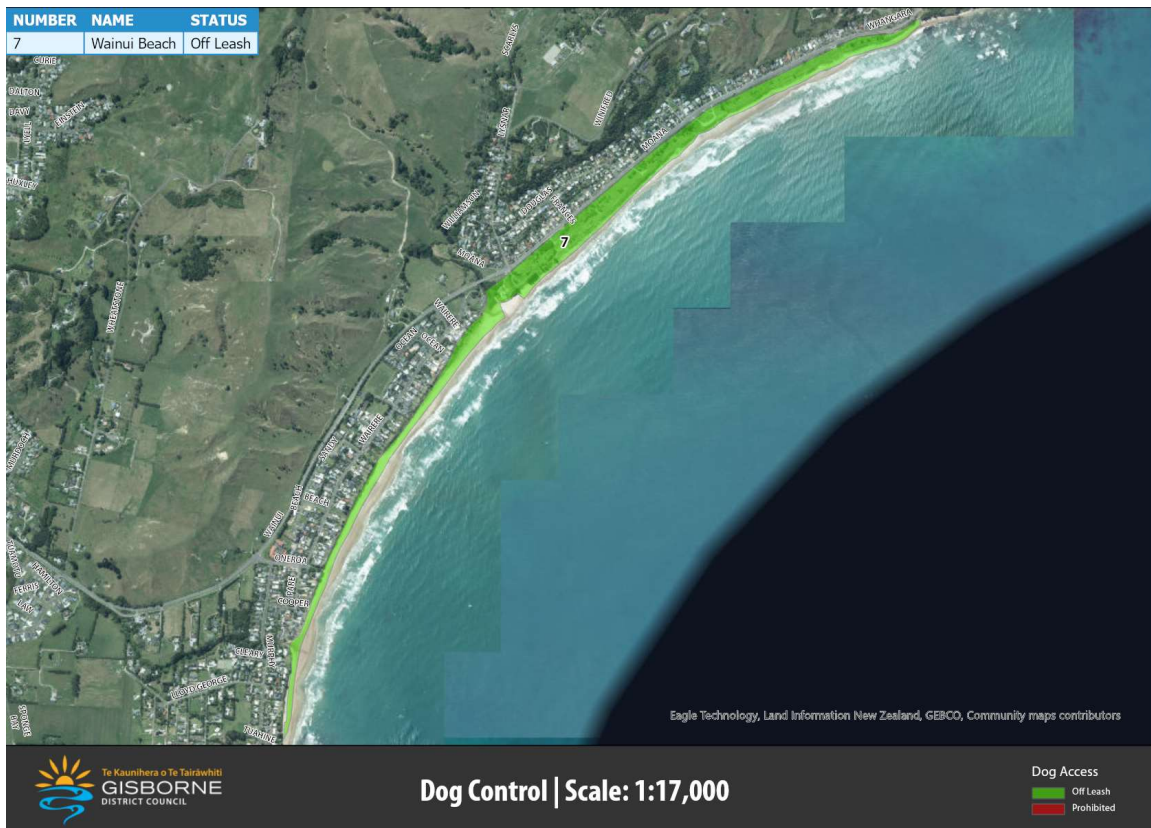
Map 3: Gisborne Map A



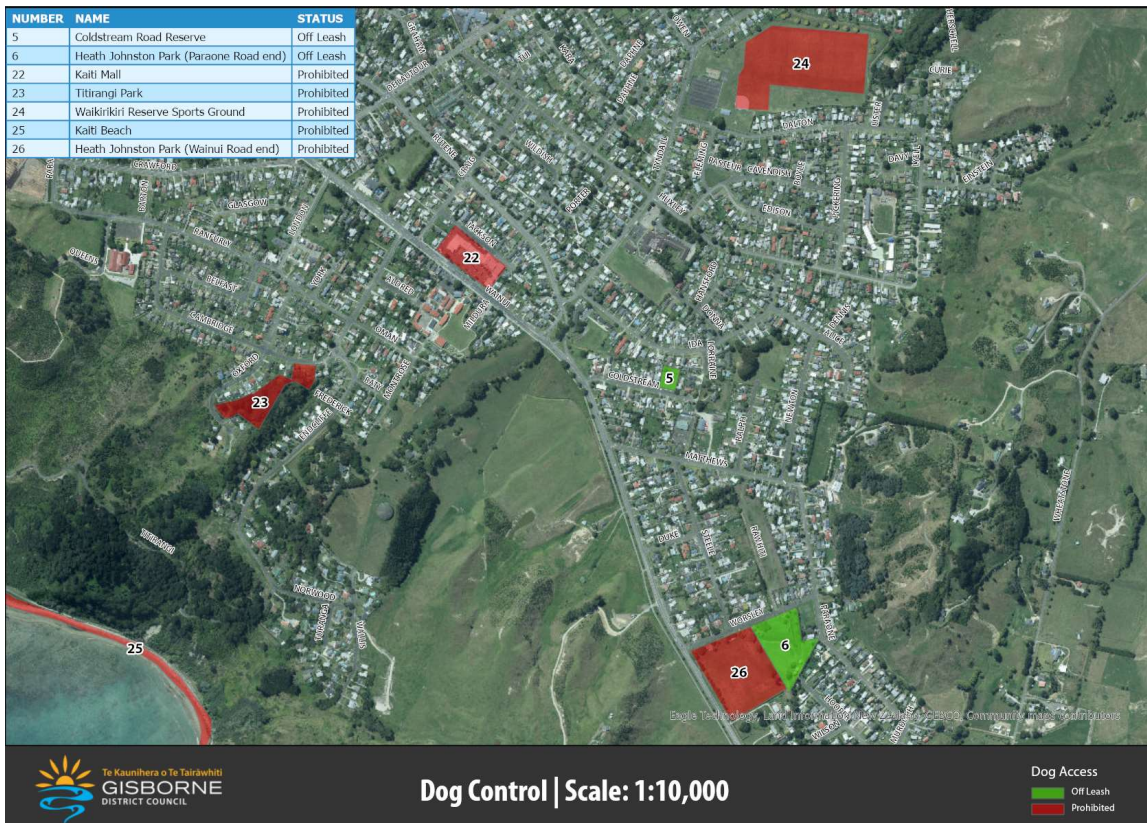
Map 4: Gisborne Map B



Map 4: Gisborne City C



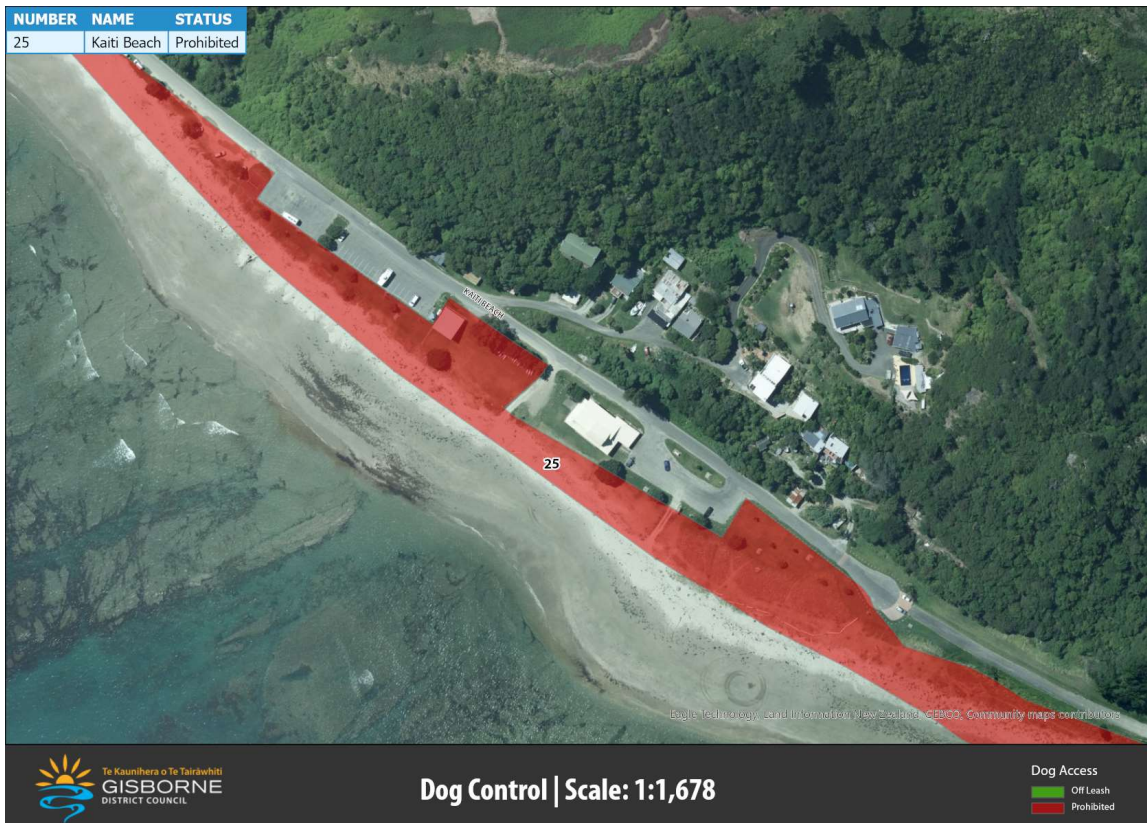
Map 5: Gisborne City D:



Map 5: Kaiti Beach

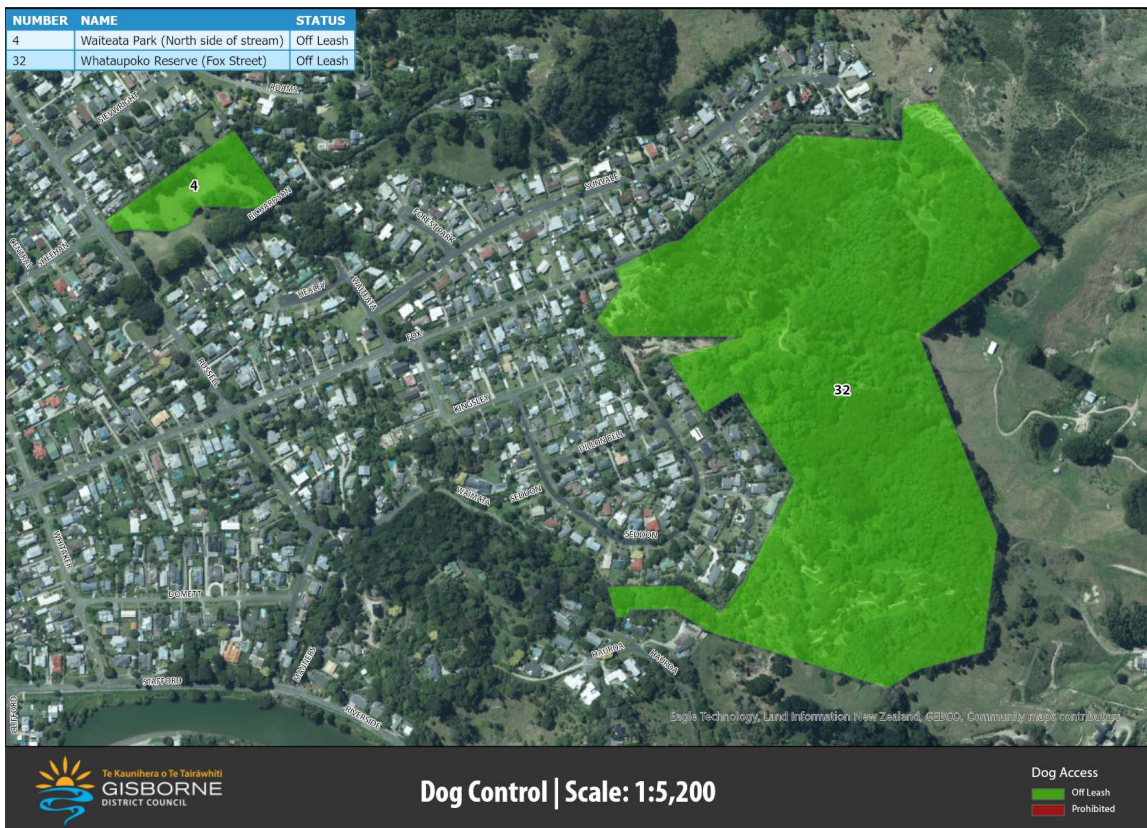


Map 6: Kaiti Beach (Road corridor)





Map 7: Whaupoko Reserve (Fox Street):



Map 8: Gladstone Road

### Gladstone Road - CBD



### Gladstone Road - CBD (West)



### Gladstone Road - CBD (East)



Map 9: Heath Johnstone Park

### Heath Johnstone Park - Tamarau



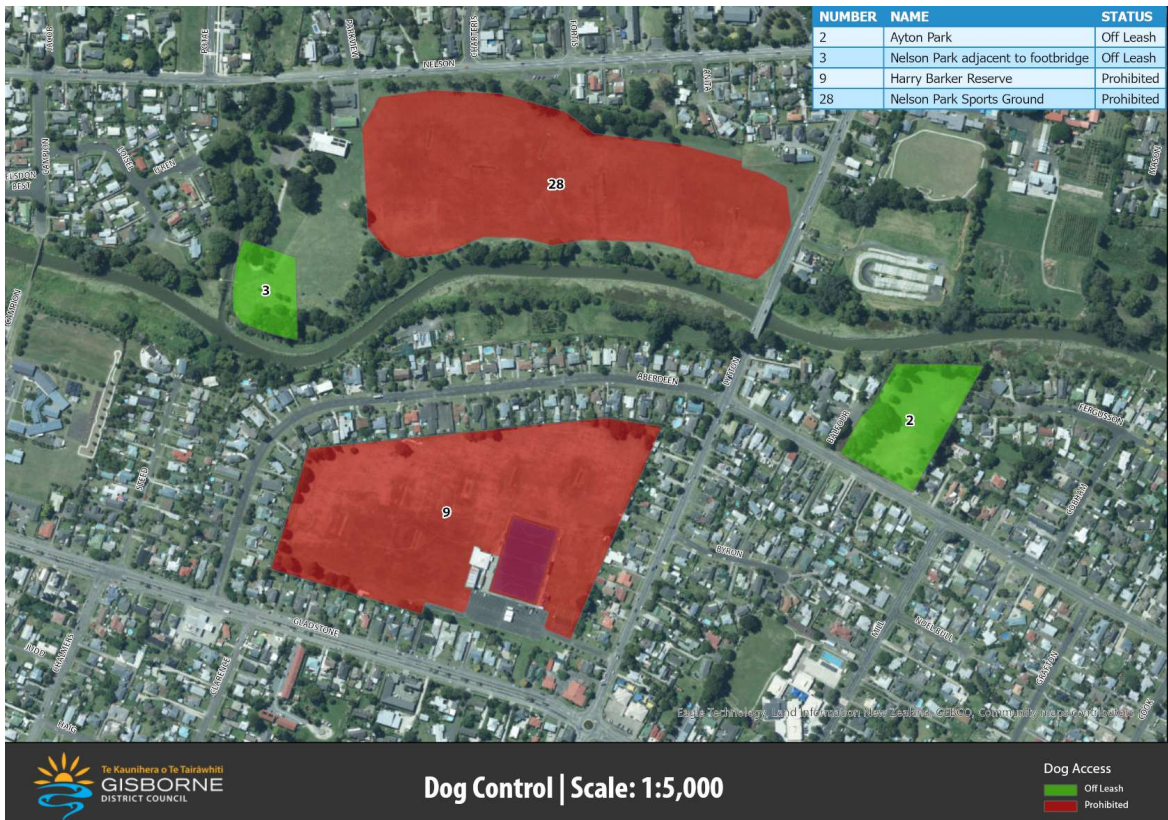


Map 10: Waiteata Park

### Waiteata Park



Map 11: Nelson Park

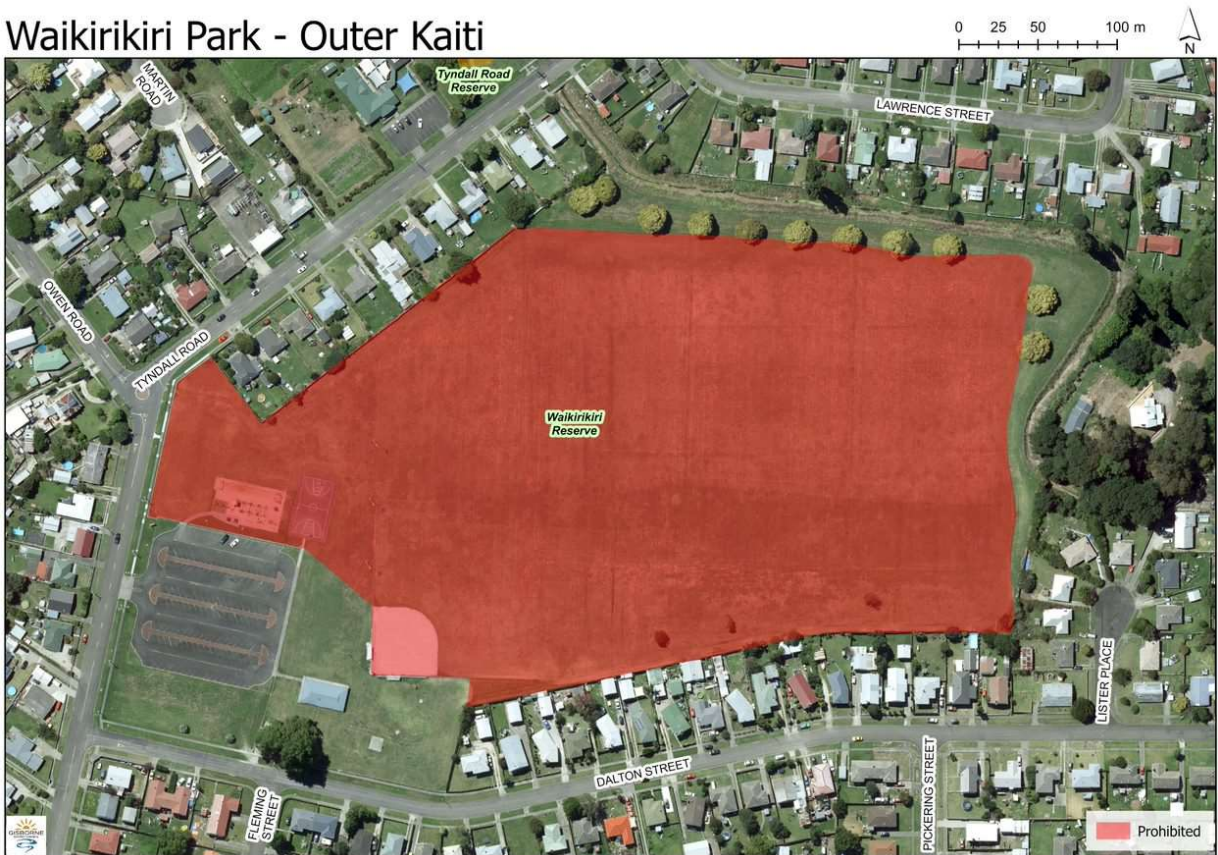


## Nelson Park - Riverdale



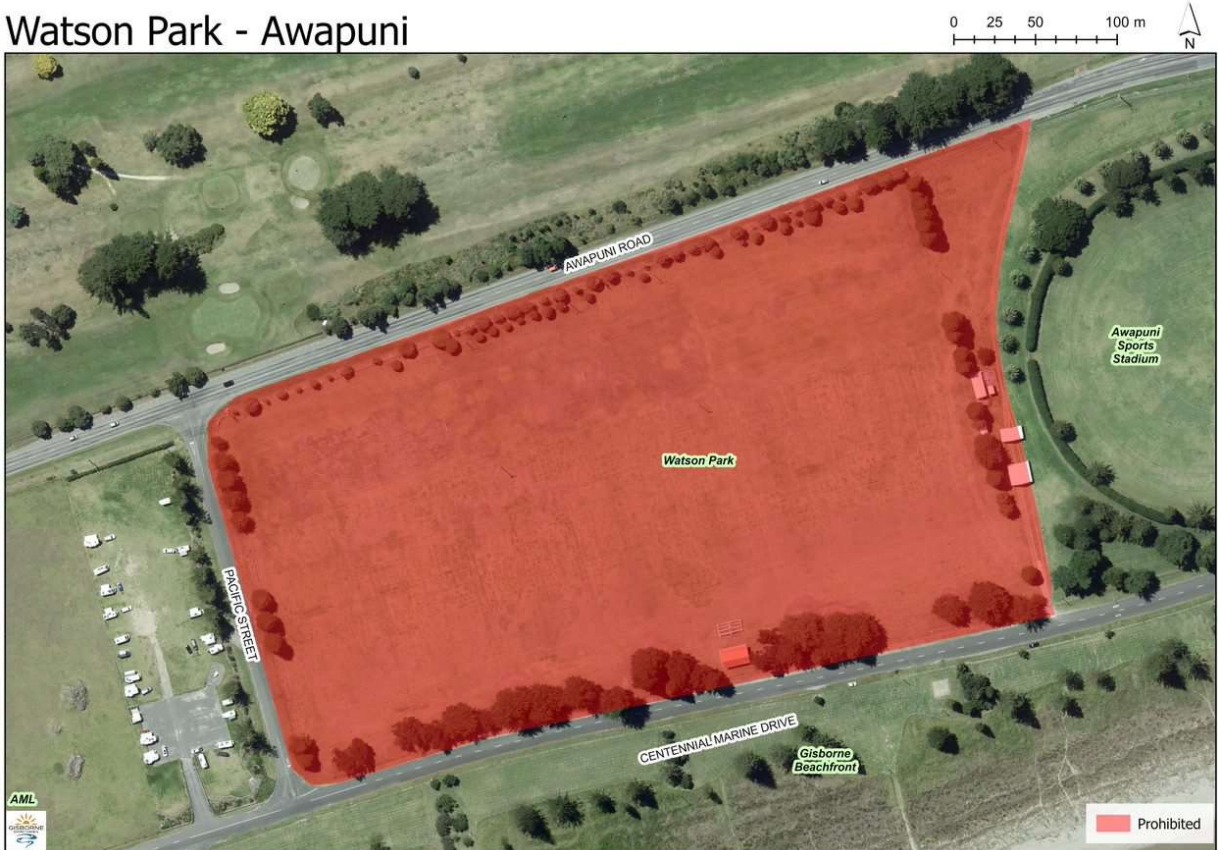
Map 12: Waikirikiri Reserve

## Waikirikiri Park - Outer Kaiti



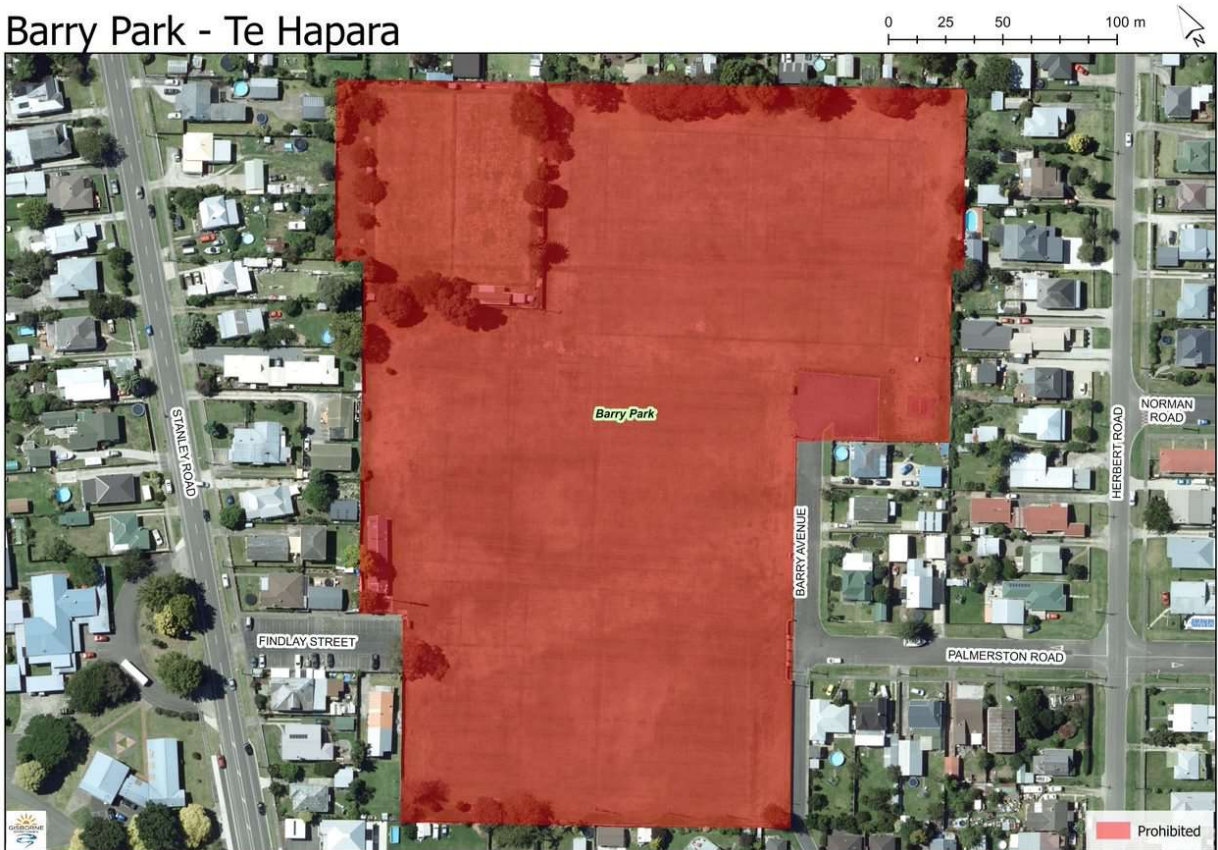
Map 15: Watson Park

### Watson Park - Awapuni



Map 13: Barry Park

### Barry Park - Te Hapara



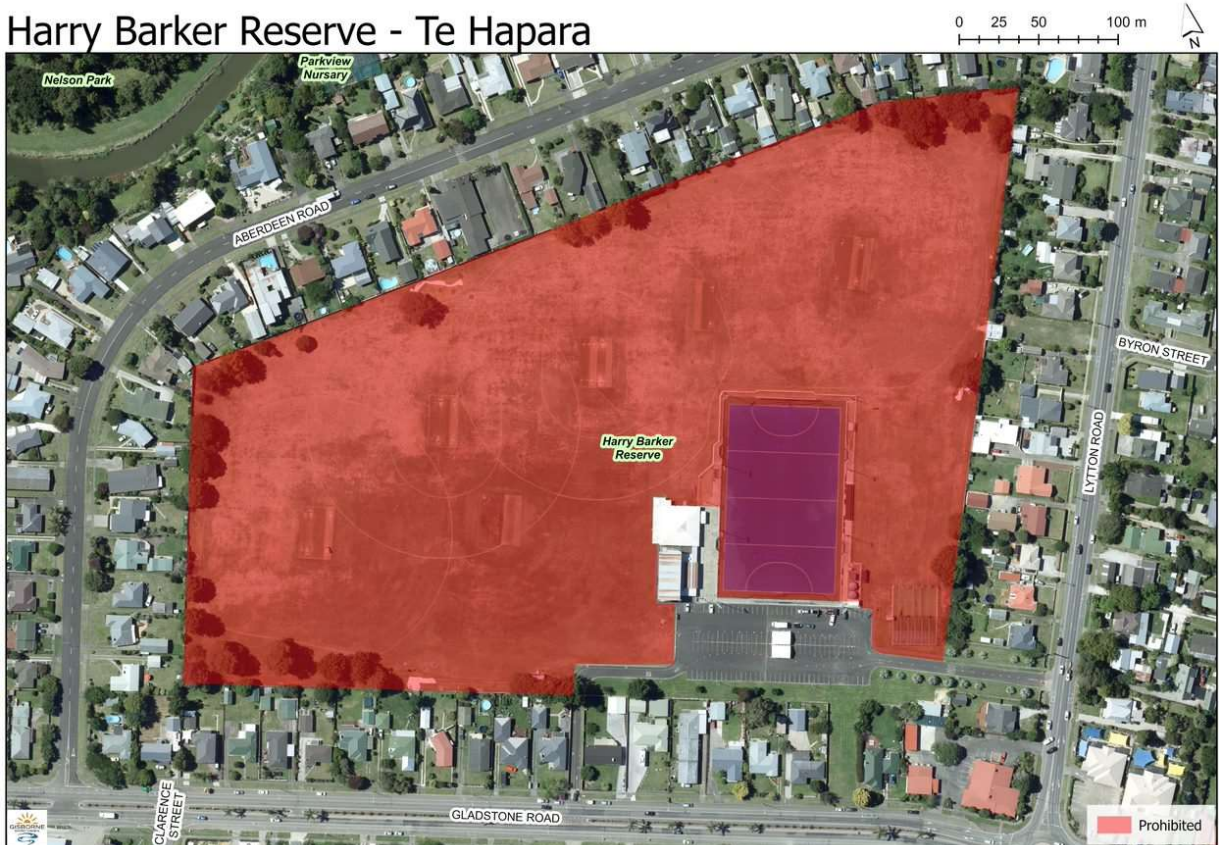
Map 14: Childers Road Reserve

### Childers Road Reserve



Map 15: Harry Barkers Reserve

### Harry Barker Reserve - Te Hapara



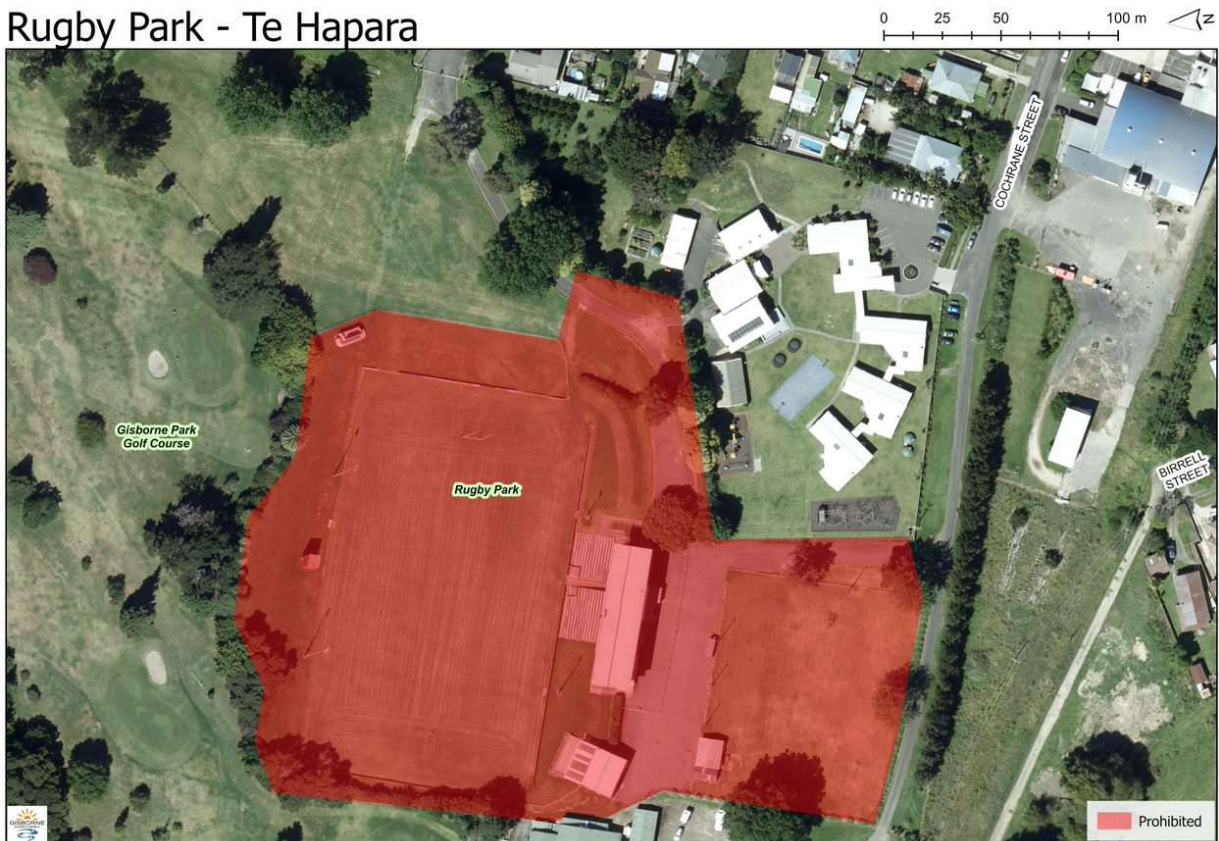
Map 16: The Oval

### Oval Reserve



Map 17: Rugby Park

### Rugby Park - Te Hapara



## **Schedule 4 – Infringement Fees**

These are a series of offences that are subject to fines (infringement fees). The Animal Control Officer can issue instant fines for the offences specified in Schedule 1 of the Dog Control Act 1996. The infringement fee is also identified in this schedule.

<https://www.legislation.govt.nz/act/public/1996/0013/latest/DLM375486.html>