

WAIPĀ DISTRICT COUNCIL DOG CONTROL POLICY 2023

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DECISIONS OF COUNCIL

Introduction

Waipā District Council confirmed and adopted its revised Dog Control Policy (Policy) and Bylaw (Bylaw) documents on 26 September 2023.

As part of the review, two rounds of consultation were undertaken. The first being in 2022 when feedback and suggestions were received from 238 people through an informal feedback process, and the second being more recently in August of this year, where 277 people made submissions on the draft Bylaw through a formal consultation process. This completed the Policy and Bylaw review process which saw Council receive and consider both the informal feedback and suggestions and the formal submissions on the proposed changes in 2023.

The most interest was in areas where dogs may be prohibited, and sites for off-leash dog exercise areas. There were only minor changes to the rest of the Policy. The Bylaw is the way in which the Policy is implemented legally.

The process

In 2022 Council asked the community for their suggestions on what needed to be changed in the Policy. The comments received were then considered by Council's Animal Control and Parks & Reserves Teams as these are the services most directly affected. Their aim was always to try to find more places where dogs could be exercised safely off-leash, and to prohibit dogs from places only when necessary. The various factors they considered included:

- the needs of people who don't like dogs
- our growing population and where growth is happening
- where Council has land that could be used as we cannot designate private land for dog exercise
- how potential new exercise areas are currently being used (e.g. for grazing)
- distance from major roads
- providing exercise areas in local neighbourhoods
- degree of interest of sites for dogs and owners
- cultural concerns and impacts
- previously agreed Concept Plans for certain sites
- potential impact of off-leash dogs on vegetation, wildlife and riverbank erosion
- the size and appropriateness of a site to become an off-leash area (from being on-leash only).

Once the proposals were confirmed as suitable, they were included in the draft Policy for consideration through the formal consultation process. Both the Policy and the Bylaw were consulted on between 13 May and 16 June 2023.

Following the close of consultation, all submissions were analysed, and staff provided commentary and recommendations for Elected Members. There were submissions that supported many of the proposals, and many others that requested the Council to reconsider some of its proposals. Accordingly, parts of the draft Policy and Bylaw were amended as a result of the submissions received.

As a result of some submissions and changes to the Bylaw there will be subsequent actions such as updating dog signs as required. Verbal submissions were heard on 14 August. These were followed by consideration of all the submissions, which continued to their conclusion on 22 August.

The Policy and Bylaw were adopted on 26 September and will come into effect on **1 December 2023**. Until then, the current dog exercise/prohibition rules continue to apply.

THE DECISIONS

These decisions are arranged as follows:

- District-wide rules
- Cambridge ward locations
- Maungatautari ward locations
- Te Awamutu-Kihikihi ward locations
- Pirongia-Kakepuku ward locations
- Other Policy issues.

District-wide rules

CEMETERIES

New status: dogs ON-LEASH only allowed in all Council-managed cemeteries

Current status: different rules apply in different cemeteries

Elected members decided there should be consistency across all Council-managed cemeteries. Given people like to visit cemeteries with their family dogs, they thought an on-leash rule in cemeteries was appropriate. Elected Members thought having dogs running off-leash across graves was disrespectful; however, they agreed a prohibition might seem insensitive at times.

PLAYGROUNDS

New status: confirming that dogs are prohibited at children's playgrounds

Current status: dogs are prohibited from all children's playgrounds at all times.

SCHOOL GROUNDS

New status: these are removed from the Dog Control Policy and Bylaw

Current status: at the discretion of the individual school - most allow dogs on-leash only
Schools do not fall within Council's authority to enforce rules as the land is owned by the Ministry of Education, not Council.

SPORTS GROUNDS AND PLAYING FIELDS

New status: some existing, and all new playing fields will be dog prohibited at named locations, as well as existing locations. The prohibition applies to the sports field itself, and an area of 10 metres surrounding each sports field.

Current status: Some sports grounds and playing fields are dog-prohibited; the rest are dogs on-leash only.

This is a matter of health and hygiene for sports players. Restricting sports fields to on-leash and prohibited areas reduces the likelihood of dogs waste posing a health and hygiene risk to players. At some locations, Council is not seeing the presence of dogs as a problem, hence a dog prohibition is not being applied everywhere. However, if the dog waste problem becomes an issue, this will likely be reconsidered as part of the next Policy and Bylaw review.

Cambridge ward locations

SPLIT ON-LEASH/OFF-LEASH LOCATIONS

New status: only at Lake Te Koo Utu, Waipuke Park and Te Awamutu Memorial Park will these split hours apply:

On-leash:

Daylight Saving Time: 10.00am to 6.00pm

Winter times: 10.00am to 3.00pm

Off-leash:

Daylight Saving Time: 6.00pm to 10.00am

Winter times: 3.00pm – 10.00 am.

Current status: not applied at any location

We have now taken account of the earlier sunset time in winter so that dogs can now be exercised off-leash both before and after the morning and afternoon school/work runs.

A popular alternative proposed was for off-leash on weekdays only, and on-leash only at weekends. Although this has its merits as being easy to remember, Elected Members wanted there to be time every day for people to use these sites without dogs running around, especially for children's games or family picnics.

LAKE TE KOO UTU and CAMELLIA WALK

New status: this is one site where the on/off-leash hours apply.

On-leash:

Daylight Saving Time: 10.00am to 6.00pm

Winter times: 10.00am to 3.00pm

Off-leash:

Daylight Saving Time: 6.00pm to 10.00am

Winter times: 3.00pm – 10.00 am.

Current status: off-leash

In developing the Lake Te Koo Utu Concept Plan (adopted in 2021), Council recommended that the entire Lake Te Koo Utu site be made on-leash only. In our community engagement in 2022, the responses were evenly divided between allowing dogs to be off-leash, and it being an on-leash area. In the recent formal submissions, with the split times proposed, 91% of respondents were in favour of, or accepting, dogs being off-leash for some of the time.

Council has decided, to provide some on-leash-only time every day so that people who want to enjoy the lake – but who are not comfortable having dogs running around them – can do so every day. The times allow for dog exercise after each school/work run, even in winter; and they allow for family picnic time in summer without dogs encroaching on their space. All this depends on dog owners complying with these times, but the Bylaw makes it an offence not to comply.

BRIAN MAYO RESERVE

New status: off-leash, including walkways leading to/from the eastern (Expressway) end of the reserve

Current status: off-leash

Council has added the walkway from Brian Mayo Reserve to Thornton Road, and the walkway along the line of the Expressway in the direction of Thornton Road/St Kilda to be off-leash areas.

CAMBRIDGE PARK OVAL

New status: NO CHANGE in status – on-leash only

Current status: on-leash only

Council decided against changing this site to one with split on/off-leash hours. It is a small community greenspace surrounded by houses and Elected members did not think it is an appropriate place to have dogs running around off-leash.

As an alternative, Council agreed to look into developing a walkway from the end of Clifford Close, across the corner of the adjacent paddock, to the Shelley Street dog exercise area.

JOHN KERKHOF PARK

New status: the playing fields remain prohibited to dogs, and the perimeter walkway becomes dogs ON-LEASH only

Current status: the playing fields are dogs-prohibited, and the walkway is dogs off-leash.

Council thought having dogs off-leash along the unfenced walkway was incompatible with the dogs-prohibited status of the adjacent playing fields.

KARAPIRO GULLY

New status: dogs prohibited

Current status: dogs on-leash only

As there are conservation projects underway, the site is not appropriate for recreational access.

MACKINNON PARK

New status: off-leash

Current status: off-leash

Council has confirmed the dog exercise status of MacKinnon Park which, with the Oak Arboretum, makes a larger and more continuous dog exercise area in Cambridge North.

The current dog shows etc at MacKinnon Park are organised on parts of the park subject to a lease, hence the number of events that occur there. As there are dog obedience etc events in the park, it makes sense to make the whole area available for off-leash exercise so that any dogs exercising outside the leased area are not breaching the Bylaw.

MACLEAN STREET RESERVE

New status: off-leash

Current status: dogs prohibited (area previously used as a playground)

Once perimeter fencing has been installed, this former playground site will become an exercise area, most suitable for small dogs.

MOTOCROSS TRACK SITE

New status: off-leash

Current status: on-leash

Council believes this will become a popular site as its undulating nature and trees will be more stimulating for dogs than a flat paddock. The trees will provide welcome summer shade.

OAK ARBORETUM

New status: off-leash

Current status: on-leash

There was near-unanimous support for this proposal from submitters, and Elected members were happy to endorse the recommendation.

In response to some comments, native planting, trees and wild areas will not be removed or replaced with grass as the present character of the Arboretum will be of interest to dogs and their owners. While Council may consider installing fencing and gates (subject to the availability of budget), these should not be necessary if dogs are under control (as required).

PUKEKO GROVE

New status: off-leash

Current status: on-leash

This refers to the reserve behind Pukeko Grove and Alan Livingstone Drive, St. Kilda. It is currently a stormwater reserve and was proposed by a submitter who commented that there were no dog exercise areas in St. Kilda.

RIVERSIDE PARK

New status: off-leash

Current status: off-leash

Council did not propose to change the dog exercise status of this park, but some submitters expressed their concern, so Council has confirmed that Riverside Park remains an off-leash area for dogs.

SETTLERS' TRACK

New status: NO CHANGE in status - off-leash

Current status: off-leash

Council had proposed changing this to on-leash only. However, a number of submitters disagreed and Council then agreed to leave the Settlers' Track as off-leash.

VICTORIA SQUARE

New status: variable status applies at this location according to the season.

On-leash:

Winter times: 24/7

Prohibited:

Daylight Saving Time: 24/7, and at any time of the year in the area of the Square being used for an event (including the Farmers' Market)

Current status: dogs prohibited

Council recognises that the Square is used for a range of activities, therefore, the rules have been relaxed during the winter (except for the area being used for the Farmers' Market or any other event).

However, the Square is also a sports ground, and for the health and hygiene of sports players Elected Members decided that during the cricket season, dogs should remain prohibited from the whole of Victoria Square. The cricket season and Daylight-Saving Time usually align closely, so this was the time change decided.

VOGEL STREET, SOUTH OF PAYNE PARK

New status: off-leash

Current status: not available

Council recognises this is not a large area, but it adds to the opportunities in the area.

Maungatautari ward locations

MIGHTY RIVER DOMAIN

New status: dogs remain prohibited except for the Gate 3 exercise area (when there are no events); the Te Awa ride remains ON-LEASH only.

Current status: Dogs prohibited except for the Gate 3 exercise area (when there are no events). Dogs ON-LEASH only along the Te Awa ride.

Council did not propose any changes but decided to keep the current status following submissions.

WAIPUKE PARK AND FORESHORE

New status: this location will be subject to split on/off-leash hours:

On-leash:

Daylight Saving Time: 10.00am to 6.00pm

Winter times: 10.00am to 3.00pm

Off-leash:

Daylight Saving Time: 6.00pm to 10.00am

Winter times: 3.00pm – 10.00 am

Current status: On-leash

Council recognises these times need to work in with gate opening/closing times. A future Waipuke Park Concept Plan may mean that the dog exercise areas, fencing and swimming spots will be revisited depending on how well these arrangements work.

Te Awamutu-Kihikihi ward locations

KIHIKIHI DOMAIN

New status: dogs prohibited from the rugby and cricket playing fields. Remainder of the Domain to stay off-leash unless temporarily excluded during events

Current status: everywhere on the Domain off-leash unless temporarily excluded during events

This is a matter of health and hygiene for the sports players. These playing fields are used for out-of-season sporting events (such as training) as well as informal community sports activities, so a season-specific prohibition was not suitable for this site.

The dog exercise area of the Domain that remains available is 16.8ha.

PEKERAU RESERVE

New status: off-leash in the current paddock area

Current status: on-leash / not available

While this appears to be a small area, Council is adding the adjacent paddock to create a larger dog exercise space. This is likely to be a neighbourhood exercise area, and we are not expecting traffic to increase as a result, especially at school times.

TE AWAMUTU WAR MEMORIAL PARK AND WALKWAY TO RACECOURSE ROAD

New status: split on/off-leash hours apply to that part of the War Memorial Park between the Mangaohoi Stream and Christie Avenue, and to the walkway around the tennis courts to Racecourse Road. On-leash elsewhere except the playground which remains prohibited to dogs.

On-leash:

Daylight Saving Time: 10.00am to 6.00pm

Winter times: 10.00am to 3.00pm

Off-leash:

Daylight Saving Time: 6.00pm to 10.00am

Winter times: 3.00pm – 10.00 am.

Current status: off-leash between the Mangaohoi Stream and Christie Avenue, and to the walkway around the tennis courts to Racecourse Road. On-leash elsewhere except the playground which is prohibited to dogs.

The Te Awamutu War Memorial Park Concept Plan recommended that dogs be allowed on-leash only. However, that does not align completely with the community's current wishes:

as part of this Policy review, most people did not want the whole park to be completely on-leash. The north part of the War Memorial Park (on the north bank of the Mangaohoi Stream) is a recreation reserve and currently an off-leash area; dogs will continue to be permitted there at any time, but Council has decided to reduce the amount of time they can be off-leash. The remainder of the park will stay as on-leash only except around the playground where dogs will continue to be prohibited as per Council's district-wide policy for playgrounds (see above).

The walkway from the park to Racecourse Road, will be subject to the same time restrictions. North of the stream and around the tennis courts dogs will be allowed ON/OFF LEASH (depending on the time of day); south of the stream (apart from around the tennis courts) is ON-LEASH or PROHIBITED.

Pirongia-Kakepuku ward locations

OHAUPŌ MEMORIAL PARK

New status: dog exercise area moved to the lower reserve. Sports grounds (and 10m surrounding the playing areas) to be prohibited to dogs. Elsewhere dogs on-leash only.

Current status: the dog exercise area is at the upper reserve around the playing fields.

This moves the dogs away from the sports grounds as per Council's district-wide policy (see above) for health and hygiene reasons. This arrangement also allows for a larger exercise area, and hopefully a more interesting one.

PEAT LAKES (Rotomanuka, Rotopiko, Ruatuna, Ngā Roto)

New status: dogs prohibited at Rotomanuka, Rotopiko and Ruatuna. On-leash only on the walkway around Ngā Roto (except the boat club car park area where dogs can be off-leash)

Current status: on-leash around all four lakes (except the Ngā Roto boat club car park area where dogs can be off-leash).

Council has supported the proposal to prohibit dogs from the reserves at Lakes Rotomanuka, Rotopiko and Ruatuna, but to make an amendment that exempts hunting dogs while they are hunting for game and under the control of a licensed game hunter. Allowing hunting helps to control the population of non-indigenous waterfowl species, which is an essential part of restoring the unique wetland habitats of the peat lakes that are home to At Risk/Declining NZ species such as the Piiweto (Spotless Crake). Restoration of the peat lakes has major community support, and is one of the main objectives of Ahu Ake, Waipā Community Spatial Plan.

PIRONGIA ESPLANADE

New status: off-leash, but the walkway from Franklin Road is now on-leash only.

Current status: the Esplanade Reserve and walkway are off-leash; the rest of the reserve is on-leash.

This was a proposal to tidy up existing popular arrangements and make them official. Now there is officially a large exercise area. However, the narrower walkway from Franklin Road has become on-leash only.

KAKEPUKU MAUNGA

New status: dogs prohibited

Current status: dogs on-leash only on the track as far as the boundary of land managed by the Department of Conservation (where dogs are prohibited)

Te Kopua Marae has been asking for many years for dogs to be prohibited on the maunga for cultural reasons. The maunga is viewed as a key part of their whakapapa; there are historical and cultural sites, and urupa there as well. Dogs defecating (and the waste not being removed) is considered offensive to Mana Whenua.

Most of the maunga is already prohibited to dogs (the part managed by DoC). Reports to Council tell us that most dogs on the maunga are off-leash, and it is clear that waste is not being removed. There are also biodiversity conservation concerns about dogs being off-leash.

As part of the review process, Elected Members aimed to come up with a solution that may satisfy both Mana Whenua and dog walkers. This was the 'dogs on-leash only as far as the water tanks' option included as part of the consultation. Another option was to try a permit system. However, neither option was well-supported, and there has been no alternative suggestion.

Other Policy proposals

ACCOMMODATION STANDARDS

Elected members approved amending clause 20 of the Dog Control Policy to reflect the requirements of the Animal Welfare Act 1999.

BARKING DOGS

Elected members accepted the proposal to amend clause 12.2 about what Council considers to be 'persistent' barking.

EMERGENCY WELFARE CENTRES

Elected members agreed that in times of an emergency when welfare centres are activated, dogs should be allowed into those welfare centres that are situated in a location that would ordinarily be prohibited to dogs.

EXERCISING DOGS FROM VEHICLES

Elected members agreed that exercising a dog by running it alongside a moving vehicle on a public road will be an offence under the Dog Control Bylaw. In these circumstances, the dog is not under a sufficient degree of control, and it compromises the health and safety of the dog and other road users.

LIMITS ON THE NUMBER OF DOGS BEING EXERCISED

Elected members amended the proposal so that the maximum number of dogs any person can exercise off-leash at any one time is 4. There is no maximum number that can be taken to a dog exercise area, but at all times, all dogs must be under full physical, voice or whistle control.

NEUTERING

Elected members agreed that as a matter of natural justice if an owner receives a notice from Council requiring them to have their dog neutered, they will be able to appeal that decision to Council.

AND FINALLY.....

Throughout this review of the Dog Control Policy, and the Dog Control Bylaw, Council staff have heard and read very many concerns about 2 big issues:

- DOGS NOT UNDER PROPER CONTROL
- DOG WASTE NOT PICKED UP

Dogs under proper control

This means dogs must be on-leash in those areas (and now at those times) where they are not allowed off-leash. That is the law.

This means that dogs should not be allowed to run up to strangers, join in other people's games, or molest other dogs.

This means dogs off-leash should be capable of recall to the owner by simple voice or whistle command. Dogs (and owners) need to be trained to be able to achieve this – it isn't a natural response. Dog obedience classes are available in Waipā and Hamilton.

If you do not have this level of control over your dog, the dog should be kept on-leash.

Dog waste

Recent research reports that only 60 percent of dog owners pick up their dogs' waste. It should be 100 percent.

We have heard people complaining about waste in parks and reserves, in the street, on sports fields and even in playgrounds (where dogs are not supposed to be). Council has made more restrictions in this Policy review and kept others in place because of the dog waste problem.

There are receptacles available from pet stores or online that make picking up waste in a bag, and carrying it, more pleasant.

Council cannot place dog waste bins everywhere as they are costly to buy, maintain and empty. These costs come from the dog registration fees. If there is not a bin available, take the waste home and put it into your household waste.

AND FINALLY FINAL....

Council is not legally obliged to review its Dog Control Policy and Dog Control Bylaw for another 10 years. However, circumstances change especially in a district whose population is growing as rapidly as Waipā's.

Happy dog walking!