
Minutes for the deliberations of the Policy & Regulatory Committee (to consider submissions and make recommendations on the Proposed Waikato District Council Dog Control & Policy Review) held via Audio Visual Conference on **TUESDAY, 22 MARCH 2022** commencing at 1.00pm and **WEDNESDAY, 23 FEBRUARY 2022** commencing at 9:30am

Present:

Cr JD Sedgwick (Chairperson)
His Worship the Mayor, Mr AM Sanson (*until 2.20pm*)
Cr JA Church
Cr C Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire (*from 1.31pm*)
Cr FM McNally
Cr EM Patterson
Cr NMD Smith (*until 2.20pm*)
Cr CT Woolerton (*from 2.30pm*)

Attending:

Ms S O’Gorman (General Manager Customer Support)
Ms S Bourke (Community Safety Manager)
Ms T Oakes (Animal Control Team Leader)
Ms M May (Community Connections Manager)
Ms R Law (Reserves Planner)
Ms K Ridling (Senior Solicitor)
Ms S Flay (Senior Communications Advisor)
Mr J Ebenhoh (Planning and Policy Manager)
Ms M Russo (Corporate Planning Team Leader)
Ms H Beaven (Corporate Planner)
Ms B Clarke (Corporate Planner)
Mrs GJ Kanawa (Democracy Team Leader)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Patterson/Eyre)

THAT the Policy and Regulatory Committee accepts:

- a. the apology from Cr Bech for non-attendance (absent on Council business);
- b. the apology from Cr Woolerton for lateness (absent on Council business); and
- c. the apologies from His Worship the Mayor and Cr Smith for early departure (absent on Council business).

CARRIED

P&R2203/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Gibb/Church)

THAT the supplementary agenda for the Dog Control & Policy Review hearings and deliberations of the Policy & Regulatory Committee commencing on Tuesday, 22 March 2022 be confirmed and all items therein be considered in open meeting.

CARRIED

P&R2203/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

REPORTS

Deliberations for the Proposed Amendments to the Waikato District Council Dog Control Bylaw and Policy 2015

Agenda Item 4.2

The report was received [WDC2203/02 refers]. The Corporate Planner provided an overview of the report and process for the deliberations. The following discussion was held:

- The proposed Dog Control Bylaw and Policy Review was consulted on over between 1 December 2021 and 26 January 2022.
- 666 submissions were received, and 71 individual submitters spoke at or were represented at a Council hearing on 22, 23 and 24 February 2022.

- There were seven (7) key matters identified for the Committee's direction:
 1. Opposition to limiting the number of dogs in the rural zone to two, with three or more requiring a Council permit;
 2. Opposition to removal of dog exercise areas;
 3. Whether dogs should be allowed in cemeteries;
 4. Options for new dog exercise area in Tamahere;
 5. Utilising Whangarata reserve, Tuakau as a new dog exercise area;
 6. Playgrounds, skateparks and sport field surfaces; and
 7. Improvements sought for current dog exercise areas.

The following was discussed by the Policy and Regulatory Committee:

- Cr Smith raised that what Council attempted to do with the Dog Control Bylaw is what they should have attempted to do with the Dog Control Policy and went about this in the wrong way - particularly in regard to the permits for dogs in rural areas and paid for this with the backlash from our community. Supported discussing the main issues that have arisen then move onto the actual policy and bylaw.
- The Chair confirmed that would be the process – the Committee would deal with the key issues heard during the hearings and raised in the written submissions, then move onto feedback on the Policy and Bylaw in the below order:
 1. Limiting the number of dogs in the rural zone to two, with three or more requiring a Council permit;
 2. Whether dogs should be allowed in cemeteries;
 3. Playgrounds, skateparks and sport field surfaces;
 4. Maps for changes to dog exercise areas;

Limiting the number of dogs in the rural zone to two, with three or more requiring a permit:

- Cr Smith believed we should remove this issue from the bylaw and policy and return to the status quo, i.e. no limit to dogs within the rural zone and moved accordingly.
- His Worship the Mayor noted that perhaps the resolution could note that having considered the submissions opposing the permits and had taken on board what they said and agree with their view to remove the permits in the rural zone from the bylaw and policy.
- Cr Sedgwick noted that we had some robust conversations with submitters on this issue and it was clear that Councillors agreed with this motion.

Resolved: (Crs Smith/Patterson)

That the Policy and Regulatory Committee:

- a. **having considered the number of submissions and heard the feedback from the community, Council removes the permit requirement for more than two (2) dogs in the rural zone from the Dog Control Bylaw & Policy.**

CARRIED

P&R2203/03

ACTION: Staff to update the bylaw and policy to reflect the removal of the permit requirement for more than two (2) dogs in the rural zone.

Dogs in cemeteries:

- There were a number of submissions in support and opposed to allowing dogs in cemeteries, but noted this issue was raised as part of the dog exercise areas and we have only had feedback from a small portion of the community on this matter, therefore the issue should be consulted on more widely as part of the Cemeteries bylaw and policy review.
- The fact that we did not consult about dogs in cemeteries as part of this bylaw and policy, it would be wrong for Council to make a decision here without wider consultation.
- Opposed to dogs in cemeteries and believed it was disrespectful and that when we did go out for wider consultation as part of the Cemeteries review would find a number of others that would be offended and in opposition to having dogs in cemeteries.
- If we were to change the policy in regard to cemeteries, would like to be able to change this policy to reflect that without having to go out to public consultation and instead change it via a resolution? Staff advised that changes to a bylaw/policy would require a consultation process and not just a resolution by Council unless it was a schedule to a bylaw which is not the case with this issue.
- Need to have full engagement on this matter, if we have a similar issue in two different bylaws which bylaw would trump the other? Perhaps we could frame in this bylaw “subject to the consultation with the cemeteries bylaw review” so we are clear that whatever decision is made based on that consultation takes precedence over this bylaw?
- Staff advised one bylaw does not trump another, if enforcement action was required it would be under the relevant bylaw pertaining to that area and we try and avoid inconsistencies within our bylaws.
- This should only go in one bylaw – do not put a cemetery issue into the Dog Control Bylaw, the most appropriate place is within the Cemeteries bylaw otherwise you cause confusion and we did not actually consult on this issue it was raised in submissions relating to dog exercise areas.
- Staff advised we could be silent in this bylaw and leave the issue for consultation within the cemetery bylaw, noting that the existing Cemeteries bylaw currently prohibits dogs.
- Can we put a note in this bylaw advising that this issue is covered by the Cemeteries bylaw? Yes we can put an advisory note in the bylaw that this was the case.

- Support that a cross reference note be added to this bylaw.
- Clarity required on removal of this issue from the bylaw, rather than staying silent we are making a change and removing the issue that we have not consulted on – what is the implication of this?
- Staff advised that the advisory note would address this issue and the current cemeteries bylaw prohibited dogs in cemeteries so owners could not currently enter cemeteries with their dogs and this could be enforced under that bylaw.

Resolved: (His Worship the Mayor/Cr Smith)

That the Policy and Regulatory Committee recommends:

- b. in order to have correct alignment with our bylaws/policies, and to enable further consultation, Council removes references of dogs in cemeteries from the Dog Control Bylaw and Policy but add an advisory note referencing the Cemeteries Bylaw and Policy review.**

CARRIED

P&R2203/04

ACTION: Staff to update the bylaw and policy to reflect the removal of the reference to dogs in cemeteries in this bylaw and policy but add an advisory note regarding the Cemeteris bylaw and policy.

Cr McNally entered the meeting at 1.31pm during the discussion below.

Specific Maps Highlighted in report for Dog Exercise areas:

- The Chairperson advised that it would be better to go through the maps one by one to obtain feedback, starting with the specific areas highlighted in the deliberations report.

Whatawhata Recreational Reserve (Map 20) and Te Kowhai Recreation Reserve (Map 21)

- Staff advised it was proposed to change these reserves to prohibited areas due to them having sports fields and it was not considered appropriate to permit a dog exercise area on playing surfaces.
- Generally submitters requested dog exercise areas be retained and therefore for these reserves would be retained as a temporary solution, until new dog exercise areas could be identified within these communities, which would require future consultation at a later date.
- Staff have also identified case law which identified it could be considered unreasonable to remove dog exercise areas without a replacement solution. The closest dog exercise area was in Horotiu and not actually owned by Council and we would need to negotiate access for the wider/nearby communities.
- Every other area within the policy refers to dog exercise areas within reserves with sports fields, but prohibit the dogs from playing surfaces. Staff are actively working on solutions for Te Kowhai and Whatawhata in regard to off-lead alternatives but in the interim the policy be consistent with other areas and prohibit dogs from playing surfaces, but allow them on the perimeters on lead.

- The above option provides a balance of the health and safety for the community, whilst retaining dog exercise areas for the surrounding parts of the recreation reserves.
- People currently drive to the Horotiu and Huntly dog exercise areas, therefore we are not removing dog exercise areas unreasonably. Support the proposal that dogs be prohibited from playing surfaces.
- Support playing surfaces being prohibited for dog exercise areas, but note that the perimeter/ surrounding areas would need to be “on-leash” areas.
- We are not removing the exercise area in entirety but modifying it to find a balance for both views of the community.

Resolved: (Crs Smith/McGuire)

That the Policy and Regulatory Committee recommends:

- c. **maps 20 and 21 for the Whatawhata and Te Kowhai recreation reserves be amended to prohibit dogs from playing surfaces and playgrounds, with the balance of the reserve being “on-leash” dog exercise areas.**

CARRIED

P&R2203/05

ACTION: Staff to update the maps for the Whatawhata and Te Kowhai recreation reserves to reflect the above resolution.

Bob Byrne Park, Taupiri (Map 10)

- No specific comments on changing from off-leash to on-leash and proposal recommends remain on-leash area until an alternative exercise area is found.
- Page 26 of the report referred to Bob Bryant park instead of Bob Byrne park, need to check this is not the case in the Bylaw and Policy.

ACTION: Staff to ensure references to Bob Byrne park are correct throughout the bylaw and policy.

- His Worship the Mayor queried whether the area north of Bob Byrne park which was road reserve maintained by Council could be fenced and become an off-leash area.
- Crs Patterson and Gibb supported the proposal, but also noted it would come down to whether or not there was budget to do this.

Resolved: (His Worship the Mayor/Cr Patterson)

That the Policy and Regulatory Committee recommends:

- d. **the proposed map 10 for an on-leash dog exercise area at Bob Byrne park be retained; and**
- e. **staff investigate fencing the road reserve to the north of Bob Byrne park as an off-leash dog exercise area.**

CARRIED

P&R2203/06

ACTION: Staff to investigate if there is budget to provide fencing for the road reserve to the north of Bob Byrne park to establish an off-leash dog exercise area.

ACTION: Staff to provide an updated map to reflect both on-leash and proposed off-leash options at Bob Byrne park.

Alexandra Redoubt Reserve, Tuakau (Map 24)

- Original exercise area was a roadside grass verge around 250m x 10m and never included the bush area next to it. It is not actually the “reserve” but road reserve. This should remain as an off-leash area until there is further discussion in regard to cemeteries, the bush area remains a prohibited area.
- Noting that there is an off-leash exercise area close by in Les Batkin reserve which is located next to the river.
- There is concern that if the bush area is baited and does not have sufficient signage, then there could be possible implications for Council if a dog is accidentally poisoned.
- Believe this is more of an education issue of where the actual dog exercise area is, i.e. just a small road reserve area and does not include the adjacent bush area in the reserve itself
- Regional Council responsibility to ensure sufficient signage is up regarding baiting of the bush area, however Council need to ensure some sort of signage is up to raise awareness for dog owners.
- There is signage up there but it is aged – on receipt of photos staff will investigate, as it is Waikato District Council responsibility to improve the signage, in regard to the actual dog exercise area.

ACTION: Cr Church to provide photos to staff of the existing signage to enable them to consider what additional/updated signage is required.

Resolved: (Cr Church/Henderson)

That the Policy and Regulatory Committee recommends:

- f. map 24 for Alexandra Redoubt “Road” Reserve, remain an off-leash dog exercise area ; and
- g. staff investigate additional signage clearly identifying the exercise area and the fact that baiting takes place in the bush adjacent to the road reserve, where dogs are not permitted.

CARRIED

P&R2203/07

ACTION: Staff to update maps for the Alexandra Redoubt road reserve exercise area – and ensure the bylaw and policy also reflect the reference to the road reserve, rather than the actual reserve and adjacent bush area.

Waipa Esplanade Reserve (Map 13)

- it was noted that there were a number of dog attacks reported in this area and therefore staff proposed to change from off-leash to on-leash. There are a number of other off-leash exercise areas available to the community in this area and this area was actually part of a bike trail and unfenced.

ACTION: This map to remain unchanged to the recommendation from staff as an on-leash area.

Raglan Beach, from Oporuru inlet to Aerodome Bridge (Map 3)

- Most comments were in regard to a reduction in general to off-leash areas, which they did not want, however there are a number of off-leash areas still in close vicinity for owners to utilise.

ACTION: This map to remain unchanged to the recommendation from staff as an on-leash area.

Tamahere Park and Tamahere Recreational Reserve, Tamahere (Maps 29 and 31)

- Staff propose this is removed as a dog exercise area as the walkway is eroding and is not safe for dogs to be off leash. A new dog exercise area is planned in Tamahere, which will provide the opportunity for dogs to be exercised in this area when fencing is built.
- Two areas in question here – one is the area which has a small neighbourhood park, the other near the river has supposedly become unusable. These areas are quite separate so to morph them into one and change the status to an on-leash area and not sure it was actually capturing what submitters were saying.
- Focus here should be about the alternative going forward.
- The area near the Tamahere Hall should remain an off-leash area with suggestions to investigate a possible extension to this area.
- Staff advised that, due to erosion, the lower area identified near the river was no longer suitable as an off-leash area. The playground area should be on-leash and third area being investigated near the Tamahere Hall cannot be extended to any significant extent due to underground infrastructure.

ACTION: These maps to remain unchanged to the recommendation from staff, i.e. remove the area near the river, keep the area near the playground as an on-leash area and investigate fencing the area near the Tamahere Hall as an off-leash exercise area.

Whangarata Domain, Tuakau (Map26)

- Retain as a dog exercise area until it becomes a cemetery (which is proposed in the future). Majority of the feedback was supportive.

ACTION: Whangarata Domain to be utilised as a dog exercise area until it becomes a cemetery.

Map 1 – Huntly CBD

- Prohibited area in Huntly CBD, with a proposed minor extension to the area – confirmed as proposed.

ACTION: Confirmed extended prohibitive area as previously consulted on.

Map 2 – Ngaruawahia CBD

- Prohibited area in Ngaruawahia CBD, with no change proposed but a submission from the Ngaruawahia Community Board requested a reduction in the prohibited area to enable dogs on leads near local cafes.
- Cr Gibb queried why Huntly and Ngaruawahia CBDs were treated differently to Raglan and Tuakau. Staff noted that during the previous review a significant amount of submissions were received to change Raglan, Te Kauwhata and Tuakau townships as on-leash areas, whilst the Huntly and Ngaruawahia communities had been silent.
- It was noted that historically there were issues with menacing behaviour with dogs, particularly in Huntly and Ngaruawahia and that is why the original change to prohibitive areas were implemented.
- Concern was still raised that the community board's request has been ignored even though they were submitting on behalf of their community and trying to change the view of the Ngaruawahia CBD.
- Enforcement action can still be undertaken if the dog is displaying aggressive behaviour, but if the dog is just sitting there little that staff can do.

ACTION: Confirmed as prohibited area (note reviewed on Wednesday morning refer below).

His Worship the Mayor and Cr Smith left the meeting at 2.20pm, following the above discussion.

Map 3 – Papahua Camping Grounds/Domain, Raglan

ACTION: Refer above resolution and actions.

Map 4 – Sunset Beach, Port Waikato

- Note to be added that dogs are allowed during permitted times.
- Map confusing due to the inclusion of the purple line as it covers the beach, but not the area that goes out into the water – remove purple line as it is confusion.
- Query signage is actually in this area identifying as off-leash area.

ACTION: Confirmed as proposed.

Map 5 – Hakarimata Scenic Reserve, Ngaruawahia

ACTION: Confirmed as proposed.

Map 6 – Wairenga/Bridal Veil Falls, Raglan

ACTION: Confirmed as proposed.

Map 7 – Huntly Domain, Huntly

ACTION: Confirmed as proposed.

Map 8 – Riverview Reserve, Huntly

ACTION: Confirmed as proposed.

Map 9 – Cnr Fairfield Avenue/Graham Place, Huntly

- Playing surface not identified on this map, for which the committee do not want exercise areas but will permit dogs on-leash on the perimeters of sports fields.

ACTION: Update map to reflect decision not to have dog exercise areas on playing surfaces but on-leash permitted on perimeters.

Map 10 – Bob Byrne Memorial Park, Taupiri

ACTION: Refer above resolutions and actions.

Map 11 – Regent Street Reserve, Ngaruawahia

ACTION: Confirmed as proposed.

Map 12 – Cnr Great South Road/Regent Street, Ngaruawahia

ACTION: Confirmed as proposed.

Map 13 – Waipa Esplanade Reserve, Ngaruawahia

ACTION: Refer above – confirmed earlier in meeting.

Map 14 – Aro Aro Reserve, Raglan

- Dog exercise area not reflected correctly on this map – to be updated.

ACTION: Update map to include correct area of existing exercise area.

Map 15 – Ngarunui Beach, Raglan

ACTION: Confirmed as proposed.

Map 16 – Raglan Bay, Raglan

ACTION: Confirmed as proposed.

Map 17 – Te Kauwhata Recreation Reserve, Te Kauwhata

- Map to be updated to include all playing surfaces as indicated earlier in the meeting.

ACTION: Map to be updated to reflect prohibited area on playing surfaces, but surrounding areas to be on-leash areas.

Map 18 – Affco Park, Horotiu

- Council have been advised that landowner does not wish to continue with lease as a dog exercise area.
- Working on providing another solution in this area, including other recreational reserve uses.

ACTION: Confirmed as proposed, with ongoing investigations and staff to keep local Councillors confirmed on progress.

Map 19 – Riverside Reserve, Horotiu

ACTION: Confirmed as proposed.

Map 20 – Whatawhata Recreational Reserve, Newcastle

ACTION: Refer above – confirmed earlier in meeting.

Map 21 – Te Kowhai Recreational Reserve, Newcastle.

ACTION: Refer above – confirmed earlier in meeting.

Map 22 – Karioitahi Beach Reserve.

- Request to show on map the Auckland Council/Waikato District Council borders.

ACTION: Update map to clearly delineate Auckland/Waikato border.

Map 23 – Les Batkin Reserve, Tuakau

ACTION: Confirmed as proposed.

Map 24 – Alexandra Redoubt Road Reserve, Tuakau

ACTION: Refer above – confirmed earlier in meeting.

Map 25 – Kowhai Reserve, Tuakau

ACTION: Confirmed as proposed.

Map 26 – Whangarata Domain, Tuakau

ACTION: Refer above – confirmed earlier in meeting.

Map 27 – Centennial Park, Tuakau

ACTION: Confirmed as proposed.

Map 28 – Pokeno Domain, Pokeno

ACTION: Confirmed as proposed.

Map 29 – Tamahere Park, Tamahere

ACTION: Refer above – confirmed earlier in meeting.

Map 30 – Central Business District, Tuakau

ACTION: Confirmed as proposed.

Map 31 – Tamahere Recreation Reserve, Tamahere

ACTION: Refer above – confirmed earlier in meeting.

Councillor Woolerton entered the meeting at 2.35pm during the above discussion.

Playgrounds, sports fields and skate parks

- Playgrounds currently have dogs prohibited within 10m – proposed to remove this buffer.
- Sports fields/playing surfaces – as above, retain district-wide consistency with all sports fields and playing surfaces being prohibited areas.
- Skate parks required to be on-leash, proposed as prohibitive.

ACTION: Dogs prohibited in/on playgrounds, sports fields playing surfaces and skate parks. Noting that they are permitted on-leash for the surrounds (no longer a 10m buffer).

The Chairperson declared the meeting adjourned at 2.45pm and advised members to reconvene at 9.30am Wednesday, 22 March 2022.

The meeting was reconvened at 9:31am on **WEDNESDAY, 23 FEBRUARY 2022.**

Present:

Cr JD Sedgwick (Chairperson)
Cr JA Church
Cr C Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McNally
Cr EM Patterson
Cr NMD Smith
Cr LR Thomson
Cr CT Woolerton

Attending:

Ms S O’Gorman (General Manager Customer Support)
Ms S Bourke (Community Safety Manager)
Ms T Oakes (Animal Control Team Leader)
Ms M May (Community Connections Manager)
Ms R Law (Reserves Planner)
Ms K Ridling (Senior Solicitor)
Ms S Flay (Senior Communications Advisor)
Mr J Ebenhoh (Planning and Policy Manager)
Ms M Russo (Corporate Planning Team Leader)
Ms H Beaven (Corporate Planner)
Ms B Clarke (Corporate Planner)
Mrs GJ Kanawa (Democracy Team Leader)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Lynch)

THAT the Policy and Regulatory Committee accepts:

- a. the apologies from His Worship the Mayor and Cr Bech for non-attendance (absent on Council business).

CARRIED

P&R2203/08

REPORTS

Deliberations for the Proposed Amendments to the Waikato District Council Dog Control Bylaw and Policy 2015

Agenda Item 4.2

The Chairperson advised the process that would be followed for the balance of the deliberations, i.e. consideration of the Policy, followed by the review of the changes to the Bylaw and ensure they both align. The following discussion was held:

Map 2 – Ngaruawahia CBD

- Cr Patterson advised that having considered the Ngaruawahia Community Board submission further he requested reconsideration of this matter before moving onto the policy.
- Query to staff as to whether there had been any incidents within the Ngaruawahia CBD as business owners did not note any issues, and we may have got it wrong yesterday and the prohibitive area should be removed.
- Staff advised no aggression issues but a number of wandering dog complaints.
- Query as to whether there were no problems because of the existing policy? Noted many residents were not aware of the existing policy and were in fact taking their dogs for a walk through the CBD.
- The Board and Councillors are working hard to change the image and social profiling that has occurred with Ngaruawahia in the past. This would provide more opportunities for the cafes if dogs were permitted on-leash in the CBD, which has occurred with Raglan and other communities.
- Comment on changing the culture for Ngaruawahia, which is happening with development in and around Ngaruawahia. Do you retain the policy so that when there are issues they can be dealt or do you take it away and cannot act if there are menacing dog issues?
- Staff advised that there were other mechanisms within the bylaw, policy and Dog Control Act to enforce issues with menacing or wandering dogs, however if the dog was just sitting there and this prohibition status was removed, then they could not act.
- Councillors have been considering this further. Given it is likely many people are not aware of the prohibition in this Bylaw but there have been no incidences of menacing dogs, it may be that another bylaw like public nuisance could be utilised in the event of any incident rather than continue the prohibition.
- Education is a key in this area, dogs need socialisation and the ability to take them for walks through the CBD or sit at a café has been key in Tuakau. We need to listen to our community boards who are involved heavily with the local community.
- Not comfortable making a decision that could be perceived to be subjective judgement of a specific community. Support the removal of the prohibitive area within Ngaruawahia CBD.

Resolved: (Crs Patterson/Gibb)

That the Policy and Regulatory Committee:

- h. Map 2 – Ngaruawahia CBD prohibitive area be removed and become an on-leash area.**

CARRIED

P&R2203/09

ACTION: Staff to update Map 2 to reflect change from prohibited to on-leash area for Ngaruawahia CBD.

Dog Control Policy 2022:

The Animal Control Team Leader provided an overview of the changed policy as the previous policy was seen as a little “thin on the ground” and we have created a more comprehensive policy as to what is required to meet the Dog Control Act. The following discussion was held:

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- Introduction quite clear
- Objectives – we have omitted the ability to provide grants as outlined under section 6 of the Dog Control Act. Conscious decision in the past not to have grants and staff recommend not to make a change that had a possible financial impact on all ratepayers without further consultation.
- Disappointed this issue did not come up in workshop discussions whilst developing the policy. Goes a long way to incentivise good dog ownership/behaviour.
- Not in the Long-term Plan and there were no submissions on this matter. Any significant amendments to this policy would require renotification under section 83.
- In future reviews – we need to be open and transparent about this issue and have the discussion about the possibility of including grants within our policy.
- Disability assist dogs – we refer people to a section of the Dog Control Act – wouldn't it be more helpful to have the definition in the policy rather than the reference to the Act? This is to enable the policy to be fluent with legislative changes.
- This was amended to align with the clause within the bylaw and other definitions refer to other legislation, for which a hyper link can be added to the policy.
- Question as to whether these included dogs for Autism spectrum? Noted this was in further detail on Page 55 and Schedule 5 of the Act is also referenced which would not doubt include these dogs.

ACTION: No additional changes identified.

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- Pg 51 – Nuisance added from the Health Act, does this relate to building or premises? No it is a general nuisance and is not limited to buildings or premises.

ACTION: No additional changes identified.

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- Are we comfortable with the use of “will” rather than may or shall. Staff advised will has the same meaning as shall, whereas as may leaves room for discretion and need to bear in mind what our duties are under legislation.
- Not aware that we are required to ‘provide’ dog exercise areas under the Act. Confirmed that Section 10 of the Dog Control Act requires Council to required to ‘identify’ dog exercise areas.
- Requirement is to ‘identify’, not to ‘provide,’ however internal Council policy is to ‘provide’ dog exercise areas.

ACTION: No additional changes identified.

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- Clause 3.2 – reference to Ngaruawahia not being included as prohibitive area to be removed as changed earlier.

ACTION: Update as per previous feedback/resolution.

Page 53-55 of agenda – dog registration classifications

- There are seven classifications for dog owners in the policy, however it omits the two classifications that come under Section 5(2) and 5(3) of the policy – Probationary and Disqualified Dog Owners.
- These two clauses need to be closer to the original dog classifications and in general and believe in general there are far too many categories, noting that we cannot make a wholesale change at this point unless we have submissions to support it.
- Staff provided some clarification around the classifications.
- As a selected owner how many inspections are able to be done within Animal Control’s capability – is it realistic or problematic. Staff advised at present we have a five (5) day turnaround on these requests and we get a rush in the couple of months prior to registration being due.
- Farm owners – in light of the PDP our new rules do not allow for subdivision of less than 40ha, in the policy we discuss for 20ha should this be changed to align with the PDP provisions?
- The changes under the PDP do not only affect this bylaw – but these provisions are not yet operative, therefore once the PDP provisions have been settled we would do a blanket review of these provisions over all bylaws.
- Alignment with PDP is nonsense as some high producing 4ha properties, if under 20ha probably not technically farming. Leave this as it is as no submissions on it.

ACTION: Staff to reconsider the classifications and fee structure fully next review, but leave it as is for this review.

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- Updated to reflect fees and charges schedule.
- Transfer of dogs between districts not an issue.
- Reducing dog owner status – confirmed that the proposed staff recommendation of 24 months was a reasonable timeframe.
- Issue of dog death – whilst you may notify Council of the dog's death, you don't receive the refund unless you apply for it. This is a little insensitive and we could be a little more proactive in this area.
- Registering a dog half way through the year – pro rata rates applied, but if dog is over a year old and should have been paid – you will still have to pay the entire 12 months. This may be an issue for rescue dogs to avoid penalising people doing a good deed– often in rescue situation we can utilise the one year free registration as they may need to be desexed in that year
- Troublesome owners and their dogs, should read troublesome dogs and their owners. Confirmed that the proposal for 24 months is a reasonable timeframe.

ACTION: No additional changes identified.

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- Dangerous and menacing dogs just a wording change which the Committee are comfortable with.

ACTION: No additional changes identified.

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- Changes with regard to impounded dogs, which reflects current practices.
- No timeframe in regard to when we start rehoming dogs in policy – seven (7) days legally, however we do hold them usually for 8-9 days. If the owner has a lack of funds to pay the infringement we work with them to work to resolve these issues.
- Issuing infringement notices – schedule 1 very broad and do we include on the policy. It can be hyperlinked but is not actually listed.

ACTION: No additional changes identified, but staff to consider hyperlinks in the policy to relevant legislation.

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- Education of dog owners and Council running their own programmes similar to Auckland Council (understand it is not part of this review but raised as a potential for staff to consider as an operational issue for the future).

ACTION: No additional changes identified, however staff to consider educational programmes and seeking budget during annual plan processes for consideration by Council.

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- No proposed changes.

Page 61 and 62 of agenda

- Issue of cemeteries dealt with previously – and advisory note to be added to policy instead.
- Reference to Alexandra Redoubt Reserve incorrect and needs to be updated to reflect discussion on maps previously.

ACTION: Updates as per previous discussions in regard to cemeteries, Ngaruawahia and other reserves discussed at this meeting.

Page 63 and 64 of agenda

- Issue dealt with earlier in the meeting and staff would update this section based on those decisions.

ACTION: Update as per previous decisions regarding maps.

The meeting was adjourned at 10.35am and reconvened at 11.55am.

Dog Control Bylaw 2015

Staff provided an overview of the track changed document, noting the changes in blue were what was consulted on the changes in yellow highlight further changes based on submissions.

Page 34-37 of agenda

ACTION: No additional changes identified.

Page 38 and 39 of agenda

- The word loud added to align with the Act.
- Adding the word “reasonable” into the clause.
- Are playgrounds included here? Yes clause 6.3.
- Changes will be updated to allow previous changes in the deliberations.

ACTION: Further changes to be made on these pages to reflect decision at this meeting.

Page 40 and 41 of agenda

- Issue of boarding kennels added and raised during submissions in regard to animal rescue and fostering. By taking away the exclusion of the permits it covers this issue.
- Still need to ensure these properties are monitored in regard to welfare checks.
- Appeal process for infringements updated, but should reflect Regulatory Subcommittee not as outlined at present, as this is determined at the time of each triennium and its structure changes but this subcommittee would remain to consider these issues.

ACTION: Alter to reflect being considered by an appointed Sub-committee of Council, to be determined after each triennial election.

Page 42-44 of agenda

ACTION: No additional changes identified.

ACTION: Staff to ensure changes made at these deliberations to align with Bylaw, Policy and associated schedules for consideration by Council.

Process queries

- Councillors queried whether every efforts had been made to contact dog owners as the feedback during the hearings was that some had been contacted and others had not.
- Staff confirmed that every effort was made to contact owners of registered dogs to enable them to submit. Over 5,000 emails and 10,000 posted notices went out, public notices and constant updates via social media. When letters or emails came back we attempted to contact the dog owner via phone where we had those details.
- Matangi area does not have maps associated with it – if they are sportsfields then the Policy deals with these even though not named or having specific maps.

Resolved: (Crs Sedgwick/Smith)

That the Policy and Regulatory Committee:

- notes the the proposed staff changes recommended to the Dog Control Bylaw 2015 and Policy 2022 following submissions;**
- notes that the recommended staff changes to the Dog Control Bylaw 2015 and Policy 2022 as set out in Attachments 1-4 of the agenda, and having considered these along with feedback from submissions, the Committee have made further amendments for Council's consideration;**
- notes that subject to further amendments requested by the Policy and Regulatory Committee at these deliberations being updated, the amended Schedule of changes and staff responses (Attachment 1), Dog Control Bylaw 2015 (Attachment 2), Dog Control Policy 2022 (Attachment 3) and Dog Control Area Maps (Attachment 4) will be forwarded to Council on 11 April 2022 for adoption; and**
- accepts two further late submissions 3315 and 3316 (Attachment 5).**

CARRIED

P&R2203/10

The Chairperson took this opportunity to thank the staff who have worked on this process and recognised the efforts and hours put into this review. This will now go to directly to Council on 11 April or the bylaw would have lapsed.

Ms O’Gorman also appreciated the time in which the Chair and Councillors had provided to the process to ensure a robust review was undertaken and the right outcomes achieved for the community. Noting that the Chair in particular has provided a significant amount of guidance for staff along the way which has been greatly appreciated.

ACTION: Staff to provide draft report to Councillors 48 hours prior to it being released to the public to check accuracy of changes. Noting that any changes should be copied into the Chair to ascertain they are in line with this meeting.

There being no further business the meeting was closed at 11.30am.

Minutes approved and confirmed this day of 2022.

J Sedgwick
CHAIRPERSON