

<b>Meeting</b>	Policy on Dogs and Dog Management Bylaw Deliberations
<b>Date</b>	Tuesday 04 June 2019
<b>Time</b>	9.00am
<b>Venue</b>	Northern Wairoa War Memorial Hall – 37 Hokianga Road, Dargaville

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## **Deliberations Agenda**

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### **Hearing Panel:**

Chair: Mayor Jason Smith  
Members: Councillor Anna Curnow  
Councillor Karen Joyce-Paki

## **Policy on Dogs and Dog Management Bylaw Deliberations**

**Tuesday 04 June 2019 in Dargaville**

### **1 Opening**

#### **1.1 Karakia**

#### **1.2 Present**

#### **1.3 Apologies**

#### **1.4 Confirmation of Agenda**

#### **1.5 Conflict of Interest Declaration**

Elected members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as Councillors and any private or other external interest they might have. It is also considered best practice for those members to the Executive Team attending the meeting to also signal any conflicts that may have with an item before Council.

### **2 Deliberations**

#### **2.1 Deliberations Report – Policy on Dogs and Dog Management Bylaw Review**

[Secretarial Note: Attachment B 'Amended Draft Policy on Dogs and Dog Management Bylaw' is will be circulated separately.]

## **Deliberations Report – Policy on Dogs and Dog Management Bylaw Review**

**Meeting:** Policy on Dogs and Dog Management Bylaw Deliberations  
**Meeting Date:** 04 June 2019  
**Reporting officer:** Mark Schreurs, Policy Analyst

### **Purpose/Ngā whāinga**

To provide a summary of the points raised by submitters and recommendations on how the Draft Policy on Dogs and Dog Management Bylaw should be amended in response to these points (including both those points submitted in writing and those presented at the hearing).

To confirm the final version of the Policy on Dogs and Dog Management Bylaw that is to be recommended to the full Council for adoption.

### **Executive summary/Whakarāpopototanga**

The public have now had the opportunity to review Kaipara District Council's Draft Policy on Dogs and Dog Management Bylaw (the Policy and Bylaw) and to give their feedback through written and oral submissions. The Hearing Panel must now consider the points raised by submitters and what amendments should be made to the Policy and Bylaw before it is adopted by the full Council.

This report presents the key issues raised by submitters, together with recommendations from Council staff on how these should be responded to and seeks a decision from the Hearing Panel on what changes should be made to the Policy and Bylaw.

**Attachment A** contains a table which sets out all the points raised by submitters and recommendations from Council staff.

Key issues raised by submitters were generally centred around:

- a) dog, health and well-being and the importance of open space and socialising with other dogs;
- b) owner health and well-being and the value of companionship;
- c) preventing risks and dangers posed by dogs to elderly, children and the physically frail or disabled through education and provision of dog-friendly exercise areas;
- d) protection of biodiversity and conservation areas, especially shore birds and kiwis;
- e) strategic provision of off-leash, on-leash and dog free areas throughout the district;
- f) human access to the above areas, taking into account physical capacity and mobility of dog owners;
- g) appropriate dog controls recognising whether the dog is a pet, companion, service or working dog e.g. registration, property confinement, responsible breeding practices;
- h) communication and awareness raising on the bylaw provisions through good signage, clear mapping and education;

Key changes requested by submitters were:

- a) greater freedom for dogs at Mangawhai's Surf Beach;
- b) to be able to exercise dogs off-leash at the Mangawhai Estuary Beach in the vicinity of Alamar Crescent;

- c) that dogs be permitted at Mangawhai's Wood Street shops providing they are on a leash;
- d) the desire to be able to exercise dogs off-leash on more of the beach at Pahi than is proposed in the Draft Policy and Bylaw;
- e) that Council do more to prevent dogs harming or harassing Mangawhai's Fairy Terns (New Zealand's rarest bird) and dotterels;
- f) that Council protect more areas of Ripiro Beach to protect dotterel nesting sites;
- g) that dogs not be allowed on the Mangawhai Cliffs Walking Track;
- h) that dogs be required to be kept on a leash in cemeteries.

The follow matters are outside the scope of the Draft Policy and Bylaw (they relate to enforcement and implementation of the rules rather than what the rules should be) however, they are worth noting as they were repeatedly raised:

- a) the need for better enforcement of dog control rules, be they the current rules or the proposed rules;
- b) requests for "doggy doo bins" (bins dedicated to the disposal of dog faeces); and
- c) requests for a fenced dog park.

All changes to the Draft Policy on Dogs and Dog Management Bylaw must be within the scope of the Statement of Proposal and must be based on points raised by submitters unless they are minor in nature and do not deviate from the overall direction of a provision e.g. correcting typos.

Any major changes outside the scope of the Statement of Proposal may require further consultation.

## Recommendation/Ngā tūtohunga

That the Hearing Panel:

- a) Recommends Kaipara District Council to adopt the Draft Policy on Dogs and the Dog Management Bylaw, circulated as Attachment B, with the following amendments:  
[DELETE IF NOT REQUIRED]
- b) Delegates the Mayor and Chief Executive the authority to make final amendments to the Draft Policy on Dogs and the Dog Management Bylaw as agreed by the Panel, for recommendation to Council.
- c) Recommends to Kaipara District Council to investigate appropriate and effective enforcement of the final Dog Management Bylaw, with appropriate delegations.

## Discussion/Ngā kōrerorero

The following are the key changes raised by submitters together with recommendations from Council staff.

### Mangawhai Surf Beach

There was general support for the northern part of the Mangawhai Surf Beach being made a recommended off-leash area and for the Mangawhai Heads Reserve and adjoining beaches being made an on-leash area all year round.

Council staff have recommended that the proposal be retained in the final Policy and Bylaw but that the extent of the recommended off-leash area be extended south to the first set of rocks on the Mangawhai Surf Beach. This recognises the popularity of this area with dog walkers and that these rocks pose a more appropriate landmark from which to commence the off-leash area.

### **Mangawhai Cliffs Walking Track**

The proposal had been to allow dogs on the Mangawhai Cliffs Walking Track provided they be kept on a leash. However, the Bream Trail Residents' Association has informed Council, through the submission process, that the easements which established the walking track include provisions which prohibit the public from taking dogs over this land.

Staff are working with this submitter to source documentation confirming the provisions of these easements which can then be tabled at the deliberations meeting. In which case, the staff recommendation shall be that no rules under this Policy and Bylaw be applied to this area and that dog access continue to be as per the provisions of the easements.

### **Mangawhai Heads Estuary Beach - Alamar Crescent area**

The Mangawhai Heads Estuary Beach (Alamar Crescent area) was by far the most contentious issue. 380 submitters opposed the proposal to make this beach a full time on-leash area.

Under the 2009 rules, dogs are allowed to be exercised off-leash on this beach before 9am and after 6pm. For the remainder of the day, this beach is an on-leash area.

The submissions revealed this area is an important and very popular dog exercising area. It is particularly prized for its easy access and the opportunity to let dogs swim in an area without large waves.

It is recommended that some form of off-leash access should be retained in this area. Options suggested by submitters include:

- a) retaining the status quo of allowing dogs to be off-leash before 9am and after 6pm;
- b) allowing dogs to be off-leash at other times e.g. before 10am and after 5pm or having different winter and summer hours; and
- c) allowing dogs to be off-leash full time in one area of this beach while the remainder of the beach be made an on-leash area.

Of these options, having rules which vary with the seasons as well as with the time of day (such as is currently the case at the Mangawhai Heads Reserve) is not recommended as the complexity has proven a cause for confusion.

Furthermore, given the large number of submitters who identified off-leash access as important in this area, staff recommend that the solution reached by the Hearing Panel should allow more freedom than is currently available. That is, allowing dogs to be off-leash before 10am and after 5pm is recommended over the current rules of before 9am and after 6pm

Staff recommend allowing dogs to be off-leash either:

- a) full time on the area of beach from the end of North Avenue to the rocks at Bullet Point; or
- b) before 10am and after 5pm from Alamar Crescent boat ramp to the rocks at Bullet Point.

### **Mangawhai Heads Holiday Park (Alamar Crescent)**

The draft Policy and Bylaw proposes prohibiting dogs from the Mangawhai Heads Holiday Park. This was requested by the Mangawhai Heads Holiday Park and supported by a number of submitters. However, there were others who requested that dogs be allowed access through this area provided they were on-leash. It was also identified correctly that the map of the proposed dog prohibited area identified in the Policy did not accurately reflect the Holiday Park's lease area.

Given that the number of submitters in favour of the prohibition is double that of those opposing and given that the Holiday Park themselves have requested this, staff recommend that the prohibition be included in the final. It is further recommended that the map of this area be amended to show that dogs are prohibited from the Holiday Park's lease area.

### **The Wood Street Shops - Mangawhai Heads**

75 submitters requested dogs be permitted at the shopping complex on the corner of Wood Street and Fagan Place, Mangawhai Heads. This area was identified as a dog prohibited area in the 2009 Policy and Bylaw. Few, if any, complaints were received about this over the life of the Policy and Bylaw and hence no change was proposed in the 2019 Draft Policy and Bylaw.

However, the consultation process has revealed that the lack of complaints received was due to most people in the community being unaware of the current rules rather than being satisfied with them. There is in fact considerable demand from the community, including local shopkeepers, for the rules to be changed.

The requested change is considered reasonable and would make these shops consistent with the shops immediately opposite and throughout the district.

It is recommended that the Wood Street Shops be an on-leash area rather than a dog prohibited area.

### **Mangawhai Harbour, the Fairy Terns and Dotterels**

The current direction in the Draft Policy and Bylaw is to require dogs to be kept on a leash at only the most popular harbour beaches i.e. those around Alamar Crescent and the Mangawhai Village.

This could be increased to include the whole area from the southern end of Lincoln Street reserve to the Molesworth Drive causeway and along Molesworth Drive to the Mangawhai Village. This would have implications for the walkway presently being developed around Mangawhai Harbour. The same approach could also be taken along the southern side of the Harbour from Mangawhai Village to the sandspit.

It is recommended that the area from the southern end of Lincoln Street reserve to the Molesworth Drive causeway and along Molesworth Drive to the Mangawhai Village be made an on-leash area. The beaches in this area are less suited to exercising dogs off-leash than those at Alamar Crescent and Lincoln Street reserve. The primary public access through this area is via the community walking track. Having this walking track as an on-leash area would be consistent with the proposal to make all urban streets and footpaths on-leash areas.

Making the southern side of the Harbour from Mangawhai Village to the sandspit an on-leash area is not considered necessary given the limited public access and sparser population in this area.

### **Mangawhai Community Park**

On the whole, the proposal to promote Mangawhai Community Park as an off-leash area was supported. However, a number of submitters noted that:

- a) the presence of public play equipment at the Mangawhai Activity Zone (MAZ) and the rule prohibiting dogs from within 10 metres of public play equipment would make it difficult to access the walking tracks from the car park; and
- b) the map denoting Mangawhai Community Park as a recommended off-leash area shows the whole of the property, including the Mangawhai Museum, ambulance station, wastewater treatment plant etc. as recommended for off-leash activities.

Staff recommend that the dog access areas for Mangawhai Community Park should be reworked. On the whole, the primary proposals appear to be supported and should be retained in the final Policy i.e. the bulk of the park should be a recommended off-leash area with the exception of the public play equipment at MAZ where dogs should be prohibited.

Other areas not suitable to be recommended for off-leash activities such as the Mangawhai Museum, ambulance station, wastewater treatment plant etc. should have no specific dog access rules placed over them.

## Whakapirau

Submitters from Whakapirau requested that more of the beach be available to dogs off-leash. On assessing their concerns, staff recommend that the on-leash area of the beach be shortened to make the area south of Regent Street an off-leash area.

This would provide a large area of the beach for dogs to be exercised off-leash in addition to all the area stretching to the south of Whakapirau.

## Pahi

A large number of submitters (49) called for the dog access rules in Pahi to remain unchanged. The number of submitters calling for this leads staff to recommend that the proposed rules for Pahi be amended to be similar to those presently in place.

It is recommended that the proposal be amended to make the beach from the Moreton Bay Fig Tree around the point to the Beach at the end of Dem Road an off-leash area.

In addition, the area north of the end of Fisher Street should also be made an off-leash area.

## Baylys

It was requested that the extent of the on-leash area on the beach adjoining the Baylys urban area be reduced to include only the area around the vehicle access point.

Staff acknowledge that the area around the vehicle access point is the busiest area of the beach in front of Baylys. Staff recommend that the on-leash area on the beach adjoining Baylys be reduced to include only this area.

## The West Coast Beaches, the dotterels

In their submission, Mana Whenua called for additional protection to be placed over areas of Ripiro Beach and the West Coast where dotterels nest. In addition, they supported an area of Ripiro Beach near Pouto being made an on-leash area and called for the site of the Kaipara North Head Lighthouse to be made an on-leash area as well. Better protection of birds of Ripiro Beach was also supported by the Royal Forest and Bird Protection Society of New Zealand.

In response, it is recommended that:

- a) Manuwhetai (the area of beach south of the mouth of the Waipoua River) be made an on-leash area;
- b) Waihopai (the area around the first stream on Ripiro Beach south of Aranga Beach) be made an on-leash area;
- c) The proposal to make the beach in the Pouto area an on-leash area be retained in the final Policy; and
- d) the site of the Kaipara North Head Lighthouse be made an on-leash area in order to be consistent with the beach below. This approach has been discussed with Heritage New Zealand and is supported by them.

The proposal by Mana Whenua that restrictions be placed on dogs at Muremoenui is not recommended by Council staff.

Muremoenui is an area of Ripiro Beach where several significant battles were fought between Northern and Kaipara Iwi. A monument has been placed here to record the significance of the site.

It is acknowledged that many, many lives have been lost at this site and that having dogs roaming freely and defecating on this hallow site could be culturally inappropriate.

However, given that the beach is a road, it is not recommended to prohibit dogs from a section of it as this would prohibit dogs from being transported along it. Furthermore, this is a remote area where few people stop and where enforcement is difficult. The complexity of making this

an on-leash area is not considered worthwhile. It is recommended that an educational approach be taken instead.

### **Cemeteries**

It was suggested that dogs defecating and urinating on cemeteries and running over monuments is considered disrespectful. There were calls for dogs to be prohibited or required to be kept on a leash in cemeteries.

It is recommended that all Council controlled cemeteries be made on-leash areas. It is considered this will result in dog owners keeping their dogs under closer supervision while in these hallow areas.

### **Next steps/E whaiake nei**

Once the amended Draft Policy on Dogs and Dog Management Bylaw has been finalised by the Mayor and Chief Executive, the final draft will be presented to Council for adoption at their 27 June 2019 Council meeting.

### **Attachments/Ngā tapiritanga**

<b>A</b>	Table of points raised by submitters and recommendations from Council staff
<b>B</b>	Amended Draft Policy on Dogs and Dog Management Bylaw

Mark Schreurs, 27 May 2019



## Attachment A – Summary of Submissions and recommended responses

A comprehensive list of the points raised by submitters is included in the table below. The table has three columns. The first lists the points raised by submitters. The second gives a recommendation by Council staff on how these points should be responded to. The third records the number of submitters who supported each point. Note that the number of submitters who supported similar points cannot be summed together to summarise the submission points further. This is because one submitter may have supported several points.

Submission Points	Officer Recommendation	Number of supporters
<b>Mangawhai</b>		
<b>Mangawhai surf beach</b>		
The “recommended off-leash area” on Mangawhai’s surf beach is supported.	Given the support received for the “recommended off-leash area” at the surf beach and the many requests for dogs to have greater freedom at this beach, it is recommended that the “recommended off-leash area” be extended south to start from the first set of rocks.	22
The proposed rules for the Mangawhai surf beach, both the off and on-leash areas, are supported.		3
The off-leash area on the Mangawhai surf beach should be expanded/dogs should be allowed off-leash on the whole beach.	A number of submitters wanted greater freedom for dogs on the Mangawhai surf beach. Increasing the off-leash area on Mangawhai’s surf beach is recommended.	9
The southern end of the Mangawhai surf beach (that part adjoining the Mangawhai Heads Reserve) should be made a dog prohibited area.	This would allow a place on the surf beach where people could go and not be disturbed by dogs. However, it is also necessary for people with dogs to access the rest of the beach via the Mangawhai Heads Reserve. If a southern section of the surf beach were to be made a dogs prohibited area, this would have to be restricted to the area south of the beach access. In the interests of simplicity, it is recommended that this change not be made.	2
Dogs should be prohibited from Picnic Bay.	In the interests of simplicity, it is recommended that this change not be made.	2
Mangawhai Heads Reserve and beaches should be off-leash down to mean low water springs at certain	The present rules under the 2009 Policy and Bylaw allow dogs to be off-leash in this area from 1 March through to 1 December between the hours of 6pm and 9am.	3

Submission Points	Officer Recommendation	Number of supporters
times, friendly non-threatening dogs should be allowed off-leash.	<p>This complexity is proving confusing. It is recommended that this area be made permanently on-leash to avoid confusion.</p> <p>Making this an on-leash area will allow people to walk their dogs on a leash through the car park and southern part of the beach before reaching the recommended off-leash area.</p> <p>Making this an off-leash area is not recommended.</p>	
The proposal to make Mangawhai Heads Reserve an on-leash area all year round is supported.	It is recommended that the Mangawhai Heads Reserve be an on-leash area as proposed.	11
During the summer season, dogs should be prohibited on the Mangawhai surf beach between 10am and 6pm.	<p>This submitter felt the surf beach is becoming over crowded with dogs at certain times of the year.</p> <p>Prohibiting dogs from the Mangawhai surf beach is not recommended given the support received for the proposal to allow dogs there.</p>	1
The present approach of having dog access rules for Mangawhai beaches vary with the seasons is supported and should be continued in the new Policy and Bylaw.	<p>Staff understand that the complexity of the current rules is proving confusing.</p> <p>Furthermore, the proposal to make this area permanently on-leash was generally supported by submitters.</p> <p>It is recommended that this area be made permanently on-leash to avoid confusion.</p>	1
It is requested that dogs be prohibited from all Mangawhai Heads beaches from the Molesworth Drive causeway to the end of the Mangawhai surf beach, including the public toilet area at the Mangawhai Heads Reserve (working dogs would be exempt while working).	<p>These submitters are among those in the community who prefer to enjoy Mangawhai's beaches without being disturbed by dogs. They are also concerned about how many dogs can be present on the surf beach at any one time.</p> <p>However, while their concerns are valid, the majority of submitters supported the proposed freedoms given to dogs in these areas.</p>	2
Tighter restrictions on dogs are needed on the whole of Mangawhai surf beach. This could include requiring them to be on a leash at certain times of the day or prohibiting them completely.	It is recommended that dog access to Mangawhai's surf beach not be further restricted.	1

Submission Points	Officer Recommendation	Number of supporters
Mangawhai Cliffs Walking Track		
The proposal to allow dogs on the Mangawhai Cliffs Walking Track provided they are on a leash is supported.	The proposal had been to allow dogs on the Mangawhai Cliffs Walking Track provided they be kept on a leash. However, the Bream Trail Residents' Association have informed Council, through the submission process, that the easements which established the walking track include provisions which prohibit the public from taking dogs over this land.  Staff are working with this submitter to source documentation confirming the provisions of these easements. This can then be tabled at the deliberations meeting. In which case, the staff recommendation shall be that no rules under this Policy and Bylaw be applied to this area and that dog access continue to be as per the provisions of the easements.	24
The proposal to allow dogs on the Mangawhai Cliff Walking Track is opposed.		3
Mangawhai sandspit		
Prohibiting dogs from the beaches around the Mangawhai sandspit is supported.	This proposal was widely supported, including by DOC and Mana Whenua.  It is recommended that dogs be prohibited from the beaches around the Mangawhai sandspit.	23
Dogs should be kept off sand dunes to protect nesting birds.	This may be a reference to the Mangawhai sandspit and the Fairy Terns there.  From talking to DOC there is no need to prohibit dogs from any of the other sand dunes at Mangawhai.	1
Mangawhai Heads Estuary Beach from Wintle Street to Heather Street		
It should be allowed to exercise dogs off-leash, including letting them swim, at the Mangawhai Heads estuary beach.	This issue attracted more attention than any other.  While a number of submitters opposed dogs having greater freedom in this area, the overwhelming majority called for dogs to be allowed off-leash at this location in some form or another.  A number of solutions were proposed by submitters. These included:  a) retaining the status quo of allowing dogs to be off-leash before 9am and after 6pm;	380  This number includes 225 people who listed their support on what staff are referring to as the "Mangawhai Collective Submission". No

Submission Points	Officer Recommendation	Number of supporters
	<p>b) allowing dogs to be off-leash at other times e.g. before 10am and after 5pm or having different winter and summer hours; and</p> <p>c) allowing dogs to be off-leash full time in one area of this beach while the remainder of the beach be made an on-leash area.</p> <p>Reasons for requesting this often included concerns over access for the elderly at other off-leash locations and the limited parking at the surf beach.</p> <p>In response to these submitters, it is recommended that dogs be allowed off-leash before 10am and after 5pm from the Alamar Crescent boat ramp to the rocks at Bullet Point.</p> <p style="text-align: center;">Or</p> <p>Given the number of submitters who identified off-leash access as important and given the tidal nature of the estuary, it is recommended that the on-leash area be reduced to exclude the area from the end of North Avenue to the rocks at Bullet Point.</p>	<p>effort has been made to determine if some of these supporters also made their own independent submission. In which case they will have been counted twice.</p>
The proposal to make the Mangawhai Heads estuary beach in the vicinity of Alamar Crescent an on-leash area is supported.	Given the number of submitters who supported being able to exercise their dogs off-leash on this beach, it is recommended that at least some off-leash access be permitted.	1
Allow dog owners to use the Mangawhai estuary as a dog exercise area with time restrictions over the Christmas to 31 January period only.	It is unclear if this submitter is referring to letting dogs be exercised in this area over the Christmas to 31 January period only or over the whole year with restrictions only applying during the Christmas to 31 January period. It is also unclear if this submitter considers "dog exercise" to be on-leash or off-leash.	1
The extension of the on-leash area to include the beach from Bullet Point to Heather Street is supported.	From reviewing all the submissions received regarding the estuary beaches, it appears that the area from the Alamar Crescent boat ramp to the rocks at Bullet Point is the most important to dog walkers. Granting greater freedom to dogs in this area while requiring them to be kept on-leash from Bullet Point to Heather Street is recommended.	1
The extension of the on-leash area to include the beach from Bullet Point to Heather Street is opposed.		2
Prohibit dogs from the Bullet Point to Heather Street beach area (and possibly the rest of the estuary beaches) over the summer period from 9am to 6pm.		1

Submission Points	Officer Recommendation	Number of supporters
Mangawhai Heads Holiday Park (Alamar Crescent)		
The proposed requirement to keep dogs on a leash down to mean low water springs on the beach in front of the Mangawhai Heads Holiday Park is supported.	This point was submitted by the Mangawhai Heads Holiday Park. From reviewing all the submissions received regarding the estuary beaches, it appears that the area from the Alamar Crescent boat ramp to the rocks at Bullet Point is the most important to dog walkers. Granting greater freedom to dogs in this area while requiring them to be kept on-leash north of the Alamar Crescent boat ramp is recommended.	2
Prohibition of dogs in the Mangawhai Heads Holiday Park is supported.	Given the support by the Mangawhai Heads Holiday Park and other members of the community, for prohibiting dogs from this area, it is recommended that this direction be retained in the final Policy.	12
Dogs should be allowed in the Mangawhai Heads Holiday Park provided they are on-leash.		6
The maps in the proposal only show half the Mangawhai Heads Holiday Park as being a dogs prohibited area. This should be corrected.	This is a mapping error within the proposal. The map is intended to show that dogs are prohibited in the Mangawhai Heads Holiday Park. However, the map fails to include part of the campground and does include the public car park.  The map should be amended to accurately reflect the direction written in the Policy.	2
The proposal to prohibit dogs from the car park at Alamar Crescent is opposed.		1
Inner Mangawhai Harbour		
The proposal that the Lincoln Street reserve and adjoining beach continue to be an off-leash area is supported.	It is recommended that this direction be retained in the final Policy.	2
The Mangawhai Harbour beaches and reserves around Mangawhai Village from Molesworth Drive to Insley Street should be off-leash down to mean low water springs at least at certain times.	People are currently not able to swim their dogs here.  It is recommended that the beach at the Kainui Street reserve be made an off-leash area.	2
Allow off-leash activities at Pearson Street reserve and the reserve near the tavern.		1
Dogs should be allowed off-leash on the beaches and reserves around Mangawhai Village from Kainui Street to Pearson Street.		2

Submission Points	Officer Recommendation	Number of supporters
Dogs should be allowed off-leash below mean high water springs on all beaches around Mangawhai Village.		1
The Royal Forest and Bird Protection Society of New Zealand and the New Zealand Fairy Tern Charitable Trust asked that dogs be kept on a leash or be prohibited from all beaches around the Mangawhai Harbour.	It is recommended that the area from the southern end of the Lincoln Street reserve to the Molesworth Drive causeway and along Molesworth Drive to the Mangawhai Village be made an on-leash area.	3
Dogs to be prohibited from all of Mangawhai's beaches between November to April.		1
Reserves and beaches adjoining Mangawhai harbour are not supported as being on-leash areas as dogs pose a risk to shore birds.		1
All areas of the Mangawhai Harbour below high tide should be made Dogs prohibited to protect the Fairy Terns and other shore birds.	<p>The intent of these submitters is to keep dogs from harassing or even killing shore birds. However, there are a number of issues with this proposal:</p> <ul style="list-style-type: none"> <li>• Council only has jurisdiction to make rules down to mean low water springs, that is, it cannot make rules over areas of the harbour not exposed at low tide.</li> <li>• Banning dogs from Mangawhai harbour would prevent them from being transported by boat (such as during high tide), including being transported from Mangawhai harbour to other districts via yacht.</li> <li>• Mangawhai's harbour beaches are popular for recreational use, including by people walking dogs.</li> </ul> <p>A compromise could be to make all central harbour sand flat areas that are above mean low water springs on-leash areas. This would not prevent dogs being transported over these areas by boat at high tide.</p> <p>However, given the complexity of enforcing these rules, it is recommended that no restrictions on dogs be placed on the sand and mud flats of the inner harbour.</p>	2
All areas of the Mangawhai Harbour should be made on-leash areas		1

Submission Points	Officer Recommendation	Number of supporters
The Wood Street Shops		
The shopping complex on the corner of Wood Street and Fagan Place, Mangawhai Heads should be a leash control area not a dogs prohibited area.	This area was identified as a dog prohibited area in the 2009 Policy and Bylaw.  The requested change is considered reasonable and would make these shops consistent with the shops immediately opposite and throughout the District.  It is recommended that the Wood Street Shops be an on-leash area rather than a dog prohibited area.	75
The proposal that dogs continue to be prohibited from the shopping complex on the corner of Wood Street and Fagan Place, Mangawhai Heads is supported.		1
Prohibit dogs from all the shops on both sides of Wood Street.		1
Mangawhai Community Park		
Having Mangawhai Community Park as an off-leash area is supported.	It is recognised that the proposal to make the whole of Mangawhai Community Park a recommended off-leash area is inappropriate as this park includes the Mangawhai Community Wastewater Treatment Plant and other areas not appropriate for the public to exercise their dogs.  It is recommended that the dog access areas be redrawn such that: <ul style="list-style-type: none"><li>The majority of the Park, particularly those parts with bush walks, are recommended as off-leash areas;</li><li>Dogs are prohibited from the public play equipment at MAZ but not to such an extent as to impede dog access to other areas.</li><li>Areas such as the Mangawhai Museum, wastewater treatment plant, fire station, ambulance station and the area immediately adjoining Molesworth Drive are not promoted as off-leash areas.</li></ul>	9
It is difficult to access Mangawhai Community Park (a recommended off-leash area) without going through the Mangawhai Activity Zone (MAZ) (MAZ is a dogs prohibited area as are all public playgrounds in the District). This rule should be changed or special access be provided from the car park to the rest of the park.		8
Dogs should be allowed within the MAZ area provided they are on a leash.		2
Make the area of Mangawhai Community Park adjoining Molesworth Drive, and the start of the walking track from the MAZ area on-leash.		1
Prohibit dogs on the Mangawhai Golf Course.	This submission was not from the Mangawhai Golf Club.  It is recommended that no specific dog access rules be placed over the Mangawhai Golf Course. This area will therefore be an off-leash area by default.	1



Submission Points	Officer Recommendation	Number of supporters
<b>Mangawhai – General</b>		
The proposed requirement to keep dogs on a leash on roads and footpaths in Mangawhai's urban areas is too restrictive.	<p>The proposed requirement to keep dogs on a leash on roads and footpaths in urban areas was generally supported by submitters across the district.</p> <p>It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.</p>	3
The proposed rules for Mangawhai are opposed. Things should stay as they are.	The suggestion to leave the dog access rules for Mangawhai completely unchanged is not recommended given the support received for some of the changes.	2
Mangawhai Domain is supported as being an off-leash area.	It is recommended that no specific dog access rules be placed on the Mangawhai Domain. It will therefore remain an off-leash area by default.	2
Dogs should be prohibited from the markets that are held in Mangawhai.	<p>This submitter considered that even dogs on a leash caused a problem as leashes caused a tripping hazard in the crowded market.</p> <p>It is difficult to place restrictions on dogs which apply only to the duration of an event. Dogs would need to be prohibited from the areas where the markets are held either permanently or during the specific hours of the specific days when the markets are commonly held.</p> <p>It is recommended that the Policy and Bylaw remain silent on this matter.</p>	1
The Hakaru Domain should be off-leash when horses and livestock are not present.	<p>It is recommended that no specific dog access rules be placed on the Hakaru Domain. It will therefore remain an off-leash area by default.</p> <p>Signage could be added educating dog owners to use other areas when horses and livestock are present.</p>	2



Submission Points	Officer Recommendation	Number of supporters
<b>Kaiwaka</b>		
Support requiring dogs to be on-leash in Kaiwaka streets.	It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.	1
Kaiwaka needs a larger off-leash area.	<p>This comment refers to the reserve on the corner of Settlement Road and State Highway 1 which is a “recommended off-leash area” in the draft Policy and Bylaw.</p> <p>While this area is small, it is safe enough for dogs and the public to be recommend as an off-leash area. Other areas where dogs can be exercised off-leash, such as the former landfill on Oneriri Road, exist in the Kaiwaka area. However, it is not recommended that these be advertised as “recommended off-leash areas”.</p>	1
<b>Whakapirau</b>		
The proposed on-leash rules for Whakapirau are too restrictive. It is suggested that they be made to apply only during the peak summer period. An area of the beach from Rigby Street to the wharf should be made an off-leash area. The on-leash rule should apply to mean high water springs not mean low water springs.	It is recommended that the on-leash area of the beach be shortened to make the area south of Regent Street an off-leash area.	7
The proposed rules for Whakapirau are supported.		1
Dogs should be prohibited from most beaches and sand flats of the Kaipara Harbour to protect shore birds.	Discussions with DOC did not identify such a wide reaching prohibition as a priority. The areas identified by DOC as being important to key species are proposed to be protected through the draft.	1
The proposal to keep dogs on a leash on Whakapirau’s streets and footpaths is supported.	It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.	3
<b>Paparoa</b>		
The proposal that the Paparoa Village Green be an on-leash area is supported.	No changes to the proposed dog access areas are recommended for Paparoa.	1
The proposal that the Landing be an off-leash area is supported.		1
The on-leash areas in Paparoa are supported.		1

Submission Points	Officer Recommendation	Number of supporters
Pahi		
The dog on-leash, off-leash and prohibited areas in Pahi should not change.	It is recommended that the proposal be amended to make the beach from the Moreton Bay Fig Tree around the point to the Beach at the end of Dem Road an off-leash area.  It is recommended that the area of beach north of the end of Fisher Street be made an off-leash area.	49
Leave the south end of Pahi Beach as it is i.e. off-leash.		6
The Dem Road esplanade reserve should be made off-leash.		1
The Pahi Domain being an on-leash area is supported.	The dog access rules in much of this area are controlled by DOC. It is recommended that those parts controlled by Council be made on-leash areas in order to be consistent.	2
The bush walk from Paparoa to Pahi should be an off-leash area with the exception of the farmland section at the Paparoa end.	No rules are proposed for this track. No new rules are recommended.	1
The reserve area at the end of Fisher Street should be an off-leash area.	The rules requiring dogs to be on-leash on this reserve are administered by DOC.  It is recommended that the area of beach north of the end of Fisher Street be made an off-leash area.	1
North of Dem Road should be restricted to leash control in summer.	Given the number of submitters who requested the rules for Pahi remain as they are, it is recommended that the proposal be amended to be similar to the status quo.	1
All the proposed rules for Pahi are supported.		1
Dargaville		
There was a suggestion that a section of Harding Park adjoining Old Golf Course Road would make a good location for a dog park. This area, along with the rest of Harding Park is proposed to be made an on-leash area. This would prevent it becoming a dog park.	While building a dog park with fences, ramps, jumps and seating is a matter of community facilities provision rather than a policy matter, dog parks can only be established on areas where dogs are allowed to run off a leash. The suggested area is proposed to be made an on-leash area.  There are two options for responding to this: a) Amend the proposal such that this section of Harding Park remain an off-leash area; or b) Retain the direction that this area be made an on-leash area.	3

Submission Points	Officer Recommendation	Number of supporters
	<p>Option a) would allow for a dog park to be established on this site. Option b) would prevent a dog park from establishing on this site without the Policy and Bylaw latter being amended.</p> <p>Given that Mana Whenua have supported this area being an on-leash area, it is recommended that the proposal not be amended.</p> <p>If the community identify that a dog park is desired on this site (rather than on another site e.g. Northern Wairoa Memorial Park) then that suggestion can be discussed with Mana Whenua and other stakeholders before a change to the Policy and Bylaw is publicly consulted on.</p>	
The proposal to change Harding Park from an off-leash area to an on-leash area is supported.	It is recommended that Harding Park become an on-leash area.	5
The proposal to change Harding Park from an off-leash area to an on-leash area is opposed.		2
Prohibiting dogs from Pou Tu Te Rangi Pa is supported.	It is recommended that dogs be prohibited from Pou Tu Te Rangi Pa.	7
Prohibit dogs from Old Mount Wesley Cemetery.	It is recommended that Old Mount Wesley Cemetery become an on-leash area. This will require owners to pay closer attention to their dogs and so keep them from behaving in a disrespectful manner.	1
Support requiring dogs to be on-leash in Dargaville streets.	It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.	2
The Northern Wairoa Memorial Park is supported as being an off-leash area.	It is recommended that the Northern Wairoa Memorial Park be a recommended off-leash area.	1
The proposal to allow dogs in the main shopping streets provided they are on-leash is opposed.	<p>This submitter was concerned about pig dogs being allowed into the town centre and considered a leash would not be sufficient to control them.</p> <p>While this submitter's concerns are recognised, it is considered changing the rules to allow dogs to be present if on a leash will not cause major problems. Other rules under this Policy and Bylaw, as well as the Dog Control Act 1996 should be sufficient to address</p>	1

Submission Points	Officer Recommendation	Number of supporters
	the issues anticipated by this submitter. No change to the proposal is recommended.	
<b>Baylys</b>		
The requirement that dogs be on a leash on all streets and footpaths in the urban area is supported.	It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.	1
Ocean View Terrace and the park adjoining it should be made an on-leash area.	It is recommended that these areas be made on-leash areas.	1
Reduce the extent of the on-leash area on the beach adjoining the Baylys urban area.	This submitter suggested that the on-leash area of the beach should be concentrated near the beach vehicle access. It is recommended that this change be made.	1
<b>Northern Kaipara</b>		
The proposal to make the roads around Trounson Kauri Park an on-leash area are supported.	This proposal was suggested and is supported by Mana Whenua. It is recommended that the roads around Trounson Kauri Park be made an on-leash area.	4
The roads around Waipoua Forest should be made on-leash areas in order to protect kiwi.	This proposal was suggested and is supported by Mana Whenua. It is recommended that the roads around Waipoua Forest be made on-leash areas.	4
Manuwhetai (the area of beach south of the mouth of the Waipoua River) should be made an on-leash area.	There are dotterels nesting on the beach in this area. This proposal was suggested and is supported by Mana Whenua. It is recommended that Manuwhetai (the area of beach south of the mouth of the Waipoua River) be made an on-leash area.	4
The continued exclusion of dogs from the Kai Iwi Lakes (Taharoa Domain) is supported.	It is recommended that dogs continue to be prohibited from the Kai Iwi Lakes.	4
<b>Ripiro Beach and Pouto</b>		
Waihopai (the area around the first stream on Ripiro Beach south of Aranga Beach) should be made an on-leash area.	There are dotterels nesting on the beach in this area. This proposal was suggested and is supported by Mana Whenua. It is recommended that Waihopai (the area around the first stream on Ripiro Beach south of Aranga Beach) be made an on-leash area.	4

Submission Points	Officer Recommendation	Number of supporters
Rules are requested to keep dogs under control at Muremoenui.	<p>Muremoenui is an area of Ripiro Beach where several significant battles were fought between Northern and Kaipara Iwi.</p> <p>A monument has been placed here to record the significance of the site.</p> <p>Many, many lives have been lost at this site. Having dogs roaming freely and defecating on this hallow site could be culturally inappropriate.</p> <p>No change is recommended. Given that the beach is a road, it is not recommended to prohibit dogs from a section of it as this would prohibit dogs from being transported along it. Furthermore, this is a remote area where few people stop and where enforcement is difficult. The complexity of making this an on-leash area is not considered worthwhile. It is recommended that an educational approach be taken instead.</p>	4
The proposal to make the beach in the Pouto area an on-leash area is supported.	<p>There are dotterels nesting on the beach in this area.</p> <p>This proposal was suggested and is supported by Mana Whenua.</p> <p>It is recommended that this area be made an on-leash area.</p>	4
The site of the Kaipara North Head Lighthouse should be made an on-leash area.	<p>The site of the Kaipara North Head Lighthouse is owned by Heritage New Zealand. It is surrounded by DOC land where dogs are prohibited without a permit. The adjoining beach is proposed to be an on-leash area in order to protect dotterels which nest nearby.</p> <p>It is recommended that the site of the Kaipara North Head Lighthouse be made an on-leash area in order to be consistent with the beach below. This approach has been discussed with Heritage New Zealand and is supported by them.</p>	4
The Royal Forest and Bird Protection Society of New Zealand asked that dogs be kept on a leash on all areas of Ripiro Beach.	<p>The Society noted that the Fairy Tern/Tara-iti have been recorded roosting in this area in the past and that other species, such as the Northern New Zealand Dotterel, are also present.</p> <p>It is not recommended to make the whole of Ripiro Beach an on-leash area. It is recommended that restrictions be limited to key nesting sites.</p>	1

Submission Points	Officer Recommendation	Number of supporters
<b>General</b>		
<b>Dog Access Areas</b>		
The proposed requirement to keep dogs on a leash on roads and footpaths in urban areas is supported.	It is recommended that dogs be required to be on a leash on roads and footpaths in urban areas.	24
The proposed requirement to keep dogs on a leash on roads and footpaths in urban areas is too restrictive.		1
Any dog under control should be allowed off a leash.	<p>This appears to suggest that all dog on-leash and dog prohibited restrictions should be removed, therefore allowing dogs to be present in any public place providing they are under the control of their owner.</p> <p>It is considered that such an approach would not be sufficient to address the dog control issues in the district.</p>	1
More freedom should be given to friendly non-threatening dogs. Enforcement officers should have discretion when applying the rules.	<p>This submitter wanted enforcement officers to be able to issue fines to dogs that appeared menacing or were causing problems while granting more liberties to well behaved dogs and their owners.</p> <p>This could create issues with consistency. The Policy and Bylaw need to be clear on what behaviours are appropriate and which are not. This will give clarity to both the public and enforcement staff.</p> <p>This change is not recommended.</p>	1
The Royal Forest and Bird Protection Society of New Zealand asked that dogs be kept on a leash or prohibited from all beaches.	<p>This approach is not recommended. It is considered unnecessarily strict.</p> <p>Key shore bird nesting areas have been identified and protected under this Policy and Bylaw.</p>	1
Dogs should be allowed on all beaches so long as they are on a leash and cared for.	There are some areas (e.g. the beaches around the Mangawhai sandspit which require having dogs prohibited from them. It is recommended that dogs be allowed to access the majority of beaches in the district either on-leash or off but that dogs be prohibited from some beaches where necessary.	1
Dogs should be kept on a leash in all public places, including all beaches at all times.	It is recommended that dogs be allowed to have access to most public places including some off-leash access.	2

Submission Points	Officer Recommendation	Number of supporters
Dogs should be kept on a leash in all public places, within urban areas		1
Dogs should not be allowed on public beaches or public places.		1
Dogs should be prohibited from all beaches and public parks except dog parks.		1
Dogs should be allowed to go everywhere with their human.		2
Dogs should be kept on a leash in all areas other than those promoted as off-leash areas (the green areas).		1
It should not be allowed for dogs to have access to beaches and campgrounds as we have witnessed at Kellys Bay.		2
Dogs should be prohibited from all main shopping areas.		2
Dogs should not be allowed to run free on Council parks except in dedicated dog parks.		2
Farm dogs should be under the control of a responsible person as well as on-leash on streets.	To some extent this direction is already included in the Draft. Under the Draft, working dogs, like all dogs, must be on a leash on roads and footpaths in urban areas. However, the Act grants an exemption to working dogs from this requirement if they are being used for the purpose they are kept for i.e. they are working. No changes to these provisions is recommended.	1
Dogs should be excluded from all cemeteries/unless kept on a leash and confined to a well-defined path.	These submitters considered dogs defecating and urinating on cemeteries and running over monuments to be disrespectful. It is recommended that all Council-controlled cemeteries be made on-leash areas.	2
All settlements should have access to Council provided off-leash areas.	This is not always possible given Council's limited land holdings in some settlements. It also fails to recognise the value of other public land and beaches. Committing to provide this level of service is not recommended.	1

Submission Points	Officer Recommendation	Number of supporters
Clarify the wording on what it means for a dog to be under control while off-leash.	It is recommended that the Policy and Bylaw be amended to clarify what it means for a dog to be under control while off-leash.	1
The requirement that dogs be kept 10 metres away from children's playgrounds is supported.	It is recommended that the rules prohibiting dogs from public play equipment be retained unchanged.	11
Request that dogs be allowed within 10 metres of playgrounds so long as they are on a leash/suggest that the number of meters be reduced.		2
Support dogs being required to be kept on a leash near playgrounds and schools.		1
Federated Farmers supports the practical and limited exemptions for working dogs from the dog access rules.	The Dog Control Act 1996 grants exemptions to working dogs and disability assist dogs. The exemptions should be retained in the final Policy and Bylaw.	1
Amend Schedule 1 by prohibiting dog access on cycle ways that run through farmland.	No such cycle ways have been identified in the Kaipara District.	1
Amend Schedule 1 by prohibiting off-leash times on public land that is close to farmland, during lambing and calving.	The Draft Policy and Bylaw places few restrictions on dog access to Council-controlled reserves outside of urban centres. Placing restrictions on dogs on various parks and reserves could not be effectively achieved by a blanket clause. Rather, Council would need to work with its local communities to identify the appropriate dog access approach for individual local parks and reserves. This would require additional consultation. Pursuing this course of action is not recommended, except in circumstances where issues are repeatedly experienced around a particular reserve.	1
<b>Registration</b>		
Council should have a responsible dog owner certificate programme and discounted registration fees for responsible dog owners.	A number of submitters considered that Council should have a programme to recognise responsible dog owners e.g. those who had completed an obedience course. They considered that such dog owners should be able to register their dogs for a reduced rate. No change to the Policy and Bylaw is needed to establish such a programme as the policy directs that all fees will be reviewed annually and listed in Council's schedule of Fees and Charges.	7



Submission Points	Officer Recommendation	Number of supporters
	It is recommended that the merits of a responsible dog owner programme be investigated.	
Microchipping should be compulsory for all dogs.	This is a requirement under the Dog Control Act 1996 for all dogs other than working dogs. No additional rules are recommended.	4
Compulsory registration of all dogs.	This is a requirement under the Dog Control Act 1996 for all dogs including working dogs. No additional rules are recommended.	1
Having lower dog registration fees for working dogs than for normal pets is supported.	<p>The suggestion made by Federated Farmers is that farm dogs have a lower impact than other dogs on Council resources and facilities and that this should continue to be reflected in lower registration fees.</p> <p>Having lower registration fees for working dogs is Council's existing practice however that direction is not captured in the Policy on Dogs. Rather, this direction is set every year when Council adopts its schedule of Fees and Charges.</p> <p>It is recommended that this approach continue as it allows dog registration fees to be reviewed every year and to be linked to planned expenditure on dog related activities.</p>	1
Introduce a useful registration fee rebate for teams of working dogs (i.e. more than two). A 50% rebate would be in line with the approach taken by other councils.	<p>Council could grant this request by introducing the requested rebate through its schedule of Fees and Charges without including it in the Policy on Dogs. This would allow the rebate rate to be reassessed every year and to be linked to planned expenditure on dog related activities.</p> <p>Inclusion of this provision in the Policy and Bylaw is therefore not recommended.</p>	1
In addition to registering dogs, dog owners should also be registered.	It is unclear why this submitter considered this necessary. No change is recommended.	1
<b>Number Of Dogs That May Be Kept</b>		
The requirement that no more than two dogs be kept at an urban property is supported.	The proposal to limit the number of dogs that can be kept at an urban property to two, regardless of their age, was widely supported, including by Mana Whenua.	16
No more than one dog should be allowed to be kept at an urban property without a permit.		1

Submission Points	Officer Recommendation	Number of supporters
The requirement that no more than two dogs be kept at an urban property is opposed.	There were however a number of submitters who considered that people should be allowed to breed dogs in urban areas.  It is recommended that the proposed rules be retained in their present form. People wishing to have more than two dogs including wanting to breed dogs on an urban property will still have the ability to apply for a permit from Council. This requirement allows Council staff to check the dogs/puppies will be kept appropriately and to impose conditions.  Where registered breeders require a permit for a prolonged period of time (e.g. several years), this could be granted with such conditions as would allow the permit to be reviewed in the event of complaints from neighbours or concerns over dog welfare.	5
An exemption to the two dog rule should be granted for registered breeders.		1
Commercially bred dogs should not be allowed to be sold in the Kaipara district. All demand for dogs should be met by rescue dogs.		1
An exemption to the two dog rule should be granted for people who are temporarily fostering dogs for organisations such as the SPCA or Woman's Refuge.		1
The number of dogs that can be kept outside urban areas not being restricted is supported.	Federated Farmers notes that it is very difficult to run a large farm operation with less than three or four working dogs.	1
The rule limiting the number of dogs per property to two should apply to rural areas as well with an exclusion for working dogs.	It is recommended that the proposal to place no restrictions on the number of dogs that can be kept on a property outside urban areas be retained. This is consistent with there being no restrictions on the number of other animals (e.g. sheep) that can be kept outside urban areas.	1
<b>Controls on Dangerous Dogs</b>		
Known aggressive breeds should have to be kept muzzled in public/ban dangerous breeds.	The Dog Control Act 1996 already imposes controls on dangerous breeds. No further provisions are recommended.	3
The neutering of menacing dogs under Policy 3 is supported.	It is recommended this provision be retained unchanged.	1
<b>Conditions In Which Dogs Are Kept</b>		
Support the requirement for dogs to be confined to their owner's property when not under the control of their owner.	It is recommended these provision be retained unchanged.	1
It should be a requirement for the owners of large dogs/any dog to have their properties fenced.	This suggestion does not recognise the validity of other methods of confining a dog to a property. Options such as leashing, kennelling or keeping the dog in a pen are also valid.  This change is not recommended.	3

Submission Points	Officer Recommendation	Number of supporters
Amend the rules to include “invisible” electrified property boundaries but always in addition to having a physical fence.	These fencing systems (such as those available from <a href="https://www.hiddenfence.co.nz/">https://www.hiddenfence.co.nz/</a> ) do not include a physical fence. Rather, they require the dog to wear a shock collar which is activated automatically if the dog attempts to leave the property. Requiring the use of this system in addition to a conventional fence is not considered necessary.	1
Offer assistance to dog owners who are struggling to keep their dogs from wandering.	Assisting people with fencing their properties, building kennels, pens or fixtures to which a dog can be tethered would need to be funded either through rates or dog registration fees. This would create a situation where some dog owners/ratepayers are subsidising others.  This is not recommended. Staff consider anyone wanting to enter into dog ownership should make all necessary arrangements for owning a dog (e.g. buying a kennel) before acquiring their dog.	1
Support for clause 12 Dogs in or on Vehicles	It is recommended this clause be retained unchanged.	1
Support for clause 13 Diseased Dogs	It is recommended this clause be retained unchanged.	1
Amend Policy 2 to read: <i>Council will promote the responsible ownership of dogs, including care and control around people, protected wildlife, <u>farmed animals</u>, other animals, property and natural habitats.</i>	It is recommended this change be made. The submission by Federated Farmers makes it clear that protecting farm animals from attack by wandering dogs is an issue which needs addressing.	1
Amend Clause 7 to provide for an exemption from it for working dogs as on farms.	Clause 7 requires dogs to be kept confined from half an hour after sunset until half an hour before sunrise unless on a leash or under continuous control.  The intent of this is to prevent dogs from roaming and to prevent dogs from killing kiwi.  Federated Farmers suggested that it was common for working dogs to be present but not “working” or under “continuous supervision” while some farming operations were in place e.g. hanging around the cow shed while milking is in progress or resting by the stockyards during drenching. In such situations the dogs are effectively on “standby” in case a gate is accidentally left open or some incident occurs.	1

Submission Points	Officer Recommendation	Number of supporters
	<p>Federated Farmers noted that some operations (i.e. milking) could be in progress during these times.</p> <p>It is recommended that an exemption be made for working dogs but only when they are working. The exemption should note that dogs on “standby” are considered to be “working” for the purposes of this clause. However, the exemption should not be so broad as to allow working dogs to wander about at night when they might kill kiwi that may be living on the farm.</p>	
Federated Farmers strongly supports the restrictions in clause 9 requiring the confinement of bitches in season.	It is recommended that this provision be retained in the final Policy and Bylaw.	1
Consider amending the phrase “farm dogs” in clause 12 to “working dogs”.	This action should be taken. “Working dogs” is a more appropriate term than “farm dogs”.	1
Include a new Clause 12.4, which states: <i>12.4 No person shall leave a dog in or on any unattended motor vehicle unless that person takes measures to render it impossible for the dog to leave the vehicle, or cause a nuisance to the public.</i>	<p>The addition of this clause would prevent the ability for a dog to be left untethered and unsupervised on the back of a ute or for a dog to stick its head out of a window to snap at passers-by.</p> <p>It is recommended that this addition be made.</p>	1
Clause 13 relating to diseased dogs is supported.	<p>Foreign dogs are a biosecurity risk on farms as they can spread diseases such as ovis and neosporosis.</p> <p>It is recommended that these provisions be retained in the final Policy and Bylaw.</p>	1
<b>Nuisances</b>		
Support/strengthen the rules on dogs barking.	It is recommended that clause 14 of the draft bylaw (Nuisance) be amended to make specific reference to dogs barking.	3
Amend Policy 4 by providing in the Policy that, as regards dogs in the Kaipara District, a nuisance will have occurred if a dog is kept in a manner whereby it is allowed to worry livestock.	Staff consider that the issue of dogs worrying stock is better addressed by the wandering dogs provisions of this Policy and Bylaw than by the nuisance provisions. The Dog Control Act 1996 also has provisions in place to address this issue. No change is recommended.	1

Submission Points	Officer Recommendation	Number of supporters
Amend the definition of “nuisance” by providing in the definition that, <i>as regards dogs in the Kaipara District, a nuisance will have occurred if a dog is kept in a manner whereby it is allowed to worry livestock.</i>	People are allowed to keep dogs as long as they are under control both on and off the owner’s property, they do not bark excessively and that they are cared for.	1
Include provisions to strengthen Clause 14 Nuisance, by referencing the amendment to the definition of “nuisance” which provides that, as regards dogs in the Kaipara District, a nuisance will have occurred if a dog is kept in a manner whereby it is allowed to worry livestock.	<p>Worrying stock is usually a term used for when dogs are not under control and are chasing livestock on someone else’s property without their consent. The term worrying stock is something else other than a nuisance.</p> <p>The term worrying livestock is considered to be more in line with wandering dogs that are not under control and would be treated as such.</p> <p>The amendment is not supported.</p>	1
Support for clause 14 Nuisance.	Retain this clause unchanged.	1
<b>Penalties and Enforcement</b>		
Penalties under the bylaw should be harsher.	<p>The Policy and Bylaw do not set infringement fees. These fees can be set annually through the review of Council’s schedule of Fees and Charges. They can be made harsher or lessor over the life of the policy and bylaw as necessary.</p> <p>No change to the Policy and Bylaw is considered necessary.</p>	2
The proposed fines are too hefty.		1
Dog owners should be given a warning before a fine is issued.		1
Tougher fines for wandering dogs.		1
The Bylaw should include provisions for dogs to be impounded for wandering or not being registered even when on their owner’s property.	<p>This would allow Council’s enforcement officers to come onto people’s properties and confiscate dogs that had been seen wandering or were found not to be registered. In such cases, these dogs would be held at a pound facility until all relevant fines and registration fees had been paid. They would otherwise be rehomed or put down.</p> <p>The proposed provisions around wandering dogs and registration of dogs allows for enforcement action to be taken. This will not always include impounding. No changes are recommended.</p>	2
All dogs who kill other animals should be put down.	This submitter was aware of small dogs having been killed on their own properties by larger dogs.	2

Submission Points	Officer Recommendation	Number of supporters
	This issue is more appropriately addressed under the Dog Control Act 1996 rather than under Council's Bylaw. No changes are recommended.	
Dogs should not be taken from their owners without the offence having been witnessed by an officer of the Council.	This submitter was concerned about neighbours making false or exaggerated complaints. It is recommended that offences do not need to be witnessed by an officer of Council. However, sufficient evidence should always be present before enforcement action is taken.	1
Consider amending Clause 11 to provide for Council to retain some discretion regarding the neutering of dogs.	This clause provides that dogs will be neutered if their owner is classified as Probationary under the Act or if the dog has been impounded on more than two occasions. Adding discretion is not recommended as it adds an extra layer of administration and complexity (e.g. around the need to be consistent in granting exemptions). Neutering does not kill the dog or prevent it from working.	1
Any dog found not to be microchipped should be put down immediately.	This is considered to be strict. No change is recommended.	1
<b>Other</b>		
Where definitions in the Bylaw are defined as having the same meaning as that given to the definition by a piece of primary legislation, spell these definitions out in the Bylaw.	There are two reasons for stating that a definition has the same meaning as given to it by legislation rather than writing it out in full. Firstly, it is more succinct. Secondly, the definition will automatically remain consistent with the legislation in the event that the legislation is amended.  The advantage of having the definitions written in full is that they are quicker to reference by people using the bylaw. Also if legislation changes then the meaning within the bylaw will stay the same as it is embedded in the bylaw. The advantage with this is that if legislation changes the meaning then there is no flow on effect to the bylaw.  Therefore, it is recommended that the definitions be included in full and referenced to the Act. This is also consistent with the approach being taken with other Council bylaws.	1

Submission Points	Officer Recommendation	Number of supporters
Support for the proposal as a whole.	There were some submitters who stated they either opposed or supported the proposal as a whole. Submitters stating this were outnumbered by those seeking adoption of the proposal with one or more changes.	6
Oppose the proposal as a whole.		11

## **Closure**

**Kaipara District Council  
Dargaville**