

CHAPTER 3 DOG CONTROL

3.1 Authority

3.1.1 This part of the Bylaw is made under s 20 of the Dog Control Act 1996

3.2 Definitions

3.2.1 In this part of the Bylaw

“at large” means that the dog is not under leash control when required under this bylaw”

“DCA” means the Dog Control Act 1996

“dog exercise area” means an area within the district where dogs may be exercised off leash and includes the areas listed in Schedule A to this chapter and any other area of the district designated by Council, by publicly notified resolution as a dog exercise area.

“dog prohibited area” means an area within the district listed in Schedule B to this chapter, and any other area of the district designated by Council by publicly notified resolution as an area prohibited to dogs.

“leash controlled area” means:

- any public place or private way within the urban area of the district; or
- any park, reserve, beach, walkway or cycleway within the rural area of the district; or
- the beach front of the Ocean Beach settlement north to the surf club during daylight saving hours between 7.30am and 7.30pm and during the remainder of the year between 7am and 6pm; or
- the beach front at Waipatiki Beach Settlement, on the seaward side of the reserve, during daylight saving hours between 7.30am and 7.30pm and during the remainder of the year between 10.00am and 4.00pm; and

not otherwise being an area or place referred to in Schedules A or B to this Chapter)

“neutered” means spayed or castrated

“owner” has the same meaning as in s 2 of DCA

“private way” has the same meaning as in s 315(1) of the Local Government Act 1974

“road” has the meaning given to it in Chapter 1 but extends to include a state highway or a motorway

“special purpose dog” means all working dogs other than dogs kept principally for the purposes of herding or driving stock

“working dog” has the same meaning as in s 2 of DCA

3.3 Dog prohibited areas

- 3.3.1 An owner must not allow a dog to enter, or take a dog into, a dog prohibited area.
- 3.3.2 Nothing in clause 3.3.1 applies to the owner of a special purpose dog or disability assist dogs.

3.4 Leash control

- 3.4.1 An owner must keep a dog under leash control at all times when:
 - (a) within a leash controlled area
 - (b) the dog is in some other place and is causing or is likely to cause danger, distress or nuisance to a person or another animal
- 3.4.2 Nothing in clause 3.4.1 (a) applies to the owner of a special purpose dog or to the owner of a dog which is kept solely or principally for the purposes of herding or driving stock when the dog is engaged in that activity.
- 3.4.3 An owner must not leave a dog unattended within, or on the open tray of, a vehicle without ensuring that the dog is restrained by a leash, or some other effective means, from leaving the vehicle and lunging or snapping at people passing by the vehicle.

3.5 Limiting the number of dogs kept

- 3.5.1 A person must not keep, or allow to be kept, more than two dogs on any premises within the urban area, without an approval.
- 3.5.2 Nothing in clause 3.5.1 applies to a dog under the age of 3 months.

3.6 Dog fouling

- 3.6.1 An owner of a dog which fouls in a public place, private way or on premises which are not occupied by the owner must immediately remove the faecal matter and carry it away for sanitary disposal.
- 3.6.2 An owner who takes a dog outside the owner's premises must at all times carry a suitable receptacle to enable compliance with clause 3.6.1.
- 3.6.3 For the avoidance of doubt, placing a dog's faeces in a securely tied plastic or leak proof bag in a disposal bin or a litter bin provided in a public place by the Council will satisfy the owner's obligation under clause 3.6.1.

3.7 Bitch in season

- 3.7.1 An owner of every bitch in season must keep it confined, but adequately exercised, while in season.

3.8 Impounding and neutering

- 3.8.1 A dog found at large in breach of this bylaw may be impounded by Council.
- 3.8.2 Council may give written notice to an owner of a dog which has been impounded by Council under clause 3.8.1 on more than 3 occasions within a continuous period of 24 months, requiring that dog to be neutered at the owner's expense (whether or not the owner of the dog has been convicted of an offence against sections 52A or 53 of the Dog Control Act 1996).

3.8.3 An owner given notice under clause 3.8.2 must produce to Council, within one month after service of the notice a certificate issued by a registered veterinarian that the dog has been neutered.

3.8.4 An owner who fails to comply with clauses 3.8.2 and 3.8.3 commits an offence under this bylaw.

3.9 Care and accommodation of dogs

3.9.1 An owner of a dog which is suffering from a communicable disease or infection must ensure that the dog is properly treated for the disease or complaint and, except for taking the dog for treatment, must ensure that the dog is confined to the owner's premises while it is so affected.

3.9.2 An owner of a dog must ensure that it is accommodated in a manner, and in a location, on the premises whereby the presence of the dog does not give rise to noises (other than barking) or smells which are a nuisance or annoyance to the occupier of adjoining premises.

Schedule A to Chapter 3

Dog Exercise areas

Havelock North

- Tainui, Tanner and Hikanui Reserves
- Tauroa Road Reserve
- Te Mata and Arataki Road Reserve
- Kingsgate Reserve from Te Mata Road to Reeve Drive, Ritchie Place, Fulford Place and Durham Drive
- The banks of the Karamu Stream, from a point adjacent to the southernmost edge of Anderson Park, Havelock North to the vehicle over bridge on Havelock Road
- The southern boundary walkway of Keirunga Gardens Havelock North, along the extent of the western boundary walkway accessed from Tanner Street, and including the open grass areas at the southern and northern ends of the Park.
- Te Mata Peak Park
- James Cook Street Reserve
- Palmbrook Reserve

Hastings

- Karamu Road South, from Pattison Road south to Murdoch Road
- Ebbett Park from 5.00pm to 8.00am
- Duke Street Reserve.
- Pakowhai Country Park.

Flaxmere

- Portsmouth Road, from Wilson Road, west to the end of Portsmouth Road
- The Flaxmere Green Belt to the west of Tarbet Street, Arklow Place and Frobisher Street between Kirkwood Road and Flaxmere Avenue.

Haumoana and Te Awanga

The Haumoana-Te Awanga coastal beach front area from the mouth of the Tukituki River south to the boundary of the Clifton No. 2 camp, Te Awanga, excluding the beach front between numbers 3 and 41 Clifton Road Haumoana.

Waimarama and Ocean Beach

- The beach front of the Ocean Beach settlement north to the surf club during daylight saving hours between 7.30pm and 7.30am the following day, and 6pm and 7am the following day during the remainder of the year
- Ocean Beach north of the surf life-saving club to 100m south of the predator proof fence
- Waimarama Beach north to the Puhokio Stream river mouth during daylight saving hours between 7.30pm and 7.30am the following day, and during the remainder of the year 6pm and 7am the following day
- Waimarama Beach north of the Puhokio Stream river mouth to Pututaranui Point at any time

Whirinaki and Eskdale

- The North Shore and Whirinaki to Tangoio Beach road reserve
- Eskdale Park along the southern or right-hand side of, and to the end of the park driveway.

Waipatiki Beach

The beach front of Waipatiki Beach Settlement, coast-wards of the reserve, during daylight savings hours between 7:30pm and 7:30am the following day, and during the remainder of the year.4:00pm to 10:00am the following day

Wapatiki beach north and south of the area referred to above

Schedule B to Chapter 3

Prohibited Areas

1. The Hastings District Council Civic Building.
2. Public libraries.
3. Swimming pools and paddling pools.
4. Children's playing areas.
5. Sports fields.
6. Rangaiika Beach at Ocean Beach/Cape Kidnappers.

The Common Seal of the Hastings District Council was affixed on 30 July 2021
in the presence of:

Mayor

Chief Executive

