

Agenda for a meeting of the Waikato District Council to be held via Audio Visual Conference on **MONDAY, 11 APRIL 2022** commencing at **9.30am**.

*Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute Council's decision or policy until considered.*

**1. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

**3. DISCLOSURES OF INTEREST**

Members have a responsibility to disclose if they have an interest in any items on the agenda at the outset of the meeting.

**4. CONFIRMATION OF MINUTES**

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**5. ACTIONS REGISTER - OPEN**

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**6.2 Policy & Regulatory Committee**

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**6.3 Infrastructure Committee**

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## 7. **REPORTS**

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7.8	<i>Council Facilities Vaccination Certificate Policy under Government's Covid-19 Protection Framework</i>	SA

\*SA – denotes that these items will be included on a supplementary agenda and were not available at the time this agenda went to print.

## 8. **EXCLUSION OF THE PUBLIC** 163

GJ Ion  
**CHIEF EXECUTIVE**



## TERMS OF REFERENCE AND DELEGATION

<b>Chairperson:</b>	His Worship the Mayor
<b>Deputy Chairperson:</b>	Deputy Mayor
<b>Membership:</b>	The Mayor and all Councillors
<b>Meeting frequency:</b>	Six weekly – or as required
<b>Quorum:</b>	Half of the members (including vacancies)

### Purpose

1. To provide leadership to, and advocacy on behalf of, the people of the Waikato District.
2. To define and represent the total communities' interests, ensuring ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the communities' financial resources.

### Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan.
4. The power to adopt a Long-Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long-term Plan or developed for the purpose of the local governance statement, including the Council's Infrastructure Strategy.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members, and consider any recommendations made in relation to a complaint lodged under the Code.
10. The power to appoint and discharge:
  - a. members (including chairpersons) of Council committees and subordinate decision-making bodies, subject to the Mayor's powers under section 41A Local Government Act 2002; and
  - b. elected member representatives on external organisations.
11. The power to establish a joint committee with another local authority or other public body, and appoint elected members as representatives on such committees or bodies.

12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the Ombudsman's recommendation.
13. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
14. The power to amend or replace the delegations in Council's Delegations Register (except where expressly permitted in the Delegations Register).

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

1. To approve a proposed policy statement or plan under the Resource Management Act 1991.
2. To approve changes to boundaries of the District under the Resource Management Act 1991 or any other legislation.
3. In respect of District Plan decisions:
  - a. To appoint independent commissioners to a panel for hearings of a Proposed District Plan;
  - b. To approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change); and
  - c. To approve a proposed plan or a change to a district plan under Clause 17, Schedule 1 of the Resource Management Act 1991.
4. To adopt governance level strategies, plans and policies which advance Council's vision and strategic goals (e.g. Hamilton to Auckland rail), other than where expressly delegated to a committee.
5. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
6. To approve the Triennial Agreement.
7. To approve resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
8. To approve any changes to the nature and delegations of any Council committees or subordinate-decision making bodies.
9. To approve the Local Governance Statement.
10. To approve any additional funding decisions required for the Watercare Services contract.
11. To receive six-monthly reports from each Community Board on its activities and projects.

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Confirmation of Minutes</b>

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To confirm the minutes for the meeting of Council held on Monday, 28 February 2022 and the extraordinary meeting of Council held on Tuesday, 22 March 2022.

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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**THAT the minutes for the meeting of the Waikato District Council held on:**

- a. Monday, 28 February 2022 be confirmed as a true and correct record; and**
- b. Tuesday, 22 March 2022 (Extraordinary) be confirmed as a true and correct record.**

## **3. Attachments**

### **Ngaa taapirihanga**

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Attachment 1 – CCL Minutes – 28 February 2022

Attachment 2 – CCL Extraordinary Minutes – 22 March 2022

Date:	11 April 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Gavin Ion, Chief Executive

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Minutes for a meeting of the Waikato District Council held via Audio Visual Conference and held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 28 FEBRUARY 2022** commencing at **9.31am**.

**Present:**

His Worship the Mayor, Mr AM Sanson (Chairperson)  
Cr AD Bech  
Cr JA Church (*via Audio Visual Conference*)  
Cr CA Eyre  
Cr JM Gibb (*via Audio Visual Conference*)  
Cr SL Henderson  
Cr SD Lynch  
Cr RC McGuire (*via Audio Visual Conference*)  
Cr FM McNally  
Cr EM Patterson (*via Audio Visual Conference*)  
Cr JD Sedgwick (*via Audio Visual Conference*)  
Cr NMD Smith (*via Audio Visual Conference*)  
Cr LR Thomson (*via Audio Visual Conference*)  
Cr CT Woolerton

**Attending:**

Mr GJ Ion (Chief Executive)  
Mr R MacCulloch (General Manager Service Delivery)  
Ms L Shirley (Zero Harm Manager)  
Ms J Bishop (Contracts and Partnering Manager)  
Mr M Horsfield (Democracy Advisor)

**APOLOGIES AND LEAVE OF ABSENCE**

All members were present.

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Crs Patterson/McInally)**

**THAT** the agenda for a meeting of the Waikato District Council held on Monday, 28 February 2022 be confirmed:

- a) with all items therein being considered in open meeting with the exception of those items detailed at agenda item 8, which shall be considered with the public excluded;
- b) all reports be accepted; and
- c) in accordance with Standing Order 9.4 the order of business be changed with agenda item 7.1 – Zero Harm being considered after agenda item 4 – Confirmation of Minutes.

**CARRIED**

**WDC2202/01**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interests.

## **CONFIRMATION OF MINUTES**

Agenda Item 4

**Resolved: (Crs Woolerton/Thomson)**

- It was raised that Councillors who attended in-person meetings via Audio Visual Conference be noted in the minutes.

**THAT** the minutes for the Waikato District Council meeting held on Monday, 13 December 2021 be confirmed as a true and correct record.

**CARRIED**

**WDC2202/02**

## **ACTION REGISTER**

### Agenda Item 5

The report was received [WDC2202/01 refers]. The following discussion was held.

- My Vaccine Pass and Vaccine Mandate – With the High Court decision that vaccine mandates for Police and Defence Force staff, will Council reconsider its position on staff vaccine mandates and entry with My Vaccine Pass? Council will reconsider its stance, however the High Court decision was specific to the Police and Defence Force. The general view of most councils in the region was that no Council was considering changing their policy at this stage.

**ACTION:** Council to further investigate the High Court decision regarding vaccine mandates for Police and Defence Force staff and how this could relate to staff vaccine mandates in the future.

- Community Halls My Vaccine Pass Policy – Cr Bech noted he could not recall that Community Halls would have to align their My Vaccine Pass policy with Council, and that it was believed that Hall Committees would develop their own policies. Hall Committees have a choice regarding the policy and committees were working through the policy.
- The Huntly Civic Centre wanted direction from Council for the My Vaccine Pass policy. The Huntly Civic Centre was specifically noted as a council facility in the initial report and aligned to Council's policy. Staff had not contacted the Huntly Civic Centre regarding the policy and staff at the Huntly Museum were unsure what to do.

**ACTION:** Chief Executive to provide direction to Huntly Museum staff regarding Council's My Vaccine Pass policy.

**ACTION:** The Action Register should reflect the correct account of the My Vaccine Pass policy for Community Halls.

- Can it be noted on Council's website whether individual halls required My Vaccine Passes for entry.

**ACTION:** The website to be updated to provide whether Community Halls required My Vaccine Passes.

- What percentage of halls required My Vaccines Passes for entry? Staff were unsure.

**ACTION:** Staff to investigate the percentage of Community Halls that require My Vaccine Passes for entry

## **-COMMITTEE RECOMMENDATIONS**

Agenda Item 6

### **Policy & Regulatory Committee – 8 February 2022**

Agenda Item 6.1

The report was received [*WDC2202/02 refers*] and no discussion was held.

*Easter Trading Policy (P&R2202/04)*

**Resolved: (Crs Sedgwick/Smith)**

**THAT the Waikato District Council:**

- a. adopts the updated Easter Trading Policy 2022 (as set out on page 32 of the agenda); and
- b. notes the policy enables trading on Easter Sunday within the Waikato District but does not require shops to trade if they do not wish to.

**CARRIED**

**WDC2202/03**

Cr Church requested her abstention against the above motion be recorded.

### **Strategy & Finance Committee – 16 February 2021**

Agenda Item 6.2

The report was received [*WDC2111/02 refers*] and no discussion was held.

*Erosion at Ngarunui Beach affecting Surf Life Saving Tower and Public Toilet (INF2110/04)*

**Resolved: (Crs Gibb/Bech)**

**THAT Waikato District Council approves the submission the WEL Energy Trust 2022/2023 Draft Annual Plan.**

**CARRIED**

**WDC2202/04**

## **REPORTS**

### Zero Harm Update

#### Agenda Item 7.1

The report was received [WDC2202/02 refers]. The following discussion was held:

- The report covers a long period of time from the last meeting in December. Three key focus points were overseeing key risk management, worksafe-homesafe event and risk reviews.
- Three month personal wellbeing conversations had declined, was it due to annual leave over the Christmas Break? Partially yes.
- Staff were increasingly discussing work stress, road safety and contractor safety during wellbeing conversation.
- With not all staff being customer facing, why is COVID a workplace hazard and not a personal related hazard. COVID was a workplace risk and needs to be managed as a risk.
- Worksafe homesafe brochure – Could councillors participate?

**ACTION:** The worksafe home booklet and induction refresher link to be sent out to Councillors.

- Workstress and mental wellbeing– How were we tracking mental wellbeing? How is mental wellbeing reported in the zero harm dashboard? Harm to an individual whether physical or mental is reported as an injury. It was important that it be managed and reported appropriately.
- Concern that very minor injuries were requiring reporting and staff time. There was a tension between showing what was included in the data and what was not, and it was important that Councillors received the information that was reported. In high performing organisations people report everything, but Council was not at a point where investigations were undertaken for very minor incidents. Important to have a good foundation for a good health and safety system. It was important to make sure that Council was keeping staff safe and that their issues were being taken seriously.
- How was growsafe progressing? Zero Harm was undertaking work around hazardous substances such as agrichemicals. Staff that use agrichemicals had undertaken growsafe training. Staff had also been working with volunteer organisations such as gully restoration groups with hazardous substances training.
- There were two near miss incidents. One associated with the Animal Control Team, and an incident with people accessing Tuakau Pool illegally after hours.
- The report noted six health and safety events but only five were noted. One was missed relating to a first aid event.



Approval of budget changes to accommodate building lease at 137 Rotowaro Road, Huntly  
Agenda Item 7.2

The report was received [WDC2202/01 refers]. The following discussion was held:

- A resolution was presented to the December 2021 Infrastructure Committee seeking approval for the lease of Rotowaro Rd.

In the interim period there had been negotiations with the property owners. The owner of the property had undertaken repairs during this time and the property was now ready for the lease to be signed.

- Will the recycling sorting facility cause any disruption for the other users of the site? The purpose of the building was just recycling sorting and would not be open to the public. There had been \$200,000 residual capital expenditure set aside to update the site.
- The report mentioned the land purchase for the Tuakau site but where was the timing for more information and delivery? – Stantec was undertaking land investigation works and testing. \$500,000 was set aside in 2023 LTP budget for evaluation works at the Tuakau site.

**ACTION:** Briefing to be provided to Cr Church and Cr Henderson regarding the Tuakau site under the Waste Management and Minimisation Plan.

**Resolved: (Crs Patterson/Eyre)**

**That the Waikato District Council:**

- approves the proposed budget changes required to accommodate the lease of 137 Rotowaro Road as detailed in the resolution (INF2112/02) presented to the Infrastructure Committee meeting on 1 December 2021;**
- notes that the lease costs will be met from a balance of savings from interest and depreciation costs and funding from general rates with no appreciable impact on general rates; and**
- delegates the Chief Executive the authority to execute the necessary documents to give effect to this resolution.**

**CARRIED**

**WDC2202/05**

## Roading LTP Budget Adjustments 2021/2022

### Agenda Item 7.3

The report was received [*WDC2202/01 refers*]. The following discussion was held:

- Option three (3) budget movements as noted in the report were workshopped with Councillors in December 2021. Option three (3) had an impact over the next three (3) years of the budget. Year one (1) needs a resolution to approve the budget changes, with year two (2) being dealt with in the 2022 Annual Plan and year three (3) dealt with in the 2023 Annual Plan.
- Huntly Community Board had asked for repairs at the Tainui Bridge Rd and Great South Road intersection. The Board was informed by Waka Kotahi that the road now belong to Council. The Contracts and Partnering Manager confirmed that the road still belongs to Waka Kotahi but was in the process of being gazetted to Council. It is estimated the repairs at the intersection will cost \$50,000. The intersection will be transferred to Council in the next month. Council was negotiating with Waka Kotahi to get the intersection repairs to an acceptable standard. Waka Kotahi were hesitant to repair the intersection and stated it should be repaired by Council. Short term fixes were to be implemented. The intersection was a safety issue and was damaging cars, and there were consistent complaints regarding the hump in the intersection.
- There was no mentioned of the unsealed network in the report. The report only relates to budgetary impacts.
- Footpath Budget – Council requested \$1 million from Waka Kotahi for the footpath budget, but Council did not all of the request. Council will continue with the budget without the subsidy from Waka Kotahi.

**Resolved: (Crs Patterson/Woolerton)**

**That the Council approves:**

**a. the Roading Year 1 LTP budget adjustments detailed in the table below:**

Work Category	Budget Adjustment	Total	NZTA Subsidy	Local Share Funding	Loan	RF	DW RD DC's	General Rates
<b>Total Maintenance - Local Roads -</b> Increase budget to match the NZTA approved budget	Structure Component	400,000	-208,000	-192,000		-192,000		
	Drainage Renewals	120,000	-62,400	-57,600		-57,600		
	Pavement Rehabilitation	449,823	-233,908	-215,915		-205,119	-10,796	
<b>District Wide Footpath Cycleway Improvements -</b> Reduce subsidised budget to match NZTA approved budget and create Unsubsidised budget equivalent to reduced budget.	Remove subsidised budget	-654,808	340,500	314,308	314,308			
	Create unsubsidised budget	654,808		-654,808			-654,808	
<b>Safety Improvements associated with rehabs -</b> Replace subsidised budget with a new unsubsidised budget.	Remove subsidised budget	-400,000	208,000	192,000		182,400	9,600	
	Create unsubsidised budget	400,000		-400,000		-380,000	-20,000	
<b>Remove projects from LTP as requested</b>	Lake Road Safety	-3,300,000	3,300,000					
	Stock Underpasses	-110,000	57,200	52,800				52,800
	Tainui Bridge lighting	-100,000	52,000	48,000		48,000		
<b>TOTAL BUDGET MOVEMENT</b>		-2,540,177	3,453,392	-913,215	314,308	-604,319	-676,004	52,800
<b>NET IMPACT</b>		Reduction	Reduction	Increase	Savings	Increase	Increase	Savings

**CARRIED**

**WDC2202/06**

**EXCLUSION OF THE PUBLIC**

Agenda Item 8

**Resolved: (Crs Eyre/Lynch)****THAT** the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<b>PEX 1</b> <b>Confirmation of Minutes</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 2.1</b> <b>Waters Governance Board Membership</b>		
<b>Item PEX 2.2</b> <b>Extension of Intern Role for Waters Governance Board</b>		
<b>Item PEX 2.3</b> <b>Raglan Wastewater Treatment Plant Consent Application Preparation Project - Discharge Option</b>		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
<b>Item PEX 1 Confirmation of Minutes</b>		<b>Refer to the previous Public Excluded reason in the agenda for this meeting.</b>
<b>Item PEX 2.1 Waters Governance Board Membership</b>	<b>7(2)(a)</b>	<b>Protect the privacy of natural persons, including that of deceased natural persons.</b>
<b>Item PEX 2.2 Extension of Intern Role for Waters Governance Board</b>	<b>7(2)(a)</b>  <b>7(2)(c)(i)</b>	<b>Protect the privacy of natural persons, including that of deceased natural persons.</b>  <b>Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information — would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.</b>
<b>Item PEX 2.3 Raglan Wastewater Treatment Plant Consent Application Preparation Project - Discharge Option</b>	<b>7(2)(i)</b>  <b>7(2)(j)</b>	<b>To enable negotiations to carry on without prejudice or disadvantage.</b>  <b>To prevent use of the information for improper gain or advantage.</b>

**CARRIED**

**WDC2202/07**

*Resolutions WDC2202/08 – WDC2202/12 are contained in the public excluded section of these minutes.*

There being no further business the meeting was declared closed at 11:25am

Minutes approved and confirmed this                      day                      2022.

AM Sanson  
**CHAIRPERSON**

Minutes for an extraordinary meeting of the Waikato District Council held via Audio Visual Conference on **TUESDAY, 22 MARCH 2022** commencing at **9.00am**.

**Present:**

His Worship the Mayor, Mr AM Sanson (Chairperson)  
Cr AD Bech  
Cr JA Church  
Cr CA Eyre  
Cr JM Gibb  
Cr SL Henderson (from 9.02am)  
Cr SD Lynch  
Cr RC McGuire  
Cr FM McNally  
Cr EM Patterson  
Cr JD Sedgwick  
Cr NMD Smith  
Cr LR Thomson  
Cr CT Woolerton

**Attending:**

Mr GJ Ion (Chief Executive)  
Mr C Morgan (General Manager Community Growth)  
Mr J Ebenhoh (Planning & Policy Manager)  
Mrs C Wratt (Principal Planner)  
Ms S Kelly (Acting Resource Management Team Leader)  
Mrs GJ Kanawa (Democracy Team Leader)

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies, Cr Henderson joined the meeting at 9.02am during Item 4

**CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (His Worship the Mayor, AM Sanson/Cr Sedgwick)**

**THAT the agenda for an extraordinary meeting of the Waikato District Council held on Tuesday, 22 March 2022 be confirmed:**

- a) with all items therein being considered in open meeting; and**
- b) all reports be received.**

**CARRIED**

**WDC2203/01**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interests.

## REPORTS

## Ohinewai Section of the Proposed District Plan – Operative Declaration

### Agenda Item 4.I

The report was received [WDC2203/01 refers]. The following discussion was held:

- His Worship the Mayor acknowledged the staff , including external contractors (Bridget Parham and Carolyn Wratt) for their work on progressing this matter.
- Cr Smith as the Chairperson of the Proposed District Plan Sub-committee added that it was great collegial effort between elected members, staff, external contractors and commissioners, which Council as a whole could be proud of the outcome.

**Resolved: (His Worship the Mayor, AM Sanson/Cr Smith)**

**That the Waikato District Council:**

- a. **approves the affixing of the Council seal to the Operative Statement for the Ohinewai Chapters (Attachment I) in accordance with Schedule I, clause 17 of the Resource Management Act 1991.**

**CARRIED**

**WDC2203/02**

There being no further business the meeting was declared closed at 9.07am

Minutes approved and confirmed this                  day                  2022.

AM Sanson  
**CHAIRPERSON**



<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Actions Register – March 2022</b>

### **1. Purpose of the report** **Te Take moo te puurongo**

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To update/inform the Council on actions following the Council meeting.

### **2. Staff recommendations** **Tuutohu-aa-kaimahi**

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**That the Council receives the Action Register for March 2022.**

### **3. Attachments** **Ngaa taapirihanga**

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Attachment 1 – Action Register

Date:	5 April 2022
Report Author:	Gavin Ion, Chief Executive

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## 20 Waikato District Council – Action Register (Open)

Date	Action	Team Responsible	Status
March 2022	<p><b><u>My Vaccine Pass and Vaccine Mandate</u></b></p> <ul style="list-style-type: none"> <li>▪ Council to further investigate the High Court decision regarding vaccine mandates for Police and Defence Force staff and how this could relate to staff vaccine mandates in the future.</li> <li>▪ Chief Executive to provide direction to Huntly Museum staff regarding Council's My Vaccine Pass policy.</li> <li>▪ The Action Register should reflect the correct account of the My Vaccine Pass policy for Community Halls.</li> <li>▪ The website to be updated to provide whether Community Halls required My Vaccine Passes.</li> <li>▪ Staff to investigate the percentage of Community Halls that require My Vaccine Passes for entry.</li> </ul>	Chief Executive	<p>The court decision relates to the government mandate for business continuity reasons. It does not address the Risk Assessment process undertaken for back of house Police staff. The court decision is therefore not applicable for the process we followed.</p> <p>Sam Baker has emailed the Huntly Museum (29.3.22) the same email sent to hall committees – no response as of yet</p> <p>11 Halls and the Raglan Museum implemented a Vaccine Mandate – 14 Halls operated without and 9 did not respond</p> <p>Due to the significantly delayed response from hall committees – Mandate decisions were not uploaded to the WDC Website. Halls confirmed their status to customers at the time of bookings</p> <p>Only 32% of hall committees who responded chose to implement a vaccine mandate. 6 Hall Committees and the Raglan Museum have since confirmed they will operate without one in alignment for April 4. Some Hall Committees will not confirm their decision until their next committee meeting in April.</p>
March 2022	<p><b><u>Zero Harm</u></b></p> <ul style="list-style-type: none"> <li>▪ The worksafe home booklet and induction refresher link to be sent out to Councillors.</li> </ul>	Zero Harm	<p>The Zero Harm Refresher Induction has been sent out to Councillors by the Communications &amp; Engagement Team.</p>

Date	Action	Team Responsible	Status
March 2020	<p><b><u>Waste Management &amp; Minimisation Plan</u></b></p> <ul style="list-style-type: none"> <li>Briefing to be provided to Cr Church and Cr Henderson regarding the Tuakau site under the Waste Management and Minimisation Plan.</li> </ul>	Service Delivery	<p>Feasibility studies and site investigations continue at 128 Bollard Road for the establishment of a multi-use facility including a community resource recovery centre.</p> <p>Site investigations and planning reports are currently being undertaken and an update has been provided to Cllrs Church and Henderson.</p>

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Waters Governance Board Recommendations – 15 March 2022</b>

## **1. Executive summary**

### **Whakaraapopototanga matua**

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The purpose of this report is to seek the Council's approval of the recommendations on the Te Akau Water Supply Options Assessment from the Waters Governance Board meeting on Tuesday, 15 March 2022, as set out below.

The Waters Governance Board agenda and unconfirmed minutes from the meeting on Tuesday, 15 March 2022 can be found on the Council website via the following link:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-administered-committees/water-governance-board>

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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Te Akau Water Supply Options Assessment (WGB2203/07)

**THAT the Waikato District Council confirms:**

- a. community engagement be conducted with all stakeholders on the four (4) options for the Te Akau Water Supply, to finalise the preferred option;**
  - b. upon the community confirming the preferred option, should Option 2 or 4 be adopted as the preferred solution, that a new business case be developed to enable a capital funding request for the 2022-23 financial year; and**
  - c. as Horongarara Community Group (HGC) has indicated that the community is strongly likely to confirm that Option 2 will be preferred, Waikato District Council drill a replacement bore and assess the raw water quality and conduct a detailed design of the Water Treatment Plan upgrade to determine the necessary new equipment while retaining all compliant infrastructure concurrently as the business case is developed.**
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### 3. Attachments

#### Ngaa taapirihanga

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There are no attachments.

Date:	11 April 2022
Report Author:	Matt Horsfield, Democracy Advisor
Authorised by:	Gaylene Kanawa Democracy Team Leader

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Policy &amp; Regulatory Committee Recommendations – 22 March 2022</b>

## **1. Executive summary**

### **Whakaraapopototanga matua**

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The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory meeting held on Tuesday, 22 March 2022, in regard to:

- a. Revocation of Policies – March 2022
- b. Sensitive Expenditure Policy Review
- c. Treasury Risk Management Policy 2022
- d. Future Constitution of the Waikato District Licensing Committee and Tidy Up of Expiry Dates

The Infrastructure Committee agenda and minutes from the meeting on Tuesday, 22 March 2022 can be found on the Council website via the following link:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/policy-and-regulatory-committee>

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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Revocation of Policies – March 2022 (P&R2203/05)

**THAT the Waikato District Council confirms the policies listed below be revoked with immediate effect:**

- a. **Application of Interest to Council Reserves Policy 2010**
  - b. **Bus Shelters - Public and Private Policy 2007**
  - c. **Community Water Fluoridation Policy 2012**
  - d. **Non-Standard Road Name Signs and Entrance Structures Policy**
  - e. **Rating for Services Policy 2008**
  - f. **Rating Rural Community Centre Areas Policy 2009**
  - g. **Refuse Collection and Disposal Policy 2007**
  - h. **Reserve Contributions and Conservation Covenants Policy 1998**
-

Sensitive Expenditure Policy Review (P&R2203/06)**THAT the Waikato District Council adopts:**

- a. the revised Sensitive Expenditure Policy, with the an amendment which states a credit card transaction over \$2,500 could be approved by any two of either the Mayor, Chief Executive, or Chief Operating Officer.

Mrs Moana-Tuwhangai requested her dissenting vote against the above motion be recorded.

Treasury Risk Management Policy 2022 (P&R2203/07)**THAT the Waikato District Council adopts the revised Treasury Risk Management Policy.**Future Constitution of the Waikato District Licensing Committee and Tidy Up of Expiry Dates (P&R2203/09)**THAT the Waikato District Council confirms:**

- a. the District Licensing Committee transition to an independent committee (with no elected members) prior to the commencement of the next triennium (option 5.1(b));
- b. the Chief Executive be tasked with the recruitment of at least 1 further Commissioner, who is not an elected member;
- c. the expiry of the appointment of Dr Michael Cameron as a list member be extended from 11 November 2022 to 1 December 2025 to coincide with the expiry of his Commissioner appointment (option 5.1(c ));
- d. the expiry of the appointment of Patsi Davies as a list member be extended from 11 November 2022 to 9 August 2026 to provide continued expertise to the DLC (option 5.1(c )); and
- e. notes the committee shall not comprise elected members or staff of the Waikato District Council.

Crs Henderson and McGuire and Mrs Moana-Tuwhangai voted against the above motion.

Crs Church and Smith abstained from voting on this matter as they are members of the existing District Licensing Committee.

### 3. Attachments

#### Ngaa taapirihanga

There are no attachments.

Date:	11 April 2022
Report Author:	Matt Horsfield, Democracy Advisor

Authorised by:	Gaylene Kanawa, Democracy Team Leader
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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Infrastructure Committee Recommendations – 28 March 2022</b>

## **1. Executive summary**

### **Whakaraapopototanga matua**

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The purpose of this report is to seek the Council's approval of the recommendations on the Proposed Easement on Utility Reserve - Earles Place, Raglan from the Infrastructure Committee meeting on Monday, 28 March 2022, as set out below.

The Infrastructure Committee agenda and minutes from the meeting on Monday, 28 March 2022 can be found on the Council website via the following link:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/infrastructure-committee>

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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Proposed Easement on Utility Reserve – Earles Place, Raglan (2203/05)

**THAT the Waikato District Council resolves that:**

- a. subject to satisfactory Iwi and Hapū consultation, Council exercises its delegated authority under s.48 Reserves Act 1977 to complete a grant of drainage easement in gross of parcel of land being Lot 17 DPS 11336 held in RT 174539;**
  - b. the applicants being the owners of 5 and 7 Earles Place Raglan:**
    - i. are to note that any approval as to the easement cannot be used to bind any Agency or any Council (in its regulatory capacity) to consent;**
    - ii. Easement Agreement provides for maintenance specifying Applicant (owners of 5 and 7 Earles Place, Raglan), are responsible for costs associated with the future maintenance of the Level Spreader/s; and**
    - iii. are to meet all Council costs incurred throughout the process; and**
  - c. the Chief Executive be delegated authority to execute all relevant documentation to give effect to the resolution.**
-

### 3. Attachments

#### Ngaa taapirihanga

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There are no attachments.

Date:	11 April 2022
Report Author:	Matt Horsfield, Democracy Advisor
Authorised by:	Gaylene Kanawa Democracy Team Leader

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Adoption of the Dog Control Bylaw 2015 and Policy 2022</b>

## **1. Purpose of the report**

### **Te Take moo te puurongo**

For Council to adopt the reviewed Dog Control Bylaw 2015 and Policy 2022.

## **2. Executive summary**

### **Whakaraapopototanga matua**

The Policy and Regulatory Committee (Committee) [agreed](#) to consult on proposed amendments to the Dog Control Bylaw (Bylaw) and Policy (Policy) between 1 December 2021 and 26 January 2022.

666 submissions were received, and 71 submitters spoke at or were represented at Council hearings on 22, 23 and 24 February 2022.

The Committee considered public feedback and deliberated on the Bylaw and Policy on 22 and 23 March 2022. Following deliberations, a number of changes were requested to the Bylaw and Policy.

The requested changes are listed and have been made to the Bylaw (Attachment 1) and Policy (Attachment 3) and Dog Control Area Maps (Attachment 5), for Council's consideration and adoption.

## **3. Staff recommendations**

### **Tuutohu-aa-kaimahi**

**That the Waikato District Council:**

- a. notes the changes have been made to Dog Control Bylaw 2015 (Attachment 1 and 2), Policy 2022 (Attachment 3 and 4), Dog Control Area Maps (Attachment 5) and Schedule of changes and staff responses (Attachment 6), as directed to staff by the Policy and Regulatory Committee on 22 and 23 March 2022.**
- b. adopts the Amended Dog Control Bylaw 2015 (Attachment 1), Dog Control Policy 2022 (Attachment 3) and Dog Control Area Maps (Attachment 5).**

## 4. Background

### Koorero whaimaarama

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The Committee [agreed](#) to consult on the proposed amendments to the Dog Control Bylaw (Bylaw) and Policy (Policy) between 1 December 2021 and 26 January 2022. Consultation was originally scheduled to close on 16 January, but on 13 December 2021 Council agreed to extend the closing date to 26 January 2022.

The key proposed changes to Bylaw and Policy were:

- Limiting the number of dogs in the rural zone to two. Three or more dogs would require a Council permit. (Note: there are some exemptions, including for working dogs)
- Proposing a new dog exercise area at Whangarata Reserve, in Tuakau
- Consulting on two options for a new dog exercise area in Tamahere
- Changing some of the current dog exercise areas from off leash to on leash, because they are considered unsafe for dogs or located in busy areas. These are in Tuakau, Taupiri, Ngaruawahia, Tamahere, Raglan and Newcastle.
- Proposing to prohibit dogs on sport surfaces at Whatawhata Recreation Reserve and Te Kowhai Recreation reserve
- Prohibiting dogs on sport surfaces only, which means dogs would be allowed alongside sport games side-lines.
- Changing some areas where dogs are permitted, including changing rules for playgrounds, skateparks and cemeteries.

[Hearings](#) were held on 22, 23 and 24 of February 2022, with 71 submitters speaking or being represented at the Council hearing.

The Committee considered public feedback and directed staff with required changes at [deliberations](#) on 22 and 23 March 2022.

## 5. Discussion and analysis

### Taataritanga me ngaa tohutohu

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The following decisions and changes to the Policy and Bylaw have been made subsequent to direction from the Committee and in response to feedback provided by submitters:

#### **Dog Control Bylaw 2015**

1. The proposed rule to require owners of three or more dogs in rural zoned properties to apply for a Council permit has been removed. Rural zoned properties are exempt from requiring permits for three or more dogs.
  2. Dogs are now permitted on lead in the central business area of Ngaruawahia (previously prohibited). The current rule in Schedule 1 and previous map prohibiting dogs from this area has been removed.
  3. The following sport fields (previously dog exercise areas) are confirmed to be prohibited on the sport field surfaces, as proposed:
    - Whatawhata Recreation Reserve
    - Te Kowhai Recreation Reserve
-

Dogs can be exercised on lead on the periphery of the sport field within the reserve.

These reserves are no longer mapped or included in 'Prohibited Areas' in Schedule 1 as the standard rule of dogs prohibited on all sport field surfaces, but on lead in all other public places, now applies.

4. The following areas are maintained as dog exercise areas (previously proposed to be changed to on lead):
  - Alexandra Redoubt Reserve, Tuakau (Map 20)
5. The following dog exercise areas are confirmed to become on lead, as proposed:
  - Lower Waikato Esplanade, Ngaruawahia
  - Te Awa Walkway, Tamahere
  - Raglan beach from Oporu inlet to Aerodome Bridge, Raglan (Map 2)
  - Bob Byrne Park, Taupiri. Staff will investigate the possibility of fencing the northern aspect of the reserve and using as a fenced dog exercise area.

Mapping of these areas is no longer required, as these areas become by default on lead.

6. A fenced area in Tamahere Park, Tamahere is to be utilised as the preferred new dog exercise area in Tamahere (Map 25).
7. Whangarata Reserve is to be utilised as a new dog exercise area, until the reserve is required as a cemetery in 2025 (Map 22).
8. The new appeal process (11.6 to 11.10 in Bylaw) for appealing permits has been amended so it refers to a sub-committee as delegated by Council.
9. Renumbering of clauses as appropriate and hyper-linking of documents to relevant legislation.

### **Dog Control Policy 2022**

10. Amending subheading 'Section 5 – Managing troublesome dogs and dog owners' to 'Managing troublesome dogs', to exclude a reference to troublesome dog owners.
11. Hyper-linking of documents to relevant legislation.

### **Dog Control Areas Maps**

Other changes have been made to the Dog Control Maps as requested.

12. Map 3 – Sunset Beach, Port Waikato  
A note has been included explaining that the prohibition on dogs on part of this beach is seasonal, as outlined in Schedule 1 of the Policy and Bylaw.
13. Map 8 – Cnr Fairfield Avenue/Graham Place, Huntly  
It was suggested at deliberations to map the sport field surface of the basketball court. The maps do not currently mark out sport field surfaces as these are covered by general rules instead. It is not considered practical to map all sport fields across the district. It is suggested this is not required.

## 14. Map 12 – Aro Aro Reserve, Raglan

The dog exercise area outline has been amended to align with the fencing of the current dog exercise area.

## 15. Map 15 – Te Kauwhata Recreation Reserve, Te Kauwhata

It was suggested to map some of the sport field surfaces. As noted, sport fields are not generally mapped as these are covered under the general rules in the Bylaw. The map has zoomed in to focus on the dog exercise area only.

## 16. Map 18 – Karioitahi Beach

A note and white shaded area have been included to show land area which is managed by Auckland Council.

## 17. Central business area, Tuakau

A previous map showing the central business area of Tuakau as a dog exercise area has been deleted as this was an error.

## 6. Options

### Ngaa koowhiringa

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Staff have assessed that there are two reasonable and viable options for the Council to consider. This assessment reflects the level of significance and Council's legislative requirements. The options are set out below:

1. Council to adopt the Bylaw and Policy.
2. Further consultation and review of the Bylaw and Policy.

Staff recommend Option 1 in order that Council meets the legislative review deadline of 13 April 2022.

### 6.1 Financial considerations

#### Whaiwhakaaro puutea

Once the Bylaw is adopted, some signs will need to be altered to reflect the changes to dog control areas. Based on the proposed changes, these changes are estimated at \$1500 to \$2000 and can be covered under existing budgets.

Fencing will be required for the dog exercise area in Tamahere Park. This was not budgeted for through the LTP. The capital cost of the fence will be sought in the following LTP (2024-34). Alternatively, the community might seek to raise funds for the project's capital cost, and the Council would support the project.

Enforcement of the amended Bylaw and Policy is covered under existing budgets.

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## **6.2 Legal considerations**

### **Whaiwhakaaro-aa-ture**

Staff confirm that Option 1 complies with the Council's legal and policy requirements. In reviewing the Policy and Bylaw, Council is required to undertake consultation under section 83 of the Local Government Act 2002.

When making Bylaws, Section 155 of the LGA requires Council to determine whether the proposed bylaw:

- a) Is the most appropriate way of addressing the problem or perceived problem
- b) Is the most appropriate form of the bylaw; and
- c) Gives rise to any implications under the New Zealand Bill of Rights Act 1990

The Act requires the territorial authority to adopt a policy in respect of dogs in the district in accordance with the special consultative procedure. In adopting a policy, the Council must have regard to the following matters (Section 10(4) of the DCA):

- a) The need to minimise danger, distress, and nuisance to the community generally; and
- b) The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- c) The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs; and
- d) The exercise and recreational needs to dogs and their owners

## **6.3 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

## **6.4 Maaori and cultural considerations**

### **Whaiwhakaaro Maaori me oona tikanga**

No significant impacts on Maaori or material cultural issues have been identified.

## **6.5 Climate response and resilience considerations**

### **Whaiwhakaaro-aa-taiao**

The matters in this report have no significant impact on climate change or resilience for the Council.

## **6.6 Risks**

### **Tuuraru**

There is a risk Council will not adopt the Bylaw by the legal review timeframe of 13 April 2022 if recommendations of the report are not approved. If this does not occur, Council will be left with no Bylaw and would be required to re-consult and begin the process for a new Bylaw. Council would also be required to review the Bylaw in five years, rather than ten years (which will be the mandatory review timeline if this Bylaw is adopted).

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## 7. Significance and engagement assessment Aromatawai paahekoheko

### 7.1 Significance Te Hiranga

The decisions and matters of this report are assessed as of high significance, in accordance with the Council's [Significance and Engagement Policy](#). This considers the following relevant criteria:

- There is a legal requirement to engage with the community
- The proposal or decision will affect a large proportion of the community
- The community interest is likely to be high.

### 7.2 Engagement Te Whakatuutakitaki

No further engagement on the Bylaw and Policy is required prior to adoption.

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Consultation on the proposed Bylaw and Policy was undertaken from 1 December 2021 to 26 January 2022. Council contacted all registered dog owners via email or letter to advise of the opportunity to provide feedback.</p> <p>A number of key stakeholders were also contacted, including mana whenua and iwi, community boards and committees, dog interest groups (Dogs New Zealand, Waikato and District Collie Club, Huntly Agility Club, Huntly and District Kennel Association, and Dinsdale Hunting Club), and members of the public who had previously 'followed' dog related items on Council's consultation webpage.</p> <p>To ensure the general public were aware of the proposal, four public notices were published in local newspapers and information was put on Council's website. Four posts were published on Council's Facebook page, and a Facebook Live event was held so that people could ask questions. Three articles were included in Council's e-newsletter.</p> <p>Information was displayed at Council offices and libraries, and posters advising of the changes were put up at some of Council's playgrounds and dog parks.</p> <p>A media release was also sent out</p>				



Stakeholders that have been or will be engaged with are:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	✓	Internal
<input type="checkbox"/>	<input type="checkbox"/>	✓	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	✓	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	✓	Other (Please Specify)

## 8. Next steps Ahu whakamua

The Bylaw will be signed by the Mayor and Chief Executive and sealed with Council's seal, once the Bylaw has been populated with Council resolutions.

Following the decision, all submitters will be contacted by email or letter to advise on Council's decisions on the Bylaw and Policy. To ensure the general public is informed, public notices will be placed in local newspapers, information will be published on Council's website, a Facebook post will be published on Council's Facebook page and information will be included in Council's e-newsletter. A media release will also be issued.

Council's website will be updated with new and amended dog exercise areas.

## 9. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Terms of Reference and Delegations. Confirmed

The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (*Section 5.1*). Confirmed

Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (*Section 6.1*). High

The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (*Section 6.2*). Confirmed

The report considers impact on Maaori (*Section 5.5*). Confirmed

The report and recommendations are consistent with Council's plans and policies (*Section 5.4*). Confirmed

The report and recommendations comply with Council's legal duties and responsibilities (*Section 5.3*). Confirmed

## 10. Attachments

### Ngaa taapirihanga

1. Amended Dog Control Bylaw 2015
2. Amended Dog Control Bylaw 2015 (track changes)
3. Dog Control Policy 2022
4. Dog Control Policy 2022 (track changes)
5. Dog Control Area Maps
6. Schedule of changes and staff responses

Date:	11 April 2022
Report Author:	Hannah Beaven Corporate Planner
Authorised by:	Sue O'Gorman General Manager Customer Support

# Waikato District Council

## Dog Control Bylaw 2015

Waikato District Council, in exercise of its powers under the Local Government Act 2002 and the Dog Control Act 1996 and their respective amendments, and all other relevant powers, hereby makes the following bylaw.

### Introduction

#### 1.0 Short title, commencement and application

1.1 The bylaw shall be known as the "Waikato District Council Dog Control Bylaw 2015".

1.2 The bylaw shall apply to the Waikato district.

1.3 The bylaw shall come into force on 1 May 2015.

#### 2.0 Revocation

The following bylaws are hereby revoked from the day this bylaw comes into force: "Waikato District Council Dog Control Bylaw 2007" and the "Franklin District Council Dog Control Bylaw 2010".

#### 3.0 Purpose

The purpose of this bylaw is to support and give effect to Waikato District Council's Dog Control Policy. The objective of the policy is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, while minimising danger, distress, and nuisance to the community generally.

This bylaw should be read in conjunction with the Waikato District Council Dog Control Policy and cannot be inconsistent with that Policy.

#### 4.0 Definitions

For the purposes of this bylaw, the following definitions shall apply, unless inconsistent with the context:

Act	Means the <a href="#">Dog Control Act 1996</a> .
Animal Control Officer	Means an Animal Control Officer appointed by the Waikato District Council under <a href="#">Section 11</a> of the Act.
At large	Means at liberty, free, not restrained or any dog, whether on a leash or not, that is present in any area included in the areas where Council has prohibited the presence of dogs under the provisions of this bylaw. Dogs effectively caged or confined to

	pens or vehicles shall not be considered to be at large in any prohibited area or public place.
Confined	Means enclosed securely in a building or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.
Council	Means the Waikato District Council or any person or committee authorised to act on its behalf.
Disability assist dog	Has the same meaning defined in <a href="#">Section 2</a> of the Act.
Dog control fee	Means any fee prescribed under <a href="#">Section 37</a> of the Act.
Dog ranger	Means a dog ranger appointed by Council under <a href="#">Section 12</a> of the Act and includes part time and honorary dog rangers.
Multi-unit housing	Means any residential development, whether of attached or detached structures or a combination thereof, which provides for the existence or establishment of more than one household. Included in this is: <ul style="list-style-type: none"> <li>• Fully detached or semi-detached residential units</li> <li>• Terraced houses</li> <li>• Apartment buildings</li> <li>• Developments on large sites, such as retirement villages.</li> </ul>
Nuisance	Has the same meaning defined in <a href="#">Section 29</a> of the Health Act 1956 and includes anything annoying, harmful or offensive to a community or a member of it, including noise, smell and threatening behaviour.
Owner	Has the same meaning defined in <a href="#">Section 2</a> of the Act.
Papakaainga housing	Means housing on land in the Papakaainga Policy area or in a specific area identified in the district plan rules, which is for the extended family and whanau of the land owners, and includes kaumatua flats.
Person	Has the same meaning defined in <a href="#">Section 29</a> of the Interpretation Act 1999 and includes a natural person, company, corporation and any body of persons whether incorporated or not.
Premises	Means any private land that is occupied or unoccupied and includes any dwelling, building, shop, yard, tent, structure or enclosed space, or part of the same whether temporarily or permanently occupied. For the purposes of this bylaw, all land, buildings, structures and places adjoining each other and occupied together shall be deemed to be the same premises.
Private way	Means any way or passage whatsoever over private land within the district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally.
Public place	Has the same meaning as defined in <a href="#">Section 2</a> of the Act and includes place open to or being used by the public. Excludes: <ul style="list-style-type: none"> <li>a) a controlled dog area or open dog area under <a href="#">Section 26zs</a> of the Conservation Act 1987; and</li> </ul>

- b) a national park constituted under the [National Parks Act 1980](#); and
- c) Te Urewera, as defined by [Section 7](#) of the Te Urewera Act 2014

Single dwelling  
premise

Means an area of land which contains residential buildings designed for, or occupied exclusively by, one household unit and includes any ancillary buildings which are connected to that household. For the purposes of this Bylaw, a household means any groups of people occupying buildings in a shared domestic situation.

Working dog

Has the meaning as defined in [Section 2](#) of the Act

## **5.0 Prevention of nuisance**

- 5.1** No person shall keep a dog in a manner which creates or is likely to create a nuisance or which is, or is likely to be, injurious to the health of any person.
- 5.2** The owner or occupier of any premises where any dog(s) are customarily kept shall:
- (a) Take adequate precautions to prevent the keeping of such dogs from becoming a nuisance or injurious to health;
  - (b) Take such steps as are necessary to prevent the dog(s) from becoming a nuisance or annoyance by persistent loud barking or howling or by obstructing members of the public going about their lawful business in public places.
- 5.3** No person shall cause any dog to become restive or unmanageable or incite any dog to fight with or attack any other animal or person.
- 5.4** If, in the opinion of an Animal Control Officer, the keeping of any dogs on any premises does not comply with clause 5.1 of this bylaw, the Animal Control Officer may, by written notice, require the owner or occupier of such premises to do all or any of the following:
- (a) Reduce the number of dogs kept on the premises; and/or
  - (b) Construct, alter, reconstruct or otherwise improve the kennels or other accommodation used to house or contain the dog or dogs; and/or
  - (c) Require the dog or dogs to be tied up or otherwise confined during specified periods; and/or
  - (d) Take such other reasonable action as the Animal Control Officer deems necessary to minimise or remove the likelihood of nuisance or injury to health.
- 5.5** Any person who is given notice under clause 5.4 of this bylaw shall comply with such notice within the time specified in the notice.

## **6.0 Dogs in public places**

- 6.1** Any person being in possession of any dog (whether the owner of the dog or not) which is in a Public Place shall keep that dog under control at all times.
- 6.2** Every dog shall be kept under leash control while that dog is in a Public Place. Public

places includes all roads, footpaths, boat ramps and slipways.

**6.3** No dog shall be allowed to enter or remain in any Public Place:

- (a) Which is specified as a prohibited area in Schedule One in Waikato District Council Dog Control Policy.
- (b) On permanently installed children's play equipment; or
- (c) On skateparks; or
- (d) Which is developed or marked out as a sports field surface

*Advisory note: Rules relating to dogs in cemeteries in the Waikato District are included in Council's Cemeteries Bylaw.*

**6.4** The Council may, by resolution, designate any public place to be a prohibited area within which no dog shall be allowed to enter or remain for any such period as may be specified in the resolution.

**6.5** Clauses 6.1 to 6.4 shall not apply to:

- (a) Any working dog while it is working; or
- (b) Any disability assist dog; or
- (c) Any dog which is confined completely within a vehicle or cage; or
- (d) Any dog being taken to or from veterinary premises; or
- (e) Any dog taking part in a special event approved by Waikato District Council, such as a dog show, dog obedience show, surf lifesaving event and agility show.

**6.6** The owner or person in possession or control of a dog that defecates in a public place or on land or premises other than that occupied by the owner must immediately remove any faeces deposited by that dog and dispose of them in an appropriate manner.

## **7.0 Neutering of dogs**

**7.1** The owner of a dog that has been found on more than one occasion to be not kept under control may be required by the Council to neuter the dog.

**7.2** In accordance with the Act, any dog that has been classified as menacing or dangerous must be neutered within one month after the receipt of the notice of classification. If the dog is not in a fit condition to be neutered within the specified time, the owner must produce a certificate from a registered veterinarian certifying that the dog is unable to be neutered at that point in time. The owner must advise when it is anticipated that the dog may be neutered.

**7.3** Any dog being adopted from the pound will be required to be de-sexed.

## **8.0 Dog exercise areas**

**8.1** The Council may, by resolution, designate certain public areas to be dog exercise areas.

**8.2** Dogs may be exercised free of restraint in those dog exercise areas specified in the Schedule One in the Dog Control Policy 2022 or by Council resolution, provided that they are kept under continuous control.

**8.3** Dogs may be exercised on short or long training leads, provided that they are kept under continuous control.

## **9.0 Impounding of dogs**

**9.1** Any dog found at large (irrespective of wearing a collar with the proper registration disc or tag attached):

- (a) In a public place or private way or on any other land or premises without the consent of the occupier or person in charge of that land or those premises; or
- (b) In any public place or private way in breach of this bylaw;

may be seized by an Animal Control Officer or dog ranger and impounded; or the occupier or person in charge of the land, premises or public place may seize the dog and deliver it into the custody of an Animal Control Officer or dog ranger for impounding.

**9.2** Any dog impounded by the Council will be held in one of the facilities designated as a pound. Council pounds are located in Ngaruawahia and Pukekohe.

**9.3** Any dog which has been impounded by the Council will not be released until such time as any fees prescribed and payable under clauses 9.4 and 9.5 of this bylaw have been paid.

**9.4** The owner of any dog impounded by the Council is liable for such fees and charges in respect of poundage, sustenance and giving notice, as contained in the Council's schedule of fees and charges.

**9.5** The Council will set a graduated scale of fees for the repeated impounding of the same dog.

**9.6** If a dog impounded in accordance with this bylaw is not claimed and the fees prescribed and payable under clauses 9.4 and 9.5 are not paid within seven days after the owner has received written notice in accordance with Section 69 of the Act, that dog may be destroyed or sold or otherwise disposed of by or on behalf of the Council. A person to whom a dog is sold under this shall become the registered owner of that dog.

**9.7** If Council is unable to identify the owner of a dog which has been impounded, the Council may, after the expiration of 7 days after the date of seizure of the dog, sell, destroy or otherwise dispose of the dog in such a manner as it thinks fit.

## **10.0 Keeping of dogs**

**10.1** No person shall keep more than two dogs of an age greater than three months at each single dwelling premise except as follows;

- Rural zoned properties, where no limit applies
- Multi-unit housing and Papakaainga housing where owners may have one dog per household; or
- Premises which are authorised to be a boarding kennel or dog care centre; or

- Where a permit has been obtained from the Council.

*Advisory Note – Council permits are required for keeping of three or more dogs, where the above exemptions in 10.1 do not apply.*

## **11.0 Permits for keeping more than two dogs**

- 11.1** Every application for a permit shall be accompanied by such permit fees as may be prescribed from time to time by a publicly notified resolution of the Council.
- 11.2** The Council may issue a permit subject to any terms or special conditions which are considered to be necessary by the Council.
- 11.3** A permit will be issued only for the number of dogs as is specified in the application. Any additional dogs which are obtained by the owner will render the permit invalid and a new application will have to be made.
- 11.4** Council may cancel permits in circumstances where the holder of a permit has failed to comply with any of the conditions required by the permit.
- 11.5** Council will decline any application to keep more than two dogs where one of the dogs intended to be kept on a premises has been classified as dangerous under the Act.

### Appeal process

- 11.6** If an application to issue or renew any permit is declined, the applicant shall be notified in writing with reasoning for decision.
- 11.7** If the application has been declined, or the applicant wishes to contest conditions required by the permit, a person who has received written notice may lodge an objection in writing to the General Manager Customer Support stating the grounds of their objection.
- 11.8** The objection shall be referred to a Sub-Committee appointed by Council who shall consider the objection and make a decision on the matter.
- 11.9** The decision of the Sub-Committee appointed in Clause 11.7 shall be final.
- 11.10** The applicant shall be notified of the decision in writing no later than 10 working days after the Sub-Committee has determined the objection. The notification shall include reasons for the decision.

## **12.0 Bitches and diseased dogs**

- 12.1** No person shall cause or permit a bitch in season to enter or remain in a public place or on any land or premises other than the land or premises of the owner of the dog, without the consent of the occupier or person in charge of that land or premises.
- 12.2** No person shall cause or permit a dog suffering from mange or other infectious diseases to enter or remain in a public place or on any land or premises, other than the land or premises of the owner of the dog or a registered veterinary clinic.
- 12.3** Every dog described under clauses 12.1 and 12.2 shall be confined, and provided with proper care and sufficient food, water and veterinary care, and adequately exercised during that period of confinement.



### **13.0 Minimum standards of accommodation and care for dogs**

**13.1** Any person who owns or has a dog in their control or possession shall provide:

- (a) Adequate kenneling or other housing that is so sited as to ensure adequate shade, warmth and dry conditions, and is of a sufficient size to allow the dog to freely move, stretch out, stand up or recline;
- (b) Proper care and attention;
- (c) Sufficient food and water;
- (d) Adequate exercise; and
- (e) Veterinary care when required.

### **14.0 Dogs on Vehicles**

**14.1** Any dog which is being allowed to ride on the open tray of a utility vehicle in a public place shall be secured by a lead short enough so that the dog cannot fall from the tray and can be kept under control at all times. This does not apply to the owner of a working dog while it is working.

### **15.0 Offences and penalties**

**15.1** Any person who fails to comply with the requirements of this bylaw commits an offence and may be liable to a penalty under the Local Government Act 2002 or the Dog Control Act 1996, as the case may be.

### **16.0 General**

**16.1** Any notice, order or other document which is required by this bylaw to be served or given or sent to any person shall be deemed to have been duly served given or sent if delivered to such person or left at his or her residence or workplace or posted to such person at his or her last known address.

**16.2** Any resolution of the Council may be amended, rescinded or reinstated by a further resolution of the Council.

This bylaw was made pursuant to a resolution passed by the Waikato District Council on 13 April 2015.

THE COMMON SEAL of WAIKATO DISTRICT COUNCIL was hereto affixed in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

<b>Activity</b>	<b>Key Date</b>	<b>Council Resolution</b>
Bylaw made	13 April 2015	<i>To be inserted following adoption</i>
Bylaw reviewed	11 April 2022	<i>To be inserted following adoption</i>
Next review date	11 April 2032	TBC
Amendments		

## Schedule one: Control of Dogs in public places

Unless provided for in the Dog Control Act 1996 or Waikato District Council Dog Control Bylaw 2015, a dog that enters or remains in a public place must be secured on a leash and kept under continuous control. Public places include:

- Any public area
- All roads (including footpaths and road reserves)
- All boat ramps and slipways.

Exceptions apply where otherwise specified in this Schedule. Maps of these areas are attached to the Dog Control Policy 2022.

### Prohibited Areas (District Wide)

No person shall permit any dog to enter or remain in a prohibited area whether it is under control or not, except a working dog while it is working, a dog confined in or on a vehicle, a dog being taken to or from veterinary premises.

*Advisory note: exceptions to these restrictions are listed in section 6.5 of the Bylaw.*

Locality	Description of area and times	Map #
District wide	<p>Dogs are prohibited from being on:</p> <ul style="list-style-type: none"> <li>• Council playgrounds. This includes fenced or unfenced, surfaced or unsurfaced playgrounds</li> <li>• Sport field playing surfaces</li> <li>• Skateparks</li> </ul> <p>Dogs should also be on a lead near playgrounds when they are in use. This is good practice to prevent dogs rushing at children or intimidating them, which could cause an accident.</p> <p>At all times, including public holidays</p>	NA
Huntly	<p>Any street or public place within the central business area of Huntly, including Main Street, Council carpark and rear accesses, at all times including public holidays.</p> <p>At all times, including public holidays.</p>	1
Raglan	<p>Within the Raglan Kopua Camping Grounds, the domain, the playground and picnic area of the foreshore of Oporu inlet from the footbridge to the boat ramp</p> <p>At all times including public holidays</p>	2
Port Waikato	<p>Within 250 metres north or south of any lifesaving patrolled areas on Port Waikato Beach and Sunset Beach from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March the following year.</p>	3
Hakarimata Scenic Reserve	<p>Area from Brownlee Avenue to the dam site on the walkway.</p> <p>At all times, including public holidays.</p>	4
Waireinga Scenic Reserve	<p>Carpark area leading up to Department of Conservation walkway.</p> <p>At all times, including public holidays.</p>	5

## Dog Exercise Areas

A dog may be exercised in the areas below free of restraint if kept under continuous control by its owner. Where there is a presence of stock, all dogs must remain leashed.

*Advisory note: Council may from time to time by resolution under the Dog Control Bylaw designate additional dog exercise areas.*

Locality	Description of area	Map #
Huntly	A fenced area on the shore of Lake Hakanoa situated at the end of Onslow Street in the Huntly Domain	6
	The grassed area along the Waikato River on Riverview Road known as the Riverview Reserve.	7
	Fenced dog park on the corner of Fairfield Avenue and Graham Place	8
Ngaruawahia	Regent Street Reserve. The grassed area from Great South Road to the end of area bordering Turangawaewae Marae.	9
	The fenced area on the corner of Great South Road and Ellery Street situated beside Te Mana O Te Rangi.	10
	Waipa Esplanade Reserve from the Pony Club along the grassed area to the area below Princess Street.	11
Raglan	The fenced area on the corner of Wallis Street and John Street known as Aro Aro Reserve.	12
	Beach area located west of Raglan Holiday Park Papahua.	2
	From the Wainui Reserve carpark at the western end of Te Riria Kereopa Memorial Drive to 300 metres north of the northern walkway at Ngarunui Beach below the Wainui Reserve.	13
	Beach areas from the wharf, the Cliffs, Cox's Bay, Lorenzen Bay, The Doughboys and Moonlight Bay.	14
Te Kauwhata	Fenced areas on the Te Kauwhata Recreation Reserve. Excludes roading areas.	15
Horotiu	Fenced AFFCO Park on Horotiu Road and State Highway 1. Does not include area located by playground	16
	Riverside Reserve on Horotiu Bridge Road.	17
Karioitahi Beach	The beach area known as Kariotahi beach	18
Port Waikato	Sunset beach, beyond 250 metres north or south of any lifesaving patrolled areas. This extends along the shoreline to Maretai Bay, but does not include the reserve area.  <i>Advisory note: The area within the lifesaving patrolled areas is prohibited from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March from the following year.</i>  This is specified in the Prohibited areas schedule.	3
Tuakau	Les Batkin Reserve, in the marked areas specified from Tuakau Bridge to (but excluding) the toilet block and from the carpark entrance to the northern boundary.  <i>Advisory note: The rest of Les Batkin Reserve is on lead, from</i>	19

	the carpark entranceway to the northern boundary. Dogs are prohibited in the Les Batkin playground area.	
	Alexandra Redoubt Reserve in the marked areas specified	20
	The grass area at the end of Kowhai Street known as Kowhai Reserve	21
	The marked area in Whangarata Domain.	22
	Centennial Park	23
Pokeno	The fenced area of Pokeno Domain on the southern side of the tennis courts	24
Tamahere	Tamahere Park, located by Tamahere Community Centre and between carpark and road, in marked area	25

*Note (not a part of the Bylaw): Comments have been added where changes have been made to the Bylaw post consultation. This reflects the Schedule of Changes (Attachment 6)*



## Waikato District Council Dog Control Bylaw 2015

Waikato District Council, in exercise of its powers under the Local Government Act 2002 and the Dog Control Act 1996 and their respective amendments, and all other relevant powers, hereby makes the following bylaw.

### Introduction

#### 1.0 Short title, commencement and application

1.1 The bylaw shall be known as the "Waikato District Council Dog Control Bylaw 2015".

1.2 The bylaw shall apply to the Waikato ~~d~~District.

1.3 The bylaw shall come into force on 1 May 2015.

#### 2.0 Revocation

The following bylaws are hereby revoked from the day this ~~new~~-bylaw comes into force: "Waikato District Council Dog Control Bylaw 2007" and the "Franklin District Council Dog Control Bylaw 2010".

#### 3.0 Purpose

The purpose of this ~~b~~Bylaw is to support and give effect to Waikato District Council's Dog Control Policy. The objective of this the Policy, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs ~~to~~ of dogs and their owners, while minimising danger, distress, and nuisance to the community generally.

This bylaw should be read in conjunction with the Waikato District Council Dog Control Policy and cannot be inconsistent with that Policy.

#### 4.0 Definitions

For the purposes of this ~~b~~Bylaw, the following definitions shall apply, unless inconsistent with the context:

Act	<u>Means the Dog Control Act 1996, and its amendments</u>
<u>Animal Control Officer</u>	<u>Means an Animal Control Officer appointed by the Waikato District Council under Section 11 of the Act.</u>

At large	<u>Means at liberty, free, not restrained <del>or and includes any dog,</del> whether on a leash or not, that is present in any area included in the areas where Council has prohibited the presence of dogs under the provisions of this bylaw. Dogs effectively caged or confined to pens or vehicles shall not be considered to be at large in any prohibited area or public place.</u>
Confined	<u>Means enclosed securely in a building or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.</u>
Council	<u>Means <del>The</del> Waikato District Council <del>or any person or committee authorised to act on its behalf.</del></u>
Demonstrable	<u>Means that it can be shown or proven</u>
Disability assist dog	<u>Has the same meaning defined in <del>section</del>Section 2 of the Act <del>and includes dogs which have been trained as companion dogs, or to assist a person with a hearing or sight disability.</del></u>
<del>Dog control officer</del> <u>Animal Control Officer</u>	<u><del>Means a dog control officer</del><u>Animal Control Officer</u> appointed by the Waikato District Council under <del>section</del>Section 11 of the Act.</u>
Dog control fee	<u>Means any fee prescribed under <del>section</del>Section 37 of the Act.</u>
Dog ranger	<u>Means a dog ranger appointed by <del>The Waikato District Council</del> under <del>section</del>Section 12 of the Act and includes part time and honorary dog rangers.</u>
<u>Hunting dog</u>	<u><del>a dog used for hunting game provided that it is under the supervision of a currently licensed or permitted game hunter, or a currently licensed firearms holder, or a hunter who is legally entitled to be in that public place, who is using the dog for the purpose of locating and/or retrieving game and can demonstrate full control of their unleashed dog</del></u>
Multi-unit housing	<u>Means any residential development, whether of attached or detached structures or a combination thereof, which provides for the existence or establishment of more than one household. Included in this is:</u> <ul style="list-style-type: none"> <li>• Fully detached or semi-detached residential units</li> <li>• Terraced houses</li> <li>• Apartment buildings</li> <li>• Developments on large sites, such as retirement villages.</li> </ul>
Nuisance	<u>Has the same meaning defined in <del>section</del>Section 29 of the Health Act 1956 and includes anything annoying, harmful or offensive to a community or a member of it, including noise, smell, <del>and</del> threatening behaviour.</u>
Owner	<u>Has the same meaning defined in <del>section</del>Section 2 of the Act. <del>in relation to a dog, means every person who:</del></u> <u>owns the dog or</u> <u>has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or</u> <u>is the parent or guardian of a person under the age of 16 years who:</u>

**Commented [HB1]:** I.'Or' replacing 'and' due to contradiction within definition.

	<del>is the owner of the dog under paragraph a) or b); and is a member of the parent's or guardian's household living with and dependent on that parent or guardian</del>
Papakaainga housing	<u>Means</u> housing on land in the Papakaainga Policy area or in a specific area identified in the district plan rules, which is for the extended
Person	family and whanau of the land owners, and includes kaumatua flats. <u>Has the same meaning defined in sectionSection 29 of the Interpretation Act 1999 and</u> includes a natural person, company, corporation and any body of persons whether incorporated or not.
<u>Premises</u>	<u>Means any private land that is occupied or unoccupied and includes any dwelling, building, shop, yard, tent, structure or enclosed space, or part of the same whether temporarily or permanently occupied. For the purposes of this bylaw, all land, buildings, structures and places adjoining each other and occupied together shall be deemed to be the same premises.</u>
Private way	<u>Means</u> any way or passage whatsoever over private land within <u>thea</u> district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally.
Public place	<u>Has the same meaning as defined in sectionSection 2 of the Act and includes a place open to the public or being used by the public, as defined in Section 2 of the Act</u> <u>Excludes:</u> <u>a) a controlled dog area or open dog area under Section 26zs of the Conservation Act 1987; and</u> <u>b) a national park constituted under the National Parks Act 1980; and</u> <u>a)c) Te Urewera, as defined by Section 7 of the Te Urewera Act 2014</u>
<u>Premises</u>	<del>any land, dwelling house, building, yard, tent, enclosed space, structure, or any part of the same, whether permanent or temporary, or enclosed space separately occupied, and for the</del>
Single dwelling premise	<u>Means an area of land An area of land which contains comprised in one certificate of title which</u> <u>contains a detached or semi-detached residential buildings designed for, or occupied exclusively by, one household unit and includes any ancillary buildings which are connected to that household. For the purposes of this Bylaw, a household means any groups of people occupying buildings in a shared domestic situation.</u>
Working dog	<u>H</u> has the meaning as defined in Section 2 of the Act.



## 5.0 Duty to avoid nuisances ~~Prevention of nuisance~~

**5.1** No person shall keep a dog in a manner which creates or is likely to create a nuisance or which is, or is likely to be, injurious to the health of any person.

**5.2** The owner or occupier of any premises where any dog(s) are customarily kept shall:

- (a) Take adequate precautions to prevent the keeping of such dogs from becoming a nuisance or injurious to health;
- (b) Take such steps as are necessary to prevent the dog(s) from becoming a nuisance or annoyance by persistent loud barking or howling or by obstructing members of the public going about their lawful business in public places.

A person must not keep a dog on any land or premises if:

- a) the dog causes a demonstrable nuisance; or
- b) the dog exposes the health or safety of others to significant risk; or
- c) the dog, by its behaviour, creates a reasonable apprehension of a threat to the health and safety of any member of the public.

**5.15.3** No person shall cause any dog ~~on any land, premises or public place~~ to become restive or unmanageable or incite any dog to fight with or attack any other animal or person.

**5.25.4** If, in the opinion of an ~~dog ranger or dog~~ Animal Control Officer ~~control officer~~, any dog or dogs or the keeping of any dogs on any premises ~~does not comply with clause 54.1 of this Bylaw, has become or is likely to become a nuisance or injurious to the health of others,~~ the ~~dog ranger or dog control officer~~ Animal Control Officer may, by written notice ~~in writing~~, require the owner or occupier of ~~the such~~ premises ~~within a time specified in the notice~~ to do all or any of the following:

- a) Reduce the number of dogs kept on the premises; and/or
- b) Construct, alter, reconstruct or otherwise improve the kennels or other accommodation used to house or contain the dog or dogs; and/or
- c) Require the dog or dogs to be tied up or otherwise confined during specified periods; and/or
- d) Take such other reasonable action as the ~~dog ranger or dog control officer~~ Animal Control Officer deems necessary to minimise or remove the likelihood of nuisance or injury to health.

**5.35.5** Any person who is given notice under clause ~~54.43~~ of this bylaw shall comply with such notice within the time specified in the notice.

## 5.46.0 ~~Control of d~~Dogs in public places

**5.0** No dog shall be kept unless provision is made for confining the dog on its owner's property so that the dog is unable to gain uncontrolled access to a public place or private way.

**5.16.1** Any person being in possession of any dog (whether the owner of the dog or not) which is in a Public Place shall keep that dog under control at all times. ~~Subject to Clause 5.4 of this bylaw, no dog shall be allowed to enter or remain in a public place unless the dog is kept under continuous control by being effectively secured to a leash or lead which in turn is secured or held by a person able to control the dog, or by being otherwise physically restrained so that the dog cannot break loose.~~

**5.26.2** Every dog shall be kept under continuous leash control while that dog is in a Public Place.

**Commented [HB2]:** 2. Section 55 of the Act that deals with barking include the word "loud".

**Commented [HB3]:** 3. Incorrect clause

**Commented [HB4]:** 4. Re-include 'reasonable'

**Commented [HB5]:** 5. Incorrect numbering.

Public places includes all roads, footpaths, boat ramps and slipways. Dogs must be kept on a leash and under control at all times, and should not be left unattended and/or tethered when in an on lead area specified in Schedule one of this bBylaw.

**5.36.3** No dog shall be allowed to enter or remain in any Public Place:

- a) Which is specified as a prohibited area in Schedule One in Schedule one of this bBylaw in Waikato District Council Dog Control Policy during times or hours specified; or
- b) Within On+0 metres of permanently installed children's play equipment; or
- c) On skateparks; or
- a)d) WithinOn Council Cemeteries; or
- e) Which is developed or marked out as a sports field surface unless otherwise specified in Schedule one to this bylaw.

Advisory note: Rules relating to dogs in cemeteries in the Waikato District are included in Council's Cemeteries Bylaw.

**5.46.4** The Council may, from time to time by resolution, designate any public place to be a prohibited area within -in which no owner shall cause or permit a dog shall be allowed to enter or remain during for any such period as may be specified in the resolution.

**5.56.5** Clauses 56.1 to 56.5-4 shall not apply to:

- a) Any working dog while it is working; or
- b) Any disability assist dog; or
- c) Any dog which is confined completely within a vehicle or cage; or
- e)d) Any dog being taken to or from veterinary premises; or
- e)e) Any dog taking part in a special event approved by Waikato District Council, such as a dog show, dog obedience show, or surf lifesaving event and agility show.

**5.66.6** The owner or person in possession or control of a dog that defecates in a public place or on land or premises other than that occupied by the owner must immediately remove any faeces deposited by that dog and dispose of them in an appropriate manner.

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**Commented [HB6]:** 6. Removal of rules relating to cemeteries

**Commented [HB7]:** 7.Deleted as all sport field surfaces are prohibited and there are not exemptions in Schedule I.

**Commented [HB8]:** 8.New advisory note to advise that rules relating to cemeteries are within the Cemeteries Bylaw, as requested as part of deliberations.

**Commented [HB9]:** 9.Proposed to be included based on submitter feedback.

### 6.07.0 Neutering of dogs

**6.17.1** The owner of a dog that has been found on more than one occasion to be not kept under control may be required by the Council to neuter the dog.

**6.27.2** ~~In accordance with the Act, a~~Any dog that ~~the Council has been~~ classified as menacing or dangerous must be neutered within one month after the receipt of the notice of classification. If the dog is not in a fit condition to be neutered within the specified time, the owner must produce a certificate from a registered veterinarian certifying that the dog is ~~unable not in a fit condition to be neutered at that point in time. The owner must advise when it is anticipated that the dog may be neutered.~~

**6.37.3** Any dog being adopted from the pound will be required to be de-sexed.

### 7.0 Probationary owners

~~If any owner of a dog is classified as a 'probationary owner' under the Act the Council may require the person to complete at his or her expense, a dog owner education programme or a dog obedience course (or both) approved by the Council.~~

### 8.0 Dog eExercise aareas

**8.1** The Council may, ~~from time to time~~ by resolution, designate certain public areas as to be dog exercise areas.

**8.2** Dogs may be exercised free of restraint in those dog exercise areas specified in the Schedule ~~One in the Dog Control Policy 2022~~ or by Council resolution, provided that they are kept under continuous control.

**8.3** Dogs may be exercised on short or long training leads ~~in areas specified for this use in the Schedule one or Council resolution~~, provided that they are kept under continuous control.

### 9.0 Fouling of public places and premises

~~If a dog which defecates on a public place or private way or premises other than that occupied by the owner, the owner or person in charge of the dog shall immediately remove and dispose of the faeces.~~

**Commented [HB10]:** 10.Re-numbering of clauses required from 9.0 onwards due to 9.0 being deleted.

### 9.0 Impounding of dogs

- ~~10.9~~ **9.1** Any dog found at large (~~irrespective of whether or not it wearings~~ a collar with the proper registration disc or tag attached):
- In a public place or private way or on any other land or premises without the consent of the occupier or person in charge of that land or those premises; or
  - In any public place or private way in breach of this bylaw;

may be seized by a ~~dog control officer~~Animal Control Officer or dog ranger and impounded; or the occupier or person in charge of the land, premises or public place may seize the dog and deliver it into the custody of a ~~dog control officer~~Animal Control Officer or dog ranger for impounding.

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**10.10** **9.2** Any dog ~~so impounded by~~ shall be held in the Waikato District Council will be held in one of the facilities designated as a pound, in Ngaruawahia, or any other facility designated as a Pound by Waikato District Council. Council pounds are located in Ngaruawahia and Tuakau Pukekohe.

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**10.11** **9.3** Any ~~No~~ dog which has been ~~so impounded by the Council will not~~ shall be released until such time as any the fees prescribed and payable under clauses 10.4 and 10.5 of this ~~Bylaw~~ have been paid.

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**10.12** **9.4** The owner of any dog ~~so impounded shall pay to by~~ the Council is liable for such fees and charges in respect of poundage, sustenance and giving notice, as contained in the Council's schedule of fees and charges may from time to time be prescribed by resolution of the Council publicly notified.

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**10.13** **9.5** The Council will set a graduated scale of fees for the repeated impounding of the same dog.

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**10.14** **9.6** — If a dog impounded in accordance with this ~~bylaw~~ ~~bBylaw~~ is not claimed and the fees prescribed and payable under clauses 10.4 and 10.5 are not paid within seven days after the owner has received written notice in accordance with Section 69 of the Act, that dog may be destroyed or sold or otherwise disposed of by or on behalf of the Council. A person to whom a dog is sold under this shall become the registered owner of that dog.

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**10.15** **9.7** If ~~Council is unable to identify~~ the owner of a dog ~~so which has been~~ impounded ~~is not known and cannot be identified from the dog registration label or disc or by any other means~~, the Council may, after the expiration of 7 days after the date of seizure of the dog, sell, destroy or otherwise dispose of the dog in such a manner as it thinks fit.

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## **11.0** **10.0** Keeping of dogs

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**11.1** **10.1** No ~~p~~Person shall keep more than two dogs of an age greater than three months at each single dwelling premise ~~except~~. ~~Exceptions to this provision are as follows;~~

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- Rural zoned properties , where no limit applies
- Multi-unit housing and Papakainga housing ~~where owners may have are restricted to~~ one dog per household; or
- Premises which are authorised to be a boarding kennel or dog care centre; or
- Where the dogs are working dogs and are kept within a single dwelling premise within the Rural zone; or
- Where a permit has been obtained from the Council.

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~~A permit to exceed these provisions may be applied for and will be considered on a case by case basis.~~

**Commented [HB12]:** 12.Exemption is no longer required if permits are not required for rural zoned properties

Advisory Note – Council permits are required for keeping of three or more dogs, where the above exemptions in 11.1 do not apply, where dogs are kept in the rural zone, the limit of two dogs per single dwelling premise is in addition to working dogs.

**Commented [HB13]:** 12.This section of the guidance note is no longer required if permits are not required for rural zone properties.

## 11.0 Permits for keeping more than two dogs

~~11.2~~ **11.1** Every application for a permit shall be accompanied by such permit fees as may be prescribed from time to time by a publicly notified resolution of the Council ~~publicly notified~~.

**11.2** The Council may issue a permit subject to ~~such any~~ terms or special conditions which are considered to be necessary as are required to meet the criteria set by the Council.

**11.3** ~~A permit will be issued only for the number of dogs as is specified in the application. Any additional dogs which are obtained by the owner will render the permit invalid and a new application will have to be made.~~

~~11.3~~ This permit is specific to the number of dogs applied for at that time, and any additional dogs obtained will negate the permit, and the permit holder will have to re-apply for a new permit.

**11.4** ~~Council may cancel permits in circumstances where~~ Where the holder of a permit has failed to comply with any of the conditions required by of the permit ~~the Council may cancel the permit~~.

~~11.5~~ Clause 11.1, which limits the number of dogs kept on each premises does not apply to a boarding kennel, veterinary clinic, a registered NZ Kennel Club or an animal hospital permitted on that site under the Waikato District Plan, or pursuant to a consent under the Resource Management Act 1991.

**11.5** Council will decline any application to keep more than two dogs where one of the dogs intended to be kept on a premises has been classified as dangerous under the Act. ~~All applications for a permit to keep more than two dogs, where one of the dogs concerned has been classified as dangerous under The Dog Control Act by behaviour shall be declined.~~

### Appeal process

**11.6** If an application to issue or renew any permit is declined, the applicant shall be notified in writing with reasoning for decision.

**11.7** If the application has been declined, or the applicant wishes to contest conditions required by the permit, a person who has received written notice may lodge an objection in writing to the General Manager Customer Support stating the grounds of their objection.

**11.8** The objection shall be referred to a Sub-Committee appointed by Council who shall consider the objection and make a decision on the matter.

**11.9** The decision of the Sub-Committee appointed in Clause 12.7 shall be final.

~~11.6~~ **11.10** The applicant shall be notified of the decision in writing no later than 10 working days after the Sub-Committee has determined the objection. The notification shall include reasons for the decision.

## 12.0 Bitches and diseased dogs

**12.1** No person shall cause or permit a bitch in season to enter or remain in a public place or on any land or premises other than the land or premises of the owner of the dog ~~or in a certified boarding kennel~~, without the consent of the occupier or person in charge of that land or premises.

**12.2** No person shall cause or permit a dog suffering from mange or other infectious diseases to enter or remain in a public place or on any land or premises, other than the land or premises

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of the owner of the dog or a registered veterinary clinic.

- 12.3** Every dog described under clauses 12.1 and 12.2 shall be confined, and provided with proper care and sufficient food, water and veterinary care, and adequately exercised during that period of confinement.

~~Removed Guidance Note~~ Guidance note: This clause shall not apply to bitches being shown at conformation shows, as recognised by the New Zealand Kennel Club.

### **13.0 Minimum standards of accommodation and care for dogs**

~~12.4~~ **13.1** Any person who owns or has a dog in their control or possession ~~Every person shall~~ in respect of every dog in the care of that person provide:

- a) ~~Provide a~~ Adequate ~~kennelling~~ kenneling or other housing that is so sited as to ensure adequate shade, warmth and dry conditions, and is of a sufficient size to allow the dog to freely move, stretch out, stand up or recline;
- b) ~~Provide p~~ Proper care and attention;
- c) ~~s~~ Sufficient food and water; ~~and~~
- d) ~~A~~ Adequate exercise; and
- e) ~~ensure the provision of v~~ Veterinary care when required.

### **14.0 Dogs on Vehicles**

~~12.5~~ **14.1** Any ~~Every dog owner allowing a~~ dog which is being allowed to ride on the open tray of a utility vehicle in a public place shall ~~ensure that it is~~ be secured by a lead short enough so that the dog cannot fall from the tray and can be kept under control at all times. This does not apply to the owner of a working dog while it is working.

### **15.0 Offences and penalties**

~~12.6~~ **15.1** Any ~~Every person who fails to comply with the requirements~~ ~~requiemets~~ of this ~~Bylaw commits an offence and may be liable to a penalty under the Local Government Act 2002 or the Dog Control Act 1996, as the case may be~~ commits an offence against this bylaw who:

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- a) ~~Does anything or causes any condition to exist for which a permit is required under this bylaw without first obtaining that permit;~~
- b) ~~Does, or causes or permits to be done, anything contrary to or otherwise than in accordance with this bylaw;~~
- c) ~~Omits or neglects to do, or causes or permits to remain undone, anything which according to this bylaw, ought to be have been done by that person at the time and in the manner therein provided;~~
- d) ~~Causes or permits any condition or thing to exist contrary to this bylaw;~~
- e) ~~Refuses or fails to comply with any request, notice, or direction given, or with any terms or condition imposed in a permit issued to that person under this bylaw;~~
- f) ~~Obstructs or hinders an authorised officer or a person for the time being employed by or acting with the sanction of the Council in the performance of any duty to be discharged by that officer or person under or in the exercise of any power conferred by this bylaw.~~

## ~~16.0 Penalties~~

~~Any person who commits an offence against this bylaw is liable to a fine not exceeding \$20,000.00.~~

## ~~17.0~~ **16.0 General**

~~17.1~~ **16.1** Any notice, order or other document which is required by this bylaw to be served or given or sent to any person shall be deemed to have been duly served given or sent if delivered to such person or left at his or her residence or workplace or posted to such person at his or her last known address.

~~17.2~~ **16.2** Any resolution of the Council may be amended, rescinded or reinstated by a further resolution of the Council.

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This bylaw was made pursuant to a resolution passed by the Waikato District Council on 13 April 2015.

THE COMMON SEAL of WAIKATO DISTRICT COUNCIL was hereto affixed in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

Activity	Key Date	Council Resolution
Bylaw made	13 April 2015	<i>To be inserted following adoption WDC</i>
Bylaw reviewed	<del>On Day Month 2031</del> 11 April 2022	<i>To be inserted following adoption TBC</i>
Next review date	<del>By Day Month 2031</del> 11 April 2032	TBC
Amendments		

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## Schedule one: Control of Dogs in public places

Unless provided for in the Animal Dog Control Act 1996 or Waikato District Council Dog Control Bylaw 2015, a dog that enters or remains in a public place must be secured on a leash and kept under continuous control. Public places includes:

- Any public area
- All roads (including footpaths and road reserves)
- All boat ramps and slipways.

Exceptions apply where otherwise specified in this Appendix Schedule. Maps of these areas are attached to the Dog Control Policy 2022.

### Prohibited Areas (District Wide)

No person shall permit any dog to enter or remain in a prohibited area whether it is under control or not, except a working dog while it is working, a dog confined in or on a vehicle, a dog being taken to or from veterinary premises.

Advisory note: exceptions to these restrictions are listed in section 56.65 of the Bylaw.

Locality	Description of area and times	Map #
District wide	<p>Dogs are prohibited from being on :</p> <ul style="list-style-type: none"> <li>• <u>Council playgrounds. This includes fenced or unfenced, surfaced or unsurfaced playgrounds</u></li> <li>• <u>Council cemeteries</u></li> <li>• <u>Sport field playing surface</u></li> <li>• <u>Skateparks</u></li> </ul> <p><u>Dogs should also be on a lead near playgrounds when they are in use. This is good practice to prevent dogs rushing at children or intimidating them, which could cause an accident.</u></p> <p><u>At all times, including public holidays</u></p>	NA
Huntly	<p>Any street or public place within the central business area of Huntly, including Main Street, <u>Council carpark</u> and rear accesses, at all times including public holidays.</p> <p><u>At all times, including public holidays.</u></p>	149
Ngaruawahia	<p><u>Any street within the central business area of Ngaruawahia township including Jesmond Street, from the pedestrian crossing between the Waipa Hotel and Pharo's Postshop, Stationary and Lotto to the area between the Plunket Rooms and the Anglican Church, at all times including public holidays. Business side of SH1 Ngaruawahia between Martin and Market Streets</u></p>	20
Raglan	<p>Within the Raglan Kopua Camping Grounds, the domain, the playground and picnic area of the foreshore of Oporotoru inlet from the footbridge to the boat ramp, <u>a</u></p> <p><u>At all times including public holidays</u></p>	29
Port Waikato	<p>Within 250 metres north or south of any lifesaving patrolled areas on Port Waikato Beach and Sunset Beach from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour</p>	322

**Commented [HB16]:** 14.Changed to Dog Control Act, not Animal Control Act.

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	Weekend to the end of March the following year.	
Hakarimata Scenic Reserve	Area from Brownlee Avenue to the dam site on the walkway. <u>At all times, including public holidays.</u>	<u>423</u>
Waireinga Scenic Reserve	Carpark area leading up to Department of Conservation walkway. <u>At all times, including public holidays.</u>	<u>524</u>
<u>Tuakau</u>	<u>Alexandra Redoubt Reserve, in grassy cemetery areas.</u>	<u>24</u>

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### On-lead areas

Dogs are allowed in the following areas if under control and on a leash, but should not be left unattended and/or tethered.

Locality	Description of area and times	Map #
Te Kauwhata	In or on any part of any street or public place within the central business area of Te Kauwhata township more particularly defined as Main Road from the Te Kauwhata Trust Tavern and business premises opposite to Saleyard and Te Kauwhata Road intersection, at all times including public holidays.	<del>12</del> 16
Raglan	In or on any part of any street or public place within the central business area of Raglan township more particularly defined as: <ul style="list-style-type: none"> <li>• Bow Street from the Cliff Street intersection to 43 Bow Street;</li> <li>• Wainui Road from Bow Street to the Bankart Street intersection;</li> <li>• Wallis Street from Bow Street to the end of the business premises;</li> </ul> Volcom Lane between Wainui Road and Bow Street. at all times including public holidays	<del>8</del> 13
Tuakau	Any street within the central business area of Tuakau township more particularly defined as George Street, between Madil street and the corner of Dominion Road and Ryders Road at all times including public holidays. This includes Central Park and extends to the Dominion Road shopping area.	<del>21</del> 31

### Dog Exercise Areas

A dog may be exercised in the areas below free of restraint if kept under continuous control by its owner. Where there is a presence of stock, all dogs must remain leashed.

*Advisory Note: Council may from time to time by resolution under the Dog Control Bylaw designate additional dog exercise areas.*

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Locality	Description of area	Map #
Huntly	A fenced area on the shore of Lake Hakanoa situated at the end of Onslow Street in the Huntly Domain	61
	The grassed area along the Waikato River on Riverview Road known as the Riverview Reserve.	72
	Fenced dog park on the corner of Fairfield Avenue and Graham Place	83
Taupiri	Bob Byrne Park on Great South Road.	4
Ngaruawahia	Regent Street Reserve. The grassed area from Great South Road to the end of area bordering Turangawaewae Marae.	95
	From the Great South Road bridge pilings on Lower Waikato Esplanade along the grassed area known as the Waikato Esplanade Reserve to Belt Street.	25
	The fenced area on the corner of Great South Road and Ellery Street situated beside Te Mana O Te Rangi (old dump site).	106
	Waipa Esplanade Reserve from the Pony Club along the grassed area to the area below Princess Street.	117
Raglan	The fenced area on the corner of Wallis Street and John Street known as Aro Aro Reserve.	128
	The grassed area and foreshore from the boat ramp in the Oporu inlet to the Aerodrome Bridge. Beach area located west of Raglan Holiday Park Papahua.	93
	From the Wainui Reserve carpark at the western end of Te Riria Kereopa Memorial Drive to 300 metres south-north of the northern walkway at Ngarunui Beach below the Wainui Reserve.	1310
	Beach areas from the wharf, the Cliffs, Cox's Bay, Lorenzen Bay, The Doughboys and Moonlight Bay.	1411
Te Kauwhata	Fenced areas on the Te Kauwhata Recreation Reserve. Excludes roading areas.	1512
Horotiu	Fenced AFFCO Park on Horotiu Road and State Highway 1. Does not include area located by playground.	1613
	Riverside Reserve on Horotiu Bridge Road.	1714
Whatawhata	Whatawhata Recreation Reserve, except when the reserve is being used for sporting activities.	15
Te Kowhai	Te Kowhai Recreation Reserve, except when the reserve is being used for sporting activities.	16

Commented [HB21]: 19.Change Bob Byrne Park from a Dog Exercise Area, to become On Lead.

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Commented [HB22]: 19.Change Lower Waikato Esplanade from a Dog Exercise Area, to become On Lead.

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Commented [HB24]: 20.Whatawhata Recreation Reserve (sport field) to become Prohibited on sport surfaces. Dogs are permitted On Lead elsewhere on the reserve.

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Commented [HB25]: 20.Te Kowhai Recreation Reserve (sport field) to become Prohibited on sport surfaces. Dogs are permitted On Lead elsewhere on the reserve.

Karioitahi Beach	The beach area known as Kariotahi beach	<del>18</del> <del>N/A</del>
Port Waikato	Sunset beach, beyond 250 metres north or south of any lifesaving patrolled areas. This extends along the shoreline to Māretai Bay, but does not include the reserve area. <i>Advisory Note:</i> The area within the lifesaving patrolled areas is prohibited from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March from the following year. This is specified in the Prohibited areas schedule.	<del>3</del> <del>N/A</del>
Tuakau	Les Batkin Reserve, in the marked areas specified from Tuakau Bridge to (but excluding) the toilet block and from the carpark entrance to the northern boundary. <i>Advisory note:</i> The rest of Les Batkin Reserve is on lead, from the carpark entranceway to the northern boundary. Dogs are prohibited in the Les Batkin playground area.	<del>19</del> <del>7</del>
	Alexandra Redoubt Reserve in the marked areas specified	<del>20</del> <del>8</del>
	The grass area at the end of Kowhai Street known as Kowhai Reserve	<del>21</del>
	The fenced area in Whangarata Domain.	<del>22</del>
	Centennial Park	<del>23</del>
Pokeno	The fenced area of Pokeno Domain on the western-southern side of the tennis courts	<del>24</del>
Tamahere	Te Awa Reserve Walkway grassy area, but does not include the park or playground area or walkway	<del>29</del> and <del>32</del>
	Tamahere Park, located by Tamahere Community Centre and between carpark and road, in marked area	<del>25</del>

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# Dog Control Policy 2022

Policy Owner	Animal Control
Policy Sponsor	General Manager – Customer Support
Approved By:	Policy & Regulatory Committee
Approval Date:	11 April 2022
Resolution Number	To be inserted following adoption
Effective Date	11 April 2022
Next Review Date:	11 April 2032

## Introduction

The Dog Control Act 1996 (Act) requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy.

This document contains Waikato District Council's (Council) policy on dogs pursuant to the Act.

This Policy aims to achieve a balance between the recreational needs of dogs and their owners with the need to minimise the potential for any danger, distress or nuisance that may be caused by dogs.

The Waikato District Council Dog Control Bylaw 2015 (Bylaw) gives effect to this Policy, and has been developed to align with this Policy.

## Objective(s)

The objectives of this Policy are to:

1. Minimise danger, distress and nuisance caused by dogs in our community
2. Prevent the risk of injury in public places that are frequented by children, whether or not the children are accompanied by adults
3. Enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs
4. Promote the exercise and recreational needs of dogs and their owners

## Definitions

<b>Dangerous dog</b>	means any dog classified as dangerous by Council under <a href="#">Section 31</a> or <a href="#">Section 33ED</a> of the Act.
<b>Disability assist dog</b>	Has the same meaning as defined in <a href="#">Section 2 of the Act</a> .
<b>Domestic animal</b>	means any animal (including a bird or reptile) kept as a domestic pet; any working dog; any other animal kept by any person for recreational purposes or for the purposes of that person's occupation or employment. Infringement offence has the meaning given to it in <a href="#">Section 65(1)</a> of the Act.
<b>Menacing dog</b>	means any dog classified as menacing under <a href="#">Sections 33A</a> or <a href="#">33C</a> or <a href="#">33ED</a> of the Act.
<b>Neutered dog</b>	means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.
<b>Nuisance</b>	As defined in <a href="#">Section 29 of the Health Act 1956</a> and includes anything annoying, harmful or offensive to a community or member of it, including noise, smell and threatening behaviour.

<b>Owner</b>	has the meaning as defined under <a href="#">Section 2</a> of the Act, including every person who owns a dog; or has a dog in his or her possession, or the parent or guardian of a person under the age of 16 years who owns a dog.
<b>Probationary owner</b>	means any owner classified as probationary under <a href="#">Section 21</a> of the Act.
<b>Protected wildlife</b>	means any animal for the time being absolutely or partially protected under the <a href="#">Wildlife Act 1953</a> and has the same meaning as defined under <a href="#">Section 2</a> of the Act.
<b>Public place</b>	Has the same meaning as defined in <a href="#">Section 2</a> of the Act and includes a place open to or being used by the public.  Excludes: <ol style="list-style-type: none"> <li>A control dog area or open dog area under <a href="#">Section 26zs</a> of the Conservation Act 1987; and</li> <li>A national park constituted under the <a href="#">National Parks Act 1980</a>; and</li> <li>Te Urewera, as defined by <a href="#">Section 7</a> of the Te Urewera Act 2014</li> </ol>
<b>Roaming dog</b>	means any dog that is found in any public place or on any land or premises other than that occupied by the owner and is unaccompanied by their owner.
<b>Stock</b>	means any animal that is kept within a fence or enclosure for domestic or farming purposes.
<b>Under control</b>	means keeping a dog under control either by a person by physically limiting its movements, or by using direct commands.
<b>Working dog</b>	Has the meaning as defined in <a href="#">Section 2</a> of the Act.

## Relevant documents and legislation

- [Local Government Act 2002](#)
- [Dog Control Act 1996](#)
- Waikato District Council Dog Control Bylaw 2015
- [Waikato Conservation Management Strategy](#)

## Policy review

Council is required to review the Policy if the Dog Control Bylaw 2015 is required to be reviewed.

## Application

This Policy affects all dog owners within the Waikato District, people bringing dogs into the district and members of the public.

## Policy Statements

The Policy includes:

1. Obligations of Council
2. Responsibilities of Dog Owners
3. Control of Dogs in Public Places
4. Registration of Dogs
5. Managing Troublesome Dogs
6. Micro-chipping of Dogs
7. Education and Caring for Dogs

## Section 1: Obligations of Council

Dog owners have a responsibility to provide for their dog's welfare. To support dog owners and the welfare of dogs in the Waikato District, the Council will:

- a) provide dogs and their owners with a reasonable level of access to public places. This will be balanced with the need to protect public safety and to minimise distress and nuisance to the public at large
- b) provide designated exercise areas enabling dog owners to exercise their dogs off lead provided the dogs are kept under control at all times
- c) promote public safety, responsible dog ownership and provisions of the Act and the Council's Dog Control Policy through education programmes for dog owners and the public
- d) encourage the use of approved education and obedience courses for dogs. When dogs have not received proper care and attention the Council will ensure that the appropriate action is taken (i.e. communicate with other agencies such as the SPCA) and may consider enforcement action.

## Section 2: Responsibilities of Dog Owners

The responsibilities of dog owners are to:

- a) immediately pick up any dog faeces in a public place. Failing to do so could result in a fine.
- b) ensure their dog does not cause any public nuisance
- c) ensure their dog is registered with the Council, and that the Council is notified of any change of address or ownership of the dog
- d) ensure that the dog is kept under control at all times and confined in such a manner it cannot freely leave its premises
- e) ensure their dog has adequate physical wellbeing through acceptable nutrition, environmental, health and behavioural stimulus, and adequate mental well-being
- f) take all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means
- g) take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person
- h) take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife
- i) take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person
- j) comply with the Act, and any regulations and bylaws made under the Act.

## Section 3: Control of Dogs in Public Places

Unless provided for in the Act or the Bylaw, any dog that enters or remains in a public place must be secured on a lead and kept under continuous control except where otherwise specified in of this Policy.

Under the Act, councils can designate public places where dogs are prohibited or allowed on or off-lead. These areas are enforced using the Bylaw.

### 3.1 Designated public places

Designated public places are classified as follows:

- a) Prohibited areas– dogs are not allowed in these areas at any time.
- b) Dog exercise areas – dogs can exercise and socialise off-lead.

In all other public places, dogs are required to be on lead. This includes any public area, all roads (including footpaths and road reserves), all boat ramps and slipways.



The schedule of prohibited and dog exercise areas is attached in Schedule One.

### **3.2 Dogs in outdoor dining establishments**

The Council is supportive of food businesses allowing dogs in their outdoor dining areas (except within places specified in Schedule 1) provided the business complies with all regulatory requirements. As with all public places, dogs must be under control at all times. It is up to each individual business to decide if they want to welcome dogs, and if so, to manage any issues that may arise. Disability assist dogs are allowed in all customer areas of all food businesses in accordance with [Section 75\(1\)](#) of the Act.

### **3.3 Disability and working dogs exemptions**

Disability assist dogs and working dogs, if working at the time, are exempt from all public place restrictions specified in this Policy. They do not need to be on-lead in prohibited public places. Disability assist dog exemptions require written authorisation from the appropriate organisation.

### **3.4 Classification of areas under other legislation**

Access for dogs in public places can be controlled by other legislation. Dog owners will need to check to see if the area where they intend to take their dog is controlled. For example, the following areas which are governed by legislation:

- [Conservation Act 1987](#) – “controlled dog areas” and “open dog areas”, through the Department of Conservation
- [National Parks Act 1980](#) – “national park”.

### **3.5 Exercising dogs at night**

If dog owners are exercising dogs at dusk (when visibility is low) or in the evening (particularly in the darker winter months), Council encourages them to use reflective, fluoro or other lighting attached to dog collars or harnesses to help track dogs. It is safer for everyone if people can see their own and other dogs when out and about, particularly on unlit shared pathways. Lighting your dog is a great way to keep track of them at night, especially if they are off lead exercising at dusk or in the early evening. It also allows other public place users to see your dog, preventing any unwelcome surprises or accidents.

## **Section 4: Registration of Dogs**

In accordance with [Section 36](#) of the Act, all dogs in New Zealand must be registered by 30 June each year and must be registered for the first time before they are three months old. Registered dogs should always wear a registration tag. The Council will replace a lost dog registration tag for a small fee.

It is an offence not to register a dog that is over three months of age or to knowingly provide false information on a dog registration application form. A dog not displaying a current registration tag when in a public place may be seized and impounded.

### **4.1 Dog registration classifications**

There are different registration classifications for dogs. Each dog registration classification has different fees.

Those classifications are as follows:

- a) Approved owner
- b) General owner
- c) Selected owner
- d) Farm owner
- e) Dangerous dog
- f) Disability assist dog
- g) Neutered or spayed dog.

**A. Approved owner**

This is the default owner classification that is applied to all new dog owners who have not previously owned a dog, or current owners who have not been subject to any of the following:

- having a dog impounded
- being the subject of a registered complaint
- having an infringement notice issued against them
- failing to notify Council of changes to ownership details
- repeated non-payment of registration fees; or
- prosecution under the Act.

Any dog owner moving to the district will be given the registration classification of approved owner unless there is evidence of previous history relating to the above criteria in which case the registration classification will be general owner.

Any owner who breaches two or more of the above criteria within a 12-month period will have their approved owner classification cancelled immediately and a general owner classification will apply for a period of two years.

If a dog owner wishes to be recognised as a selected owner or a farm owner, an application to Council is required.

**B. General owner**

This is the registration classification applied to a dog owner who has been subject to one or more of the following:

- unable to provide evidence of a dog previously registered or has kept unregistered dog under another local authority
- having a dog impounded
- being the subject of a registered complaint
- having an infringement fine issued against them
- failing to notify Council of changes to ownership details
- repeated non-payment of registration fees; or
- Prosecution.

Any owner who has been deemed to have a general owner classification may apply for the reinstatement of approved owner classification but only after two years of clean history.

**C. Selected owner**

This is the registration classification that applies to a dog owner who complies with the following:

- holds approved owner registration classification and has held that classification for a period of 2 years or more (or the equivalent with another territorial authority)
- complies with the requirements of the approved owner registration classification
- holds a permit where more than two dogs are kept on the premises
- meets the minimum standards for accommodation of dogs (as set out in the Code of Animal Welfare)
- provides a fully fenced dog-proof section or area of the premises, appropriate for the size of the dog/s kept
- any other matter that Council considers relevant in the circumstances.

Any owner who breaches these conditions will have their selected owner classification cancelled and reduced to approved owner classification. Depending on the severity of the breach, an owner

may have their classification reduced to general owner at the discretion of Council's Animal Control Team Leader.

#### **D. Farm owner**

This is the registration classification which applies to a rural dog owner who lives on and farms a property of 20 hectares or more, and who:

- currently meets the approved owner classification
- complies with all requirements of the approved owner classification
- meets the minimum standards for accommodation of dogs (as set out in the Code of Animal Welfare)
- ensures that all home killing and the disposal and or treatment of offal and trimmings, including the heads of sheep and goats, are carried out in an approved dog-proof enclosure or killing facility
- does not fed or allow the dog/s access to any raw offal or untreated sheep or goat meat
- will undertake voluntarily treatment for hydatids and sheep measles as part the regular dog worming programme with the local veterinarian.

Any owner who breaches these conditions will have their farm owner classification cancelled and reduced to approved owner classification. Depending on the severity of the breach, an owner may have their classification reduced to general owner at the discretion of Council's Animal Control Team Leader.

#### **E. Dangerous dogs**

This is the registration classification applied to dogs which have been classified as dangerous under the Act. In accordance with the Act, a higher registration fee is to be paid by the owners of dogs classified as dangerous.

There is no ability for this classification to be altered, even if the owner of the dog holds any other registration classification.

#### **F. Disability assist dogs**

Dogs which are registered as disability assist dogs do not incur a dog registration fee but must still be registered.

Disability Assist Dogs are dogs that are certified as per schedule 5 of the Act.

- Assistance Dogs New Zealand
- Hearing Dogs for Deaf People New Zealand
- K9 Medical Detection New Zealand
- K9 Search Medical Detection
- Mobility Assistance Dogs Trust
- New Zealand Epilepsy Assist Dogs Trust
- Perfect Partners Assistance Dogs Trust
- Royal New Zealand Foundation of the Blind Incorporated

#### **G. Neutered or spayed dogs**

The owner of a dog which has been neutered or spayed can apply for a waiver of registration fees for one registration year.

This waiver is subject to the following provisions:

- the waiver has not been applied to the dog previously

- written proof provided from a certified veterinary surgeon confirming the dog has been neutered or spayed
- the dog is not classified as a dangerous dog that has been required to be neutered or spayed under the Act
- the proof and registration form are presented to the Council on or before 31 July of the current year.

#### **4.2 Dog registration fees**

Registration fees are set by Council through its Fees and Charges which is set every three years. This document goes through a public consultation process where submissions of the public are invited and heard.

The fees which are agreed upon in the Fees and Charges are notified to all registered dog owners when registration fees are due and are listed on Council's website in the Fees and Charges document.

#### **4.3 Change of dog ownership.**

Where the ownership of a dog changes, the registration continues, but both the old owner and the new owner must advise the Council. A new registration tag will be issued to the new owner at no cost.

#### **4.4 Transfer of dog registration between districts**

Where a registered dog is moving to a different council district, the registration goes with it. Owners of dogs transferring between areas must advise both councils of the dog's move in writing, and within six weeks of the move. The owner should take the dog registration tag to their new local council office and it will be swapped for a registration tag for the new area, at no charge. No refund of the registration fee is made as a result of the transfer, and the dog is not required to be re-registered in the new area until 1 July.

#### **4.5 Refund of registration fee in the event of the death of a dog**

The Council will refund the applicable portion of a dog registration fee in the event of the death of a dog. The refund must be applied for in writing, and must be applied for in the current registration year to receive a refund.

### **Section 5: Managing Troublesome Dogs**

The Act provides tools for Council to manage dangerous or troublesome dog-related situations in order to make our communities safer.

There are offences under the Act which can result in fines. Breaching the Council's Dog Control Bylaw can also result in an instant fine.

However, Council takes the 3E approach of Engagement and Education, then Enforcement. While there are some situations that require enforcement, through the use of fines, classifications or even prosecution, the focus of the Council team is to engage with and educate our community about responsible dog ownership.

#### **5.1 Dog owner status can be reduced due to infringements and offences.**

Any dog owner can be reclassified as probationary or disqualified under certain circumstances. A dog may also be classified as dangerous or menacing under certain circumstances.

When a dog owner has committed three or more dog-related infringement offences for separate incidents in a continuous 24-month period or has been convicted of an offence against the Act, the Council must disqualify that owner unless the Council is satisfied that a disqualification is not warranted. In those circumstances, the owner will be classified as a probationary owner.

The classification of a dog owner as probationary or disqualified applies nationwide, not just within the Waikato district.

## **5.2 Probationary dog owners**

If an owner is classified as probationary, they cannot become the owner of any new dogs (but may keep any registered dogs they already have) and must dispose of any unregistered dogs in their possession. Probationary owners may be required to undertake dog owner education or a dog obedience course, or both. Probationary dog owner status generally applies for up to two years but may end sooner.

Sections [21](#) to [24](#) of the Act set out matters relating to dog owners being classified as probationary owners, including the process for objecting to the classification.

## **5.3 Disqualified dog owners**

If a dog owner is disqualified, they cannot be the registered owner of a dog for a specified period and must dispose of every dog that they may own. Disqualified dog owner status can apply for up to five years.

Sections [25](#) to [28](#) of the Act set out matters relating to dog owners being classified as disqualified owners, including the process for objecting to the disqualification and appealing to the District Court.

## **5.4 Menacing dogs**

If a dog constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife because of its behaviour or any characteristics typically associated with the dog's breed or type, the Council can classify it as menacing.

If a dog belongs wholly or predominantly to the breeds of dogs listed in Schedule 4 of the Act, Council must classify the dog as menacing. As at the date of adoption of this Policy, the breeds referred to in the Act are:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- Perro de Presa Canario
- American Pit Bull Terrier type.

Dogs which have been classified as menacing must be muzzled and on a lead in all public places and private ways. Council requires dogs classified as menacing to be de-sexed, according to the Dog Control Bylaw 2015.

The owner of a dog classified as menacing must, as required by the Dog Control Bylaw, produce a veterinary certificate showing the dog has been de-sexed or that it is unfit to be de-sexed. Owners must comply within one month of the classification.

If a dog is required to be de-sexed, the owner may apply to the Council to have the requirement waived on the following grounds:

- there is a veterinary reason for not de-sexing it, or
- there would be a demonstrated potential financial loss to the owner from de-sexing (such as a loss related to breeding or showing the dog).

Sections [33B](#) and [33D](#) of the Act sets out the process for objecting to a dog's classification as a menacing dog (in Sections [33B](#) and [33D](#)).

## 5.5 Dangerous dogs

If a dog owner has been convicted of an offence under section [57A\(2\)](#) of the Act, or there is sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, the Council must classify a dog as dangerous.

Dangerous dogs:

- must be kept within a securely fenced section of the owner's property (and dog-free access to the house must be available at all times)
- must be muzzled and on a lead in all public places and private ways
- must be de-sexed
- incur a registration fee that is 50% higher than a standard dog registration fee
- must not be sold or given away without the written consent of the Council; and
- maintain their status as a dangerous dog no matter where they live in New Zealand.

Sections [31](#) to [33](#) of the Act sets out the effects of a dangerous dog classification and the process for objecting to a dog's classification as a dangerous dog.

## 5.6 Impounded Dogs

Council impounds a large number of dogs every year. This can be for a variety of reasons, including:

- wandering
- not registered
- attacking animals or people
- surrendered to Council.

Dog owners are not permitted to visit impounded dogs due to health and safety requirements. Impounded dogs are exercised in Council's exercise area. Dog owners are able to register a complaint with Council to appeal dogs being impounded. Pound fees are required to be paid to Council in full before the release of the dog.

Council's Animal Control Team runs a very successful rehoming operation called Waikato Pound Pups.

Except for dogs which are impounded for aggressive behaviour, any dogs that are impounded and not uplifted are extensively temperament tested. All dogs that pass this test are then placed into the rehoming programme. All dogs that are rehomed are desexed, micro-chipped, registered, given a flea and worm treatment, and have received their first vaccination.

Any dogs that do not pass the temperament test are euthanised humanely by a veterinarian.

## 5.7 The issuing of infringement notices

Council will issue infringement notices or warnings, at a Dog Control Officer's discretion, for infringement offences as set out in [Schedule 1](#) of the Act.

# Section 6: Micro-chipping of dogs

## 6.1 Requirement to have your dog micro-chipped

Except for working dogs, every dog in New Zealand first registered after 1 July 2006 must be implanted with a micro-chip. It is Council policy that any dogs which are impounded by the Council must be micro-chipped before they are released.

A dog must be registered every year, but a dog only needs to be micro-chipped once. A micro-chip is about the size of a grain of rice and is implanted under the skin on a dog's back, by a qualified person such as a veterinarian or Animal Control Officer.

Micro-chipping is a more permanent method of identifying a dog than collars and tags, which can be lost or removed. It enables a dog to be linked to its owner so, if it is stolen or lost, dog and owner can be reunited. It also makes it easier to identify a dog which has been aggressive and classified as dangerous or menacing.

## **6.2 Requirement to supply micro-chip information**

All dog owners are required to supply their dog's micro-chip information to the Council so that it can be recorded in the National Dog Database. This can be done by providing the Council with a certificate from a vet (which includes the micro-chip number), or by taking your dog to the Council's Animal Control Team to have it scanned, to verify that it has a micro-chip.

The National Dog Database is administered by the Department of Internal Affairs and holds details of all microchipped dogs in New Zealand, their owners and any infringements that may have been issued against an owner or person in charge of a dog.

# **Section 7: Education and caring for dogs**

## **7.1 Dogs in vehicles over the summer months**

Council is concerned about the health and welfare of dogs that are left in vehicles during the summer months. The Council takes a strong stance on dogs suffering in hot cars and will act swiftly to release dogs that are clearly in distress. Council's Animal Control Officers may work to release a dog that is in distress and may get assistance of the Police or officers of the SPCA if necessary.

## **7.2 Dogs at Council events and festivals**

Some Council or community events or festivals may not welcome dogs or may require them to be on a lead. This is at the discretion of event organisers and promoters and is not the same as dogs being prohibited or required to be on a lead through the Council's bylaw (unless the event is being held in a place where dogs are prohibited or required to be on a lead). You should always check the requirements of an event before you leave home.

## **7.3 Education and training**

Increased public awareness of safety around dogs, particularly for children, is one of the best ways to reduce dog attacks in the long term. Toddlers and young children should be supervised around dogs at all times. Most dog attacks happen to children in their own home or the home of a relative or friend. The Council offers a free education programme that shows children how to keep themselves safe around dogs. Council also offers a programme where children can read to a dog in the library, while learning about dog safety. Contact the Council for more information or to ask about booking a session.

## **7.4 Teaching dog safety for workers**

Some jobs require people to enter private property, and this can be dangerous if the property has an aggressive dog or a dog defending its territory. For example, common jobs may include couriers, meter readers and census personnel. Council offers an occupational dog safety course that helps employees in these types of roles to recognise and understand threatening dog behaviour to avoid injury or accidents. Contact the Council for more information.

**7.5 Learning how to be a good dog owner**

Responsible dog ownership and good behaviour from both dog owners and their dogs is another important part of reducing dog attacks, as well as reducing any danger, distress or nuisance that may be caused by dogs. Council is supportive of people undertaking dog training courses of all types. There are many offered by private organisations. As well as behaviour and discipline courses, dog agility courses can be a great way to understand and bond with your dog. Council encourages new dog owners to attend puppy or dog training courses to learn how to train the dog to understand simple commands.



## Schedule one: Control of Dogs in public places

Unless provided for in the [Dog Control Act 1996](#) or Waikato District Council Dog Control Bylaw 2015, a dog that enters or remains in a public place must be secured on a leash and kept under continuous control. Public places include:

- Any public area
- All roads (including footpaths and road reserves)
- All boat ramps and slipways.

Exceptions apply where otherwise specified in this Schedule. Maps of these areas are attached to the Dog Control Policy 2022.

### Prohibited Areas (District Wide)

No person shall permit any dog to enter or remain in a prohibited area whether it is under control or not, except a working dog while it is working, a dog confined in or on a vehicle, a dog being taken to or from veterinary premises.

*Advisory note: exceptions to these restrictions are listed in section 6.5 of the Bylaw.*

Locality	Description of area and times	Map #
District wide	<p>Dogs are prohibited from being on:</p> <ul style="list-style-type: none"> <li>• Council playgrounds. This includes fenced or unfenced, surfaced or unsurfaced playgrounds</li> <li>• Sport field playing surfaces</li> <li>• Skateparks</li> </ul> <p>Dogs should also be on a lead near playgrounds when they are in use. This is good practice to prevent dogs rushing at children or intimidating them, which could cause an accident.</p> <p>At all times, including public holidays</p>	NA
Huntly	<p>Any street or public place within the central business area of Huntly, including Main Street, Council carpark and rear accesses, at all times including public holidays.</p> <p>At all times, including public holidays.</p>	1
Raglan	<p>Within the Raglan Kopua Camping Grounds, the domain, the playground and picnic area of the foreshore of Oporu inlet from the footbridge to the boat ramp</p> <p>At all times including public holidays</p>	2
Port Waikato	<p>Within 250 metres north or south of any lifesaving patrolled areas on Port Waikato Beach and Sunset Beach from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March the following year.</p>	3
Hakarimata Scenic Reserve	<p>Area from Brownlee Avenue to the dam site on the walkway.</p> <p>At all times, including public holidays.</p>	4
Waireinga Scenic Reserve	<p>Carpark area leading up to Department of Conservation walkway.</p> <p>At all times, including public holidays.</p>	5

## Dog Exercise Areas

A dog may be exercised in the areas below free of restraint if kept under continuous control by its owner. Where there is a presence of stock, all dogs must remain leashed.

*Advisory note: Council may from time to time by resolution under the Dog Control Bylaw designate additional dog exercise areas.*

Locality	Description of area	Map #
Huntly	A fenced area on the shore of Lake Hakanoa situated at the end of Onslow Street in the Huntly Domain	6
	The grassed area along the Waikato River on Riverview Road known as the Riverview Reserve.	7
	Fenced dog park on the corner of Fairfield Avenue and Graham Place	8
Ngaruawahia	Regent Street Reserve. The grassed area from Great South Road to the end of area bordering Turangawaewae Marae.	9
	The fenced area on the corner of Great South Road and Ellery Street situated beside Te Mana O Te Rangi.	10
	Waipa Esplanade Reserve from the Pony Club along the grassed area to the area below Princess Street.	11
Raglan	The fenced area on the corner of Wallis Street and John Street known as Aro Aro Reserve.	12
	Beach area located west of Raglan Holiday Park Papahua.	2
	From the Wainui Reserve carpark at the western end of Te Riria Kereopa Memorial Drive to 300 metres north of the northern walkway at Ngarunui Beach below the Wainui Reserve.	13
	Beach areas from the wharf, the Cliffs, Cox's Bay, Lorenzen Bay, The Doughboys and Moonlight Bay.	14
Te Kauwhata	Fenced areas on the Te Kauwhata Recreation Reserve. Excludes roading areas.	15
Horotiu	Fenced AFFCO Park on Horotiu Road and State Highway 1. Does not include area located by playground	16
	Riverside Reserve on Horotiu Bridge Road.	17
Karioitahi Beach	The beach area known as Kariotahi beach	18
Port Waikato	Sunset beach, beyond 250 metres north or south of any lifesaving patrolled areas. This extends along the shoreline to Maretai Bay, but does not include the reserve area.  <i>Advisory note: The area within the lifesaving patrolled areas is prohibited from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March from the following year.</i>  This is specified in the Prohibited areas schedule.	3
Tuakau	Les Batkin Reserve, in the marked areas specified from Tuakau Bridge to (but excluding) the toilet block and from the	19

	carpark entrance to the northern boundary. <i>Advisory note:</i> The rest of Les Batkin Reserve is on lead, from the carpark entranceway to the northern boundary. Dogs are prohibited in the Les Batkin playground area.	
	Alexandra Redoubt Reserve in the marked areas specified	20
	The grass area at the end of Kowhai Street known as Kowhai Reserve	21
	The marked area in Whangarata Domain.	22
	Centennial Park	23
Pokeno	The fenced area of Pokeno Domain on the southern side of the tennis courts	24
Tamahere	Tamahere Park, located by Tamahere Community Centre and between carpark and road, in marked area	25

*Note (not a part of the policy): Comments have been added where changes have been made to the Bylaw post consultation. This reflects the Schedule of Changes (Attachment 6)*



## Dog Control Policy 2022

Policy Owner	Animal Control
Policy Sponsor	General Manager – Customer Support
Approved By:	Policy & Regulatory Committee
Approval Date:	<a href="#">11 April 2022</a>
Resolution Number	<a href="#">To be inserted following adoption</a>
Effective Date	<a href="#">11 April 2022</a>
Next Review Date:	<a href="#">11 April 2032</a>

### Introduction

The Dog Control Act 1996 (~~the Act~~) requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy.

This document contains Waikato District Council's (Council) policy on dogs pursuant to the Act.

This ~~P~~policy aims to achieve a balance between the recreational needs of dogs and their owners with the need to minimise the potential for any danger, distress or nuisance that may be caused by dogs.

The Waikato District Council Dog Control Bylaw 2015 (~~the Bylaw~~) gives effect to this Policy, and has been developed to align with this Policy.

### Objective(s)

The objectives of this ~~P~~policy are to:

1. Minimise danger, distress and nuisance caused by dogs in our community
2. Prevent the risk of injury in public places that are frequented by children, whether or not the children are accompanied by adults
3. Enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs
4. Promote ~~of~~ the exercise and recreational needs of dogs and their owners

### Definitions

<b>Dangerous dog</b>	means any dog classified as dangerous by Council under Section 31 or 33ED of the Act.
<b>Disability assist dog</b>	<del>Has the same meaning as defined in Section 2 of the Act. means a dog certified by one of the organisations listed in Schedule 5 of the Act as a dog that has been trained (or is being trained) to assist a person with a disability</del>
<b>Domestic animal</b>	means any animal (including a bird or reptile) kept as a domestic pet; any working dog; any other animal kept by any person for recreational purposes or for the purposes of that person's occupation or employment. Infringement offence has the meaning given to it in Section 65(1) of the Act.
<b>Menacing dog</b>	means any dog classified as menacing under Sections 33A or 33C or 33ED of the Act.
<b>Neutered dog</b>	means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

Commented [HB1]: 24. Amended to align with Bylaw

[Type here]

<b>Nuisance</b>	As defined in Section 29 of the Health Act 1956 <u>and includes anything annoying, harmful or offensive to a community or member of it, including noise, smell and threatening behaviour.</u>
<b>Owner</b>	has the meaning as defined under <u>Section 2</u> of the Act, including every person who owns a dog; or has a dog in his or her possession, or the parent or guardian of a person under the age of 16 years who owns a dog.
<b>Probationary owner</b>	means any owner classified as probationary under Section 21 of the Act.
<b>Protected wildlife</b>	means any animal for the time being absolutely or partially protected under the Wildlife Act 1953 and has the same meaning as defined under the Act.
<b>Public place</b>	<u>Has the same meaning as defined in Section 2 of the Act and includes a place open to or being used by the public.</u> <u>Excludes:</u> <ul style="list-style-type: none"> <li>a) <u>A control dog area or open dog area under Section 26zs of the Conservation Act 1987; and</u></li> <li>b) <u>A national park constituted under the National Parks Act 1980; and</u></li> <li>c) <u>Te Urewera, as defined by Section 7 of the Te Urewera Act 2014</u></li> <li><u>a)d)*means a place that, at any time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.</u></li> </ul>
<b>Roaming dog</b>	means any dog that is found in any public place or on any land or premises other than that occupied by the owner and is unaccompanied by their owner.
<b>Stock</b>	means any animal that is kept within a fence or enclosure for domestic or farming purposes.
<b>Under control</b>	means keeping a dog under control either by a person by physically limiting its movements, or by using direct commands.
<b>Working dog</b>	<u>means any dog that works for the Government, the Police, is a disability assist dog, or is part of commercial activity. Has the meaning as defined in Section 2 of the Act.</u>

**Commented [HB2]:** 24. Amended to align with Bylaw

**Commented [HB3]:** 24. Amended to align with Bylaw

**Commented [HB4]:** 24. Amended to align with Bylaw

## Relevant documents and legislation

- Local Government Act 2002
- Dog Control Act 1996
- Waikato District Council Dog Control Bylaw 2015
- Waikato Conservation Management Strategy

## Policy review

Council is required to review the Policy if the Dog Control Bylaw 2015 is required to be reviewed.

**Commented [HB5]:** 25. New section on policy review requirements.

## Application

This Policy affects all dog owners within the Waikato District, people bringing dogs into the district and members of the public.

## Policy Statements

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The Policy includes:

1. Obligations of Council
2. Responsibilities of Dog Owners
3. Control of Dogs in Public Places
4. Registration of Dogs
5. Managing Troublesome dogs and dog owners
6. Micro-chipping of Dogs
7. Education and Caring for Dogs.

## Section 1: Obligations of Council

Dog owners have a responsibility to provide for their dog's welfare. To support dog owners and the welfare of dogs in the Waikato District, the Council will:

- a) provide dogs and their owners with a reasonable level of access to public places. This will be balanced with the need to protect public safety and to minimise distress and nuisance to the public at large
- b) provide designated exercise areas enabling dog owners to exercise their dogs off lead provided the dogs are kept under control at all times
- c) promote public safety, responsible dog ownership and provisions of the Act and the Council's Dog Control Policy through education programmes for dog owners and the public
- d) encourage the use of approved education and obedience courses for dogs. When dogs have not received proper care and attention the Council will ensure that the appropriate action is taken (i.e. communicate with other agencies such as the SPCA) and may consider enforcement action.

## Section 2: Responsibilities of Dog Owners

The responsibilities of dog owners are to:

- a) immediately pick up any dog faeces in a public place. Failing to do so could result in a fine.
- b) ensure their dog does not cause any public nuisance
- c) ensure their dog is registered with the Council, and that the Council is notified of any change of address or ownership of the dog
- d) ensure that the dog is kept under control at all times and confined in such a manner it cannot freely leave its premises
- e) ensure their dog has adequate physical wellbeing through acceptable nutrition, environmental, health and behavioural stimulus, and adequate mental well-being
- f) take all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means
- g) take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person
- h) take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife
- i) take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person
- j) comply with the Act, and any regulations and bylaws made under the Act.

## Section 3: Control of Dogs in Public Places

Unless provided for in the Act or the Bylaw, any dog that enters or remains in a public place must be secured on a lead and kept under continuous control except where otherwise specified in of this Policy.

Under the Act, councils can designate public places where dogs are prohibited or allowed on or off-lead. These areas are enforced using the Bylaw.

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### 3.1 Designated public places

Designated public places are classified as follows:

- a) Prohibited ~~places-areas~~ dogs are not allowed in these areas at any time.
- b) Dog exercise areas – dogs can exercise and socialise off-lead.

**Commented [CP6]:** 26. consistent with language in bylaw of 'prohibited area' not 'prohibited place'

In all other public places, dogs are required to be on lead. This includes any public area, all roads (including footpaths and road reserves), all boat ramps and slipways.

The schedule of prohibited and dog exercise areas is attached in Schedule One.

### 3.2 Dogs in outdoor dining establishments

The Council is supportive of food businesses allowing dogs in their outdoor dining areas ~~(except within places specified in Schedule 1)~~ provided the business complies with all regulatory requirements. As with all public places, dogs must be under control at all times. It is up to each individual business to decide if they want to welcome dogs, and if so, to manage any issues that may arise. Disability assist dogs are allowed in all customer areas of all food businesses in accordance with Section 75(1) of the Act.

**Commented [HB7]:** 27. Include this clause to clarify this section does not apply to Huntly, where dogs are currently prohibited in the central business area.

### 3.3 Disability and working dogs exemptions

Disability assist dogs and working dogs, if working at the time, are exempt from all public place restrictions specified in this Policy. They do not need to be on-lead in prohibited public places. Disability assist dog exemptions require written authorisation from the appropriate organisation.

### 3.4 Classification of areas under other legislation

Access for dogs in public places can be controlled by other legislation. Dog owners will need to check to see if the area where they intend to take their dog is controlled. For example, the following areas which are governed by legislation:

- Conservation Act 1987 – “controlled dog areas” and “open dog areas”, through the Department of Conservation
- National Parks Act 1980 – “national park”.

### 3.5 Exercising dogs at night

If dog owners are exercising dogs at dusk (when visibility is low) or in the evening (particularly in the darker winter months), Council encourages them to use reflective, fluro or other lighting attached to dog collars or harnesses to help track dogs. It is safer for everyone if people can see their own and other dogs when out and about, particularly on unlit shared pathways. Lighting your dog is a great way to keep track of them at night, especially if they are off lead exercising at dusk or in the early evening. It also allows other public place users to see your dog, preventing any unwelcome surprises or accidents.

## Section 4: Registration of ~~D~~dogs

In accordance with Section 36 of the Act, all dogs in New Zealand must be registered by 30 June each year and must be registered for the first time before they are three months old. Registered dogs should always wear a registration tag. The Council will replace a lost dog registration tag for a small fee.

It is an offence not to register a dog that is over three months of age or to knowingly provide false information on a dog registration application form. ~~A dog not displaying a current registration tag when in a public place may be seized and impounded.~~

**Commented [HB8]:** 28. Staff propose to include this clause to reflect current practice.

### 4.1 Dog registration classifications

There are different registration classifications for dogs. Each dog registration classification has different fees.

[\[Type here\]](#)

Those classifications are as follows:

- a) Approved owner
- b) General owner
- c) Selected owner
- d) Farm owner
- e) Dangerous dog
- f) Disability assist dog
- g) Neutered or spayed dog.

#### **A. Approved owner**

This is the default owner classification that is applied to all new dog owners who have not previously owned a dog, or current owners who have not been subject to any of the following:

- having a dog impounded
- being the subject of a registered complaint
- having an infringement ~~fine~~ **notice** issued against them
- failing to notify Council of changes to ownership details
- repeated non-payment of registration fees; or
- prosecution under the Act.

Any dog owner moving to the district will be given the registration classification of approved owner unless there is evidence of previous history relating to the above criteria in which case the registration classification will be general owner.

Any owner who breaches two or more of the above criteria within a 12-month period will have their approved owner classification cancelled immediately and a general owner classification will apply for a period of two years.

If a dog owner wishes to be recognised as a selected owner or a farm owner, an application to Council is required.

#### **B. General owner**

This is the registration classification applied to a dog owner who has been subject to one or more of the following:

- unable to provide evidence of a dog previously registered or has kept unregistered dog under another local authority
- having a dog impounded
- being the subject of a registered complaint
- having an infringement fine issued against them
- failing to notify Council of changes to ownership details
- repeated non-payment of registration fees; or
- Prosecution.

Any owner who has been deemed to have a general owner classification may apply for the reinstatement of approved owner classification but only after two years of clean history.

#### **C. Selected owner**

This is the registration classification that applies to a dog owner who complies with the following:

- holds approved owner registration classification and has held that classification for a period of 2 years or more (or the equivalent with another territorial authority)
- complies with the requirements of the approved owner registration classification



[\[Type here\]](#)

- holds a permit where more than two dogs are kept on the premises
- meets the minimum standards for accommodation of dogs (as set out in the Code of Animal Welfare)
- provides a fully fenced dog-proof section or area of the premises, appropriate for the size of the dog/s kept
- any other matter that Council considers relevant in the circumstances.

Any owner who breaches these conditions will have their selected owner classification cancelled and reduced to approved owner classification. Depending on the severity of the breach, an owner may have their classification reduced to general owner at the discretion of Council's Animal Control Team Leader.

#### **D. Farm owner**

This is the registration classification which applies to a rural dog owner who lives on and farms a property of 20 hectares or more, and who:

- currently meets the approved owner classification
- complies with all requirements of the approved owner classification
- meets the minimum standards for accommodation of dogs (as set out in the Code of Animal Welfare)
- ensures that all home killing and the disposal and or treatment of offal and trimmings, including the heads of sheep and goats, are carried out in an approved dog-proof enclosure or killing facility
- does not feed or allow the dog/s access to any raw offal or untreated sheep or goat meat
- will undertake voluntarily treatment for hydatids and sheep measles as part the regular dog worming programme with the local veterinarian.

Any owner who breaches these conditions will have their farm owner classification cancelled and reduced to approved owner classification. Depending on the severity of the breach, an owner may have their classification reduced to general owner at the discretion of Council's Animal Control Team Leader.

#### **E. Dangerous dogs**

This is the registration classification applied to dogs which have been classified as dangerous under the Act. In accordance with the Act, a higher registration fee is to be paid by the owners of dogs classified as dangerous.

There is no ability for this classification to be altered, even if the owner of the dog holds any other registration classification.

#### **F. Disability assist dogs**

Dogs which are registered as disability assist dogs do not incur a dog registration fee but must still be registered.

Disability Assist Dogs are dogs that are certified as per schedule 5 of the Act.

- Assistance Dogs New Zealand
- Hearing Dogs for Deaf People New Zealand
- K9 Medical Detection New Zealand
- K9 Search Medical Detection
- Mobility Assistance Dogs Trust
- New Zealand Epilepsy Assist Dogs Trust
- Perfect Partners Assistance Dogs Trust

[Type here]

- Royal New Zealand Foundation of the Blind Incorporated

#### G. Neutered or spayed dogs

The owner of a dog which has been neutered or spayed can apply for a waiver of registration fees for one registration year.

This waiver is subject to the following provisions:

- the waiver has not been applied to the dog previously
- written proof provided from a certified veterinary surgeon confirming the dog has been neutered or spayed
- the dog is not classified as a dangerous dog that has been required to be neutered or spayed under the Act
- the proof and registration form are presented to the Council on or before 31 July of the current year.

#### 4.2 Dog registration fees

Registration fees are set by Council through ~~our~~ [its Fees and Charges Long Term Plan](#) which is set every three years. This document goes through a public consultation process where submissions of the public are invited and heard.

The fees which are agreed upon in the [Fees and Charges Long Term Plan](#) are notified to all registered dog owners when registration fees are due and are listed on Council's website in the Fees and Charges document.

#### 4.3 Change of dog ownership.

Where the ownership of a dog changes, the registration continues, but both the old owner and the new owner must advise the Council. A new registration tag will be issued to the new owner at no cost.

#### 4.4 Transfer of dog registration between districts

Where a registered dog is moving to a different council district, the registration goes with it. Owners of dogs transferring between areas must advise both councils of the dog's move in writing, and within six weeks of the move. The owner should take the dog registration tag to their new local council office and it will be swapped for a registration tag for the new area, at no charge. No refund of the registration fee is made as a result of the transfer, and the dog is not required to be re-registered in the new area until 1 July.

#### 4.5 Refund of registration fee in the event of the death of a dog

The Council will refund the applicable portion of a dog registration fee in the event of the death of a dog. The refund must be applied for in writing, and must be applied for in the current registration year to receive a refund.

### Section 5: Managing ~~T~~troublesome dog owners and ~~D~~dogs

The Act provides tools for Council to manage dangerous or troublesome dog-related situations in order to make our communities safer.

There are offences under the Act which can result in fines. Breaching the Council's Dog Control Bylaw can also result in an instant fine.

However, Council takes the 3E approach of ~~E~~engagement and ~~E~~ducation, then ~~E~~enforcement. While there are some situations that require enforcement, through the use of fines, classifications or even prosecution, the focus of the Council team is to engage with and educate our community about responsible dog ownership.

Commented [HB9]: 29. Amending heading for clarity

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### 5.1 Dog owner status can be reduced due to infringements and offences.

Any dog owner can be reclassified as probationary or disqualified under certain circumstances. A dog may also be classified as dangerous or menacing under certain circumstances.

When a dog owner has committed three or more dog-related infringement offences for separate incidents in a continuous 24-month period or has been convicted of an offence against the Act, the Council must disqualify that owner unless the Council is satisfied that a disqualification is not warranted. In those circumstances, the owner will be classified as a probationary owner.

**Commented [CP10]:** 30. Need to specify the period for the three or more infringements per the Act

The classification of a dog owner as probationary or disqualified applies nationwide, not just within the Waikato district.

### 5.2 Probationary dog owners

If an owner is classified as probationary, they cannot become the owner of any new dogs (but may keep any registered dogs they already have) and must dispose of any unregistered dogs in their possession. Probationary owners may be required to undertake dog owner education or a dog obedience course, or both. Probationary dog owner status generally applies for up to two years but may end sooner.

Sections 21 to 24 of the Act set out matters relating to dog owners being classified as probationary owners, including the process for objecting to the classification.

### 5.3 Disqualified dog owners

If a dog owner is ~~classified as~~ disqualified, they cannot be the registered owner of a dog for a specified period and must dispose of every dog that they may own. Disqualified dog owner status can apply for up to five years.

Sections 25 to 28 of the Act set out matters relating to dog owners being classified as disqualified owners, including the process for objecting to the ~~classification-disqualification~~ and appealing to the District Court.

### 5.4 Menacing dogs

If a dog constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife because of its behaviour or any characteristics typically associated with the dog's breed or type, the Council can classify it as menacing.

If a dog belongs wholly or predominantly to the breeds of dogs listed in Schedule 4 of the Act, Council must classify the dog as menacing. As at the date of adoption of this Policy, the breeds referred to in the Act are:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- Perro de Presa Canario
- American Pit Bull Terrier type.

Dogs which have been classified as menacing must be muzzled and on a lead in all public places and private ways. Council requires dogs classified as menacing to be de-sexed, according to the Dog Control Bylaw 2015.

The owner of a dog classified as menacing must, as required by the Dog Control Bylaw, produce a veterinary certificate showing the dog has been de-sexed or that it is unfit to be de-sexed. Owners must comply within one month of the classification.

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If a dog is required to be de-sexed, the owner may apply to the Council to have the requirement waived on the following grounds:

- there is a veterinary reason for not de-sexing it, or
- there would be a demonstrated potential financial loss to the owner from de-sexing (such as a loss related to breeding or showing the dog).

Sections 33B and 33D of the Act sets out the process for objecting to a dog's classification as a menacing dog (in Sections 33B and 33D).

### 5.5 Dangerous dogs

If a dog owner has been convicted of an offence under section 57A(2) of the Act, or there is sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, the Council must classify a dog as dangerous.

Dangerous dogs:

- must be kept within a securely fenced section of the owner's property (and dog-free access to the house must be available at all times)
- must be muzzled and on a lead in all public places and private ways
- must be de-sexed
- incur a registration fee that is 50% higher than a standard dog registration fee
- must not be sold or given away without the written consent of the Council; and
- maintain their status as a dangerous dog no matter where they live in New Zealand.

Sections 31 to 33 of the Act sets out the effects of a dangerous dog classification and the process for objecting to a dog's classification as a dangerous dog.

### 5.6 Impounded Dogs

Council impounds a large number of dogs every year. This can be for a variety of reasons, including:

- wandering
- not registered
- attacking animals or people
- surrendered to Council.

Dogs owners are not permitted to visit impounded dogs due to health and safety requirements. Impounded dogs are exercised in Council's exercise area. Dog owners are able to register a complaint with Council to appeal dogs being impounded. Pound fees are required to be paid to Council in full before the release of the dog.

Council's Animal Control Team runs a very successful rehoming operation called Waikato Pound Pups.

Except for dogs which are impounded for aggressive behaviour, any dogs that are impounded and not uplifted are extensively temperament tested. All dogs that pass this test are then placed into the rehoming programme. All dogs that are rehomed are desexed, micro-chipped, registered, given a flea and worm treatment, and have received their first vaccination.

Any dogs that do not pass the temperament test are euthanised humanely by a veterinarian.

**Commented [HB11]:** 31. Majority of information inserted into Policy to reflect current practice as requested. Council is required to obtain full payment before releasing impounded dogs.

[\[Type here\]](#)

### 5.7 The issuing of infringement notices

Council will issue infringement notices or warnings, at a Dog Control Officer's discretion, for infringement offences as set out in Schedule 1 of the Act.

## Section 6: Micro-chipping of **D**dogs

### 6.1 Requirement to have your dog micro-chipped

Except for working dogs, every dog in New Zealand first registered after 1 July 2006 must be implanted with a micro-chip. It is Council policy that any dogs which are impounded by the Council must be micro-chipped before they are released.

A dog must be registered every year, but a dog only needs to be micro-chipped once. A micro-chip is about the size of a grain of rice and is implanted under the skin on a dog's back, by a qualified person such as a veterinarian or Animal Control Officer.

Micro-chipping is a more permanent method of identifying a dog than collars and tags, which can be lost or removed. It enables a dog to be linked to its owner so, if it is stolen or lost, dog and owner can be reunited. It also makes it easier to identify a dog which has been aggressive and classified as dangerous or menacing.

### 6.2 Requirement to supply micro-chip information

All dog owners are required to supply their dog's micro-chip information to the Council so that it can be recorded in the National Dog Database. This can be done by providing the Council with a certificate from a vet (which includes the micro-chip number), or by taking your dog to the Council's Animal Control Team to have it scanned, to verify that it has a micro-chip.

The National Dog Database is administered by the Department of Internal Affairs and holds details of all microchipped dogs in New Zealand, their owners and any infringements that may have been issued against an owner or person in charge of a dog.

## Section 7: Education and **C**earing for **D**dogs

### 7.1 Dogs in vehicles over the summer months

Council is concerned about the health and welfare of dogs that are left in vehicles during the summer months. The Council takes a strong stance on dogs suffering in hot cars and will act swiftly to release dogs that are clearly in distress. Council's Animal Control Officers may work to release a dog that is in distress and may get assistance of the Police or officers of the SPCA ~~Waikato~~ if necessary.

### 7.2 Dogs at Council events and festivals

Some Council or community events or festivals may not welcome dogs or may require them to be on a lead. This is at the discretion of event organisers and promoters and is not the same as dogs being prohibited or required to be on a lead through the Council's bylaw (unless the event is being held in a place where dogs are prohibited or required to be on a lead). You should always check the requirements of an event before you leave home.

### 7.3 Education and training

Increased public awareness of safety around dogs, particularly for children, is one of the best ways to reduce dog attacks in the long term. Toddlers and young children should be supervised around dogs at all times. Most dog attacks happen to children in their own home or the home of a relative or friend. The

[\[Type here\]](#)

Council offers a free education programme that shows children how to keep themselves safe around dogs. Council also offers a programme where children can read to a dog in the library, while learning about dog safety. Contact the Council for more information or to ask about booking a session.

#### **7.4 Teaching dog safety for workers**

Some jobs require people to enter private property, and this can be dangerous if the property has an aggressive dog or a dog defending its territory. For example, common jobs may include couriers, meter readers and census personnel. Council offers an occupational dog safety course that helps employees in these types of roles to recognise and understand threatening dog behaviour to avoid injury or accidents. Contact the Council for more information.

#### **7.5 Learning how to be a good dog owner**

Responsible dog ownership and good behaviour from both dog owners and their dogs is another important part of reducing dog attacks, as well as reducing any danger, distress or nuisance that may be caused by dogs. Council is supportive of people undertaking dog training courses of all types. There are many offered by private organisations. As well as behaviour and discipline courses, dog agility courses can be a great way to understand and bond with your dog. Council encourages new dog owners to attend puppy or dog training courses to learn how to train the dog to understand simple commands.

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## Schedule one: Control of Dogs in public places

Unless provided for in the [Animal-Dog Control Act 1996](#) or Waikato District Council Dog Control Bylaw, a dog that enters or remains in a public place must be secured on a lead and kept under continuous control. Public places include:

- Any public area
- All roads (including footpaths and road reserves)
- All boat ramps and slipways

Exceptions apply where otherwise specified in this Schedule. Maps of these areas are attached separately.

### Prohibited Areas (District Wide)

No person shall permit any dog to enter or remain in a prohibited area whether it is under control or not, except a working dog while it is working, a dog confined in or on a vehicle-, and a dog being taken to or from veterinary premises.

Guidance note: exceptions to these restrictions are listed in Section 6.5 of the Bylaw.

Locality	Description of area and times	Map #
District wide	<p>Dogs are prohibited from being on:</p> <ul style="list-style-type: none"> <li>• Council playgrounds. This includes fenced or unfenced, surfaced or unsurfaced playgrounds.</li> <li>• <del>Council Cemeteries</del></li> <li>• Sports fields playing surfaces</li> <li>• Skateparks</li> </ul> <p>Dogs should also be on a lead near playgrounds when they are in use. This is good practice to prevent dogs rushing at children or intimidating them, which could cause an accident.</p> <p>At all times, including public holidays</p>	NA
Huntly	<p>Any street or public place within the central business area of Huntly, including Main Street, Council carpark, and rear accesses, at all times including public holidays</p> <p>At all times, including public holidays.</p>	1
Ngaruawahia	<p><del>Any street within the central business area of Ngaruawahia township including Jesmond Street, from the junction with Great South Road, to the roundabout with Market Street. Business side of Great South Road Ngaruawahia between Martin and Market Streets.</del></p> <p><del>At all times, including public holidays.</del></p>	<del>2</del>
Raglan	<p>Within the Raglan Papahua Camping Grounds, the domain, the playground and picnic area of the foreshore of Oporu inlet from the footbridge to the boatramp.</p> <p>At all times including public holidays</p>	<del>23</del>
Port Waikato	<p>Within 250 metres north or south of any lifesaving patrolled areas on Port Waikato Beach and Sunset Beach from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March the following year.</p>	<del>34</del>
Hakarimata Scenic Reserve	<p>Area from Brownlee Avenue to the dam site on the walkway.</p> <p>At all times, including public holidays.</p>	<del>45</del>

**Commented [HB12]:** 16. Proposed to remove rules on cemeteries.

**Commented [HB13]:** 17. Removal of rule prohibiting dogs in the central business area, Ngaruawahia. Dogs are permitted on lead.

[Type here]

Waireinga Scenic Reserve	Carpark area leading up to Department of Conservation walkway. At all times, including public holidays.	56
Tuakau	Alexandra Redoubt Reserve, in grassy cemetery areas.	24

**Commented [HB14]:** 18. Remove as this reference it applies to two cemeteries and include rules within the cemetery bylaw only.y



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## Dog Exercise Areas

A dog may be exercised in the areas below free of restraint if kept under continuous control by its owner. Where there is a presence of stock, all dogs must remain on lead.

**Note:** Council may from time to time by resolution under the Dog Control Bylaw designate additional dog exercise areas.

Locality	Description of area	Map #
Huntly	A fenced area on the shore of Lake Hakanoa situated at the end of Onslow Street in the Huntly Domain	<del>67</del>
	The grassed area along the Waikato River on Riverview Road known as the Riverview Reserve.	<del>78</del>
	Fenced dog park on the corner of Fairfield Avenue and Graham Place	<del>89</del>
Taupiri	<del>Bob Byrne Park on Great South Road</del>	
Ngaruawahia	Regent Street Reserve. The grassed area from Great South Road to the end of area bordering Turangawaewae Marae.	<del>9+1</del>
	<del>From the Great South Road bridge pilings on Lower Waikato Esplanade along the grassed area known as the Waikato Esplanade Reserve to Belt Street.</del>	
	The fenced area on the corner of Great South Road and Ellery Street situated beside Te Mana O Te Rangi	<del>10+2</del>
	Waipa Esplanade Reserve from the Pony Club along the grassed area to the area below Princess Street.	<del>11+3</del>
Raglan	The fenced area on the corner of Wallis Street and John Street known as Aro Aro Reserve.	<del>12+4</del>
	The beach area located west of Raglan Holiday Park Papahua.	<del>23</del>
	From the Wainui Reserve carpark at the western end of Te Riria Kereopa Memorial Drive to 300 metres north of the northern walkway at Ngarunui Beach below the Wainui Reserve.	<del>13+5</del>
	Beach areas from the wharf, the Cliffs, Cox's Bay, Lorenzen Bay, The Doughboys and Moonlight Bay.	<del>14+6</del>
Te Kauwhata	Fenced areas on the Te Kauwhata Recreation Reserve. Excludes roading area.	<del>157</del>
Horotiu	Fenced AFFCO Park on Horotiu Road and State Highway 1. Does not include area located by playground.	<del>168</del>
	Riverside Reserve on Horotiu Bridge Road.	<del>179</del>
Whatawhata	<del>Whatawhata Recreation Reserve, except when the reserve is being used for sporting activities</del>	
Te Kowhai	<del>Te Kowhai Recreation Reserve, except when the reserve is being used for sporting activities</del>	
Kariotahi Beach	The beach area known as Kariotahi beach	<del>1822</del>

**Commented [HB15]:** 19.Change Bob Byrne Park from a Dog Exercise Area, to become On Lead.

**Commented [HB16]:** 19.Change Lower Waikato Esplanade from a Dog Exercise Area, to become On Lead.

**Commented [HB17]:** 19. Change area Raglan beach, from Oporu inlet to Aerodome Bridge from a Dog Exercise Area, to become On Lead.

**Commented [HB18]:** 20.Whatawhata Recreation Reserve (sport field) to become Prohibited on sport surfaces. Dogs are permitted On Lead elsewhere on the reserve.

**Commented [HB19]:** 20.Te Kowhai Recreation Reserve (sport field) to become Prohibited on sport surfaces. Dogs are permitted On Lead elsewhere on the reserve.

[Type here]

Port Waikato	Sunset beach, beyond 250 metres north or south of any lifesaving patrolled areas. This extends along the shoreline to Māretai Bay, but does not include the reserve area.  Note: The area within the lifesaving patrolled areas is prohibited from 10am to 6pm on weekends, public holidays and school holidays from the beginning of Labour Weekend to the end of March from the following year.  This is specified in the Prohibited areas schedule.	34
Tuakau	Les Batkin Reserve, in the marked areas specified from Tuakau Bridge to (but excluding) the toilet block and from the carpark entrance to the northern boundary.  Note: the on lead areas include all other parts of the Les Batkin Reserve from the Les Batkin carpark entrance way to the northern boundary. Dogs are prohibited in the Les Batkin playground area. <u>Alexandra Redoubt Reserve in the marked areas specified</u>	1923 20
	The grass area at the end of Kowhai Street known as Kowhai Reserve	215
	Whangarata Domain (new)	2226
	Centennial Park	2327
Pokeno	The fenced area of Pokeno Domain on the southern side of the tennis courts	2428
Tamahere	<u>Te Awa Reserve grass area but does not include the playground area or walkway.</u> Tamahere Park, located by Tamahere Community Centre and between the carpark and road, in marked area.	29 2530




**Commented [HB20]:** 21. Alexandra Redoubt Reserve area retained as a Dog Exercise Area

**Commented [HB21]:** 22. New Dog Exercise Area, Whangarata Domain

**Commented [HB22]:** 19. Te Awa Walkway changed from a Dog Exercise Area to On Lead

**Commented [HB23]:** 23. New Dog Exercise Area in Tamahere

## LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground






Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.





# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Papahua Camping Grounds/Domain, Raglan  
Map 2






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## LEGEND

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-  Prohibited Area
-  Playground



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## Dog Control Bylaw 2015

### Riverview Reserve, Huntly

#### Map 7






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# LEGEND

-  Dog Exercise Area
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-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Cnr Fairfield Avenue/Graham Place, Huntly  
Map 8






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

### Regent Street Reserve, Ngaruawahia

#### Map 9






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Cnr Great South Road/Ellery Street,  
Ngaruawahia  
Map 10






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# LEGEND

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-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Waipa Esplanade Reserve, Ngaruawahia  
Map 11






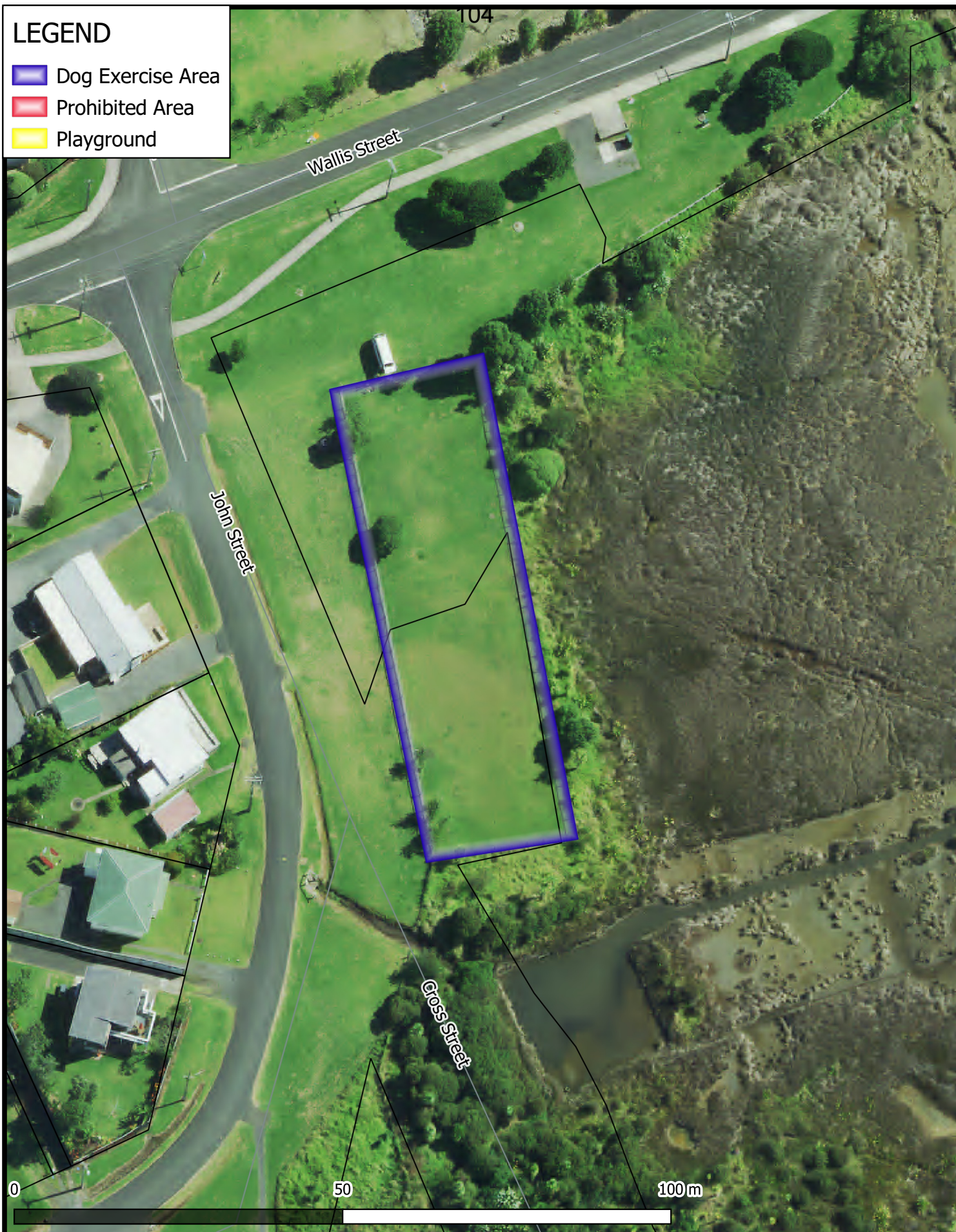
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# LEGEND

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-  Prohibited Area
-  Playground



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## Dog Control Bylaw 2015

Aro Aro Reserve, Raglan  
Map 12






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# LEGEND

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-  Prohibited Area
-  Playground



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## Dog Control Bylaw 2015

Ngarunui Beach, Raglan  
Map 13






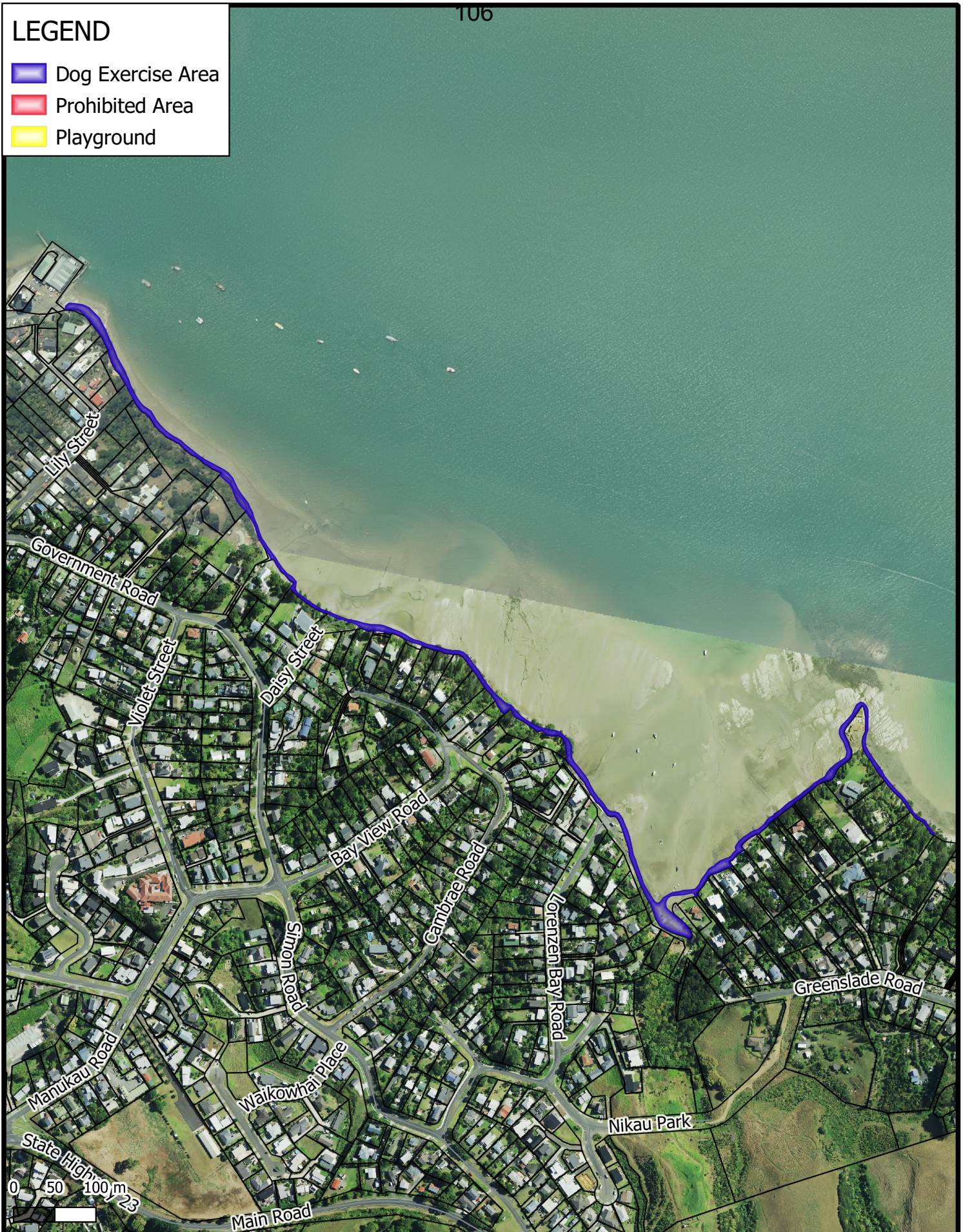
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## LEGEND

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-  Prohibited Area
-  Playground



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## Dog Control Bylaw 2015

Raglan Bay, Raglan  
Map 14






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Te Kauwhata Recreation Reserve, Te Kauwhata  
Map 15






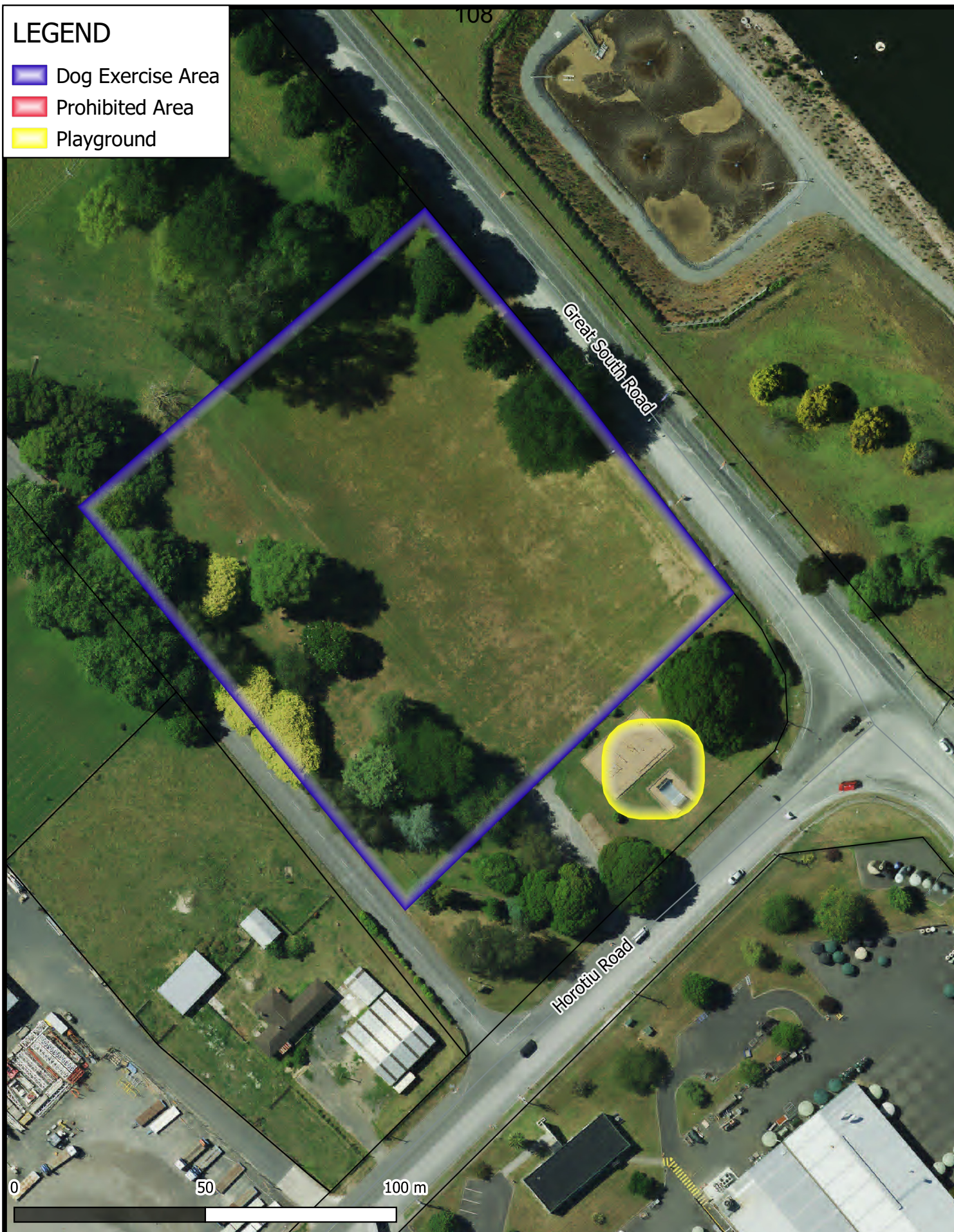
GIS Department  
Created By: ADMIN  
Created For: TOAKE001  
Date Created: 2022-03-24  
Projection: NZTM GD2000  
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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Fenced AFFCO Park, Horotiu  
Map 16






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Riverside Reserve, Horotiu  
Map 17






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## LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground

NOTE: White shaded area indicates land managed by Auckland Council

110

Karioitahi Road

0 50100 m



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Karioitahi Beach, within Waikato District boundary

Map 18






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground






Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.





## LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground






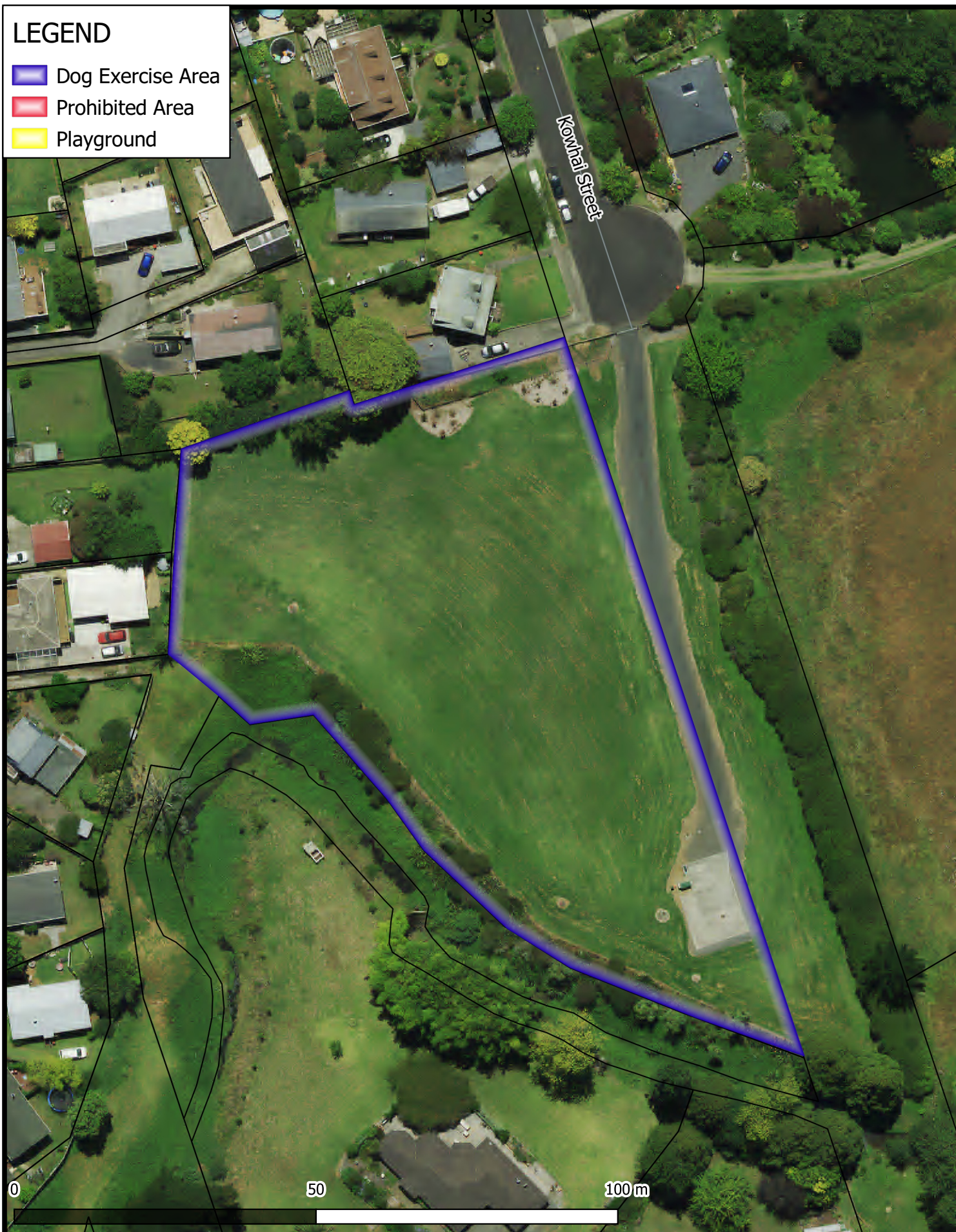
Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.





# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Kowhai Reserve, Tuakau  
Map 21






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Whangarata Domain, Tuakau  
Map 22






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Centennial Park, Tuakau  
Map 23






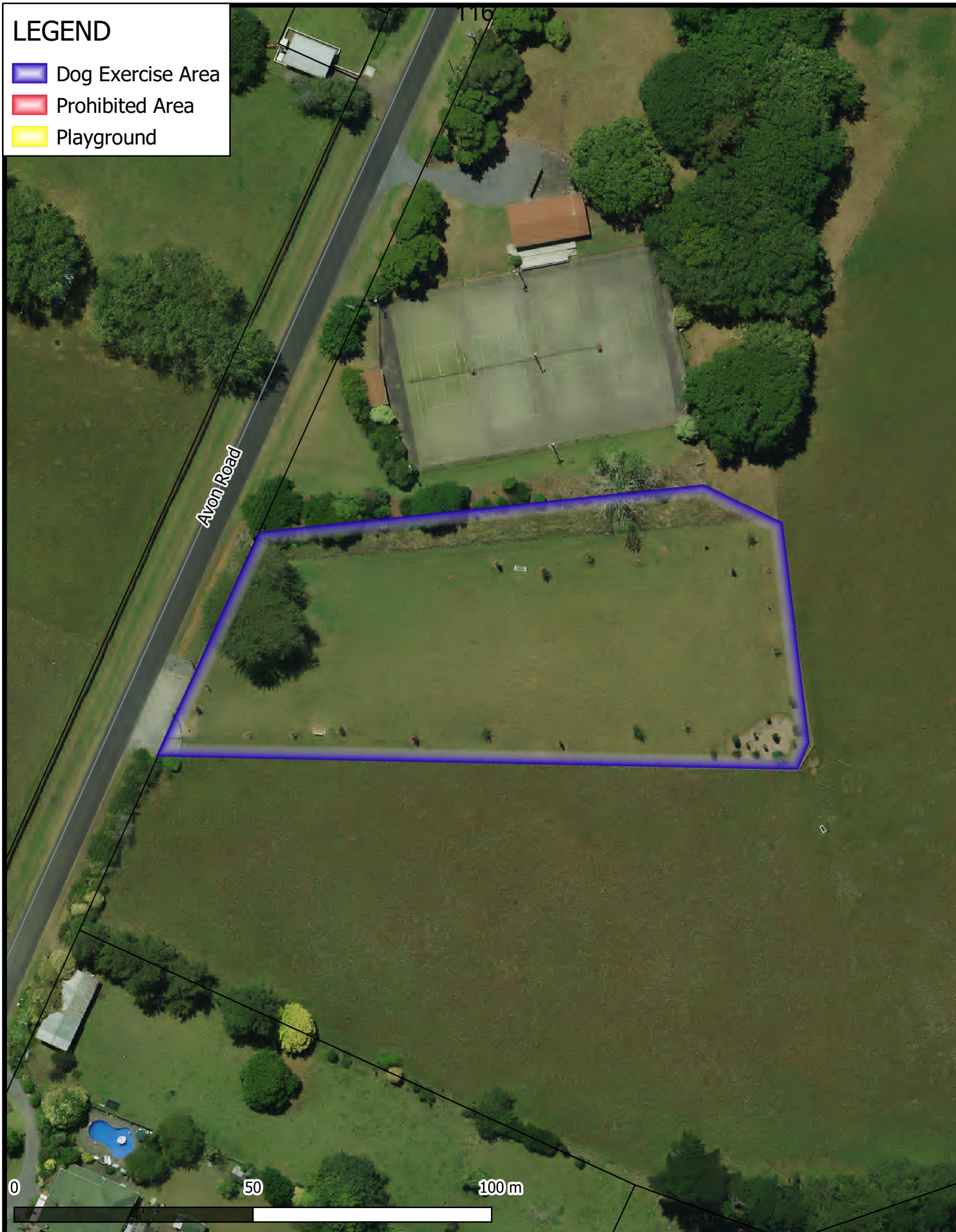
GIS Department  
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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

Pokeno Domain, Pokeno  
Map 24






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# LEGEND

-  Dog Exercise Area
-  Prohibited Area
-  Playground



Note: Dogs are prohibited on playground, sports field surfaces and skateparks. In other public places, dogs must be on a lead.



## Dog Control Bylaw 2015

### Tamahere Park, Tamahere

#### Map 25



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## Attachment 6: Schedule of changes to the Dog Control Bylaw and Policy

Table 1: List of changes to Bylaw and Policy

The following table lists all changes to the Bylaw and Policy following consultation and deliberations, as applied to the amended Bylaw (Attachment 1) and Policy (Attachment 2).

No.	What	Clause	Change	Comment
1	Bylaw	Definitions, At large	'Means at liberty, free, not restrained with <del>and</del> or includes any dog, whether on a leash or not...'	To remove the contradiction within the definition, as requested by the SPCA (3313)
2	Bylaw	5.1(b)	Include 'Take such steps as are necessary to prevent the dog(s) from becoming a nuisance or annoyance by persistent <i>loud</i> barking'	To align with Section 155 of the Dog Control Act, which includes the word loud.
3	Bylaw	5.3	Revise Clause 5.3 to refer to 5.1	To refer to the correct clause.
4	Bylaw	5.3(d)	5.3(d) 'Take such other <i>reasonable</i> action the Animal Control Officers deems necessary to minimise or remove the likelihood of nuisance or injury to health' (3294)	Re-included in Clause 5.4(d), as requested by submitters.
5	Bylaw	5.5	Revise Clause 5.5 to refer to 5.4	To refer to the correct clause.
6	Bylaw	Clause 6.3(d)	Deletion of 'Council Cemeteries' from list of prohibited areas.  Inclusion of an advisory note advising that rules relating to dogs in cemeteries are included in Council's Cemeteries Bylaw.	To include rules in Council's Cemeteries Bylaw only, as the appropriate place for rules relating to cemeteries,
7	Bylaw	6.3(c)	Delete 'No dog shall enter or remain in any public place, c) which is developed or marked out as a sport field surface, <del>unless otherwise specified in Schedule One to this Bylaw.</del>	To prohibit dogs from all sport field surfaces across the district, with no exemptions required.



8	Bylaw	Clause 6	Inclusion of a new advisory note 'Rules relating to dogs in cemeteries in the Waikato District are included in Council's Cemeteries Bylaw.'	To clarify where Council rules relating to cemeteries and dogs are to be found.
9	Bylaw	6.5(e)	Include in 'Clause 6.1 to 6.5 shall not apply to e) any dog part in a special event approved by the Waikato District Council, such as a dog show, dog obedience show, surf lifesaving event and <i>agility show</i> '	'Agility shows' are included, as per feedback from Huntly and Districts Kennel Association (3292).
10	Bylaw	Clauses 9.0 to 16.0	Renumbering of clauses	Re-numbering required due to clause 9.0 being deleted in its entirety.
11	Bylaw	Clause 10.1	Re-inclusion of Rural Zone properties to list of exclusions of requiring a permit.	Permits for dogs are not required for rural zoned properties, as outlined in covering report.
12	Bylaw	Clause 10.1, exemption 4 and guidance note	Delete proposed new exclusion 'Where the dogs are working dogs and kept within a single dwelling premise within the Rural zone' and relevant section of guidance note.	Exclusion is removed as it is only required if permits for rural properties are maintained.
13	Bylaw	Clause 11.5 to 11.9	Include an appeal process to appeal decisions by Animal Control Officers relating to permits (James Carter Law, 3283)  This now refers to a sub-committee appointed by Council.	A appeal process is now included in the Bylaw from Clause 11.5 to 11.9.
14	Schedule 1	Introductory text	Refer to Dog Control Act 1990, instead of Animal Control Act 1990	Required to refer to the correct legislation.
15	Schedule 1	Introductory text	Reference Section 6.5	Correction of clause.
16	Schedule 1	Prohibited areas (District wide)	Removal of Council cemeteries	Rules are included in the Cemeteries Bylaw 2016 only.
17	Schedule 1	Prohibited areas	Removal of Ngaruawahia, central business area as a prohibited area.	To allow for dogs on lead in the central business area.

18	Schedule 1	Prohibited areas	Removal of prohibited area 'Alexandra Redoubt Reserve, in grassy cemetery area'	This area is a cemetery and will be managed under the Cemeteries Bylaw.
19	Schedule 1	Dog exercise areas	Change of the following as dog exercise areas to become on lead (as proposed): <ul style="list-style-type: none"> <li>- Lower Waikato Esplanade</li> <li>- Te Awa Walkway</li> <li>- Bob Byrne Park, Taupiri (staff to investigate fencing of northern aspect of this reserve to utilise as a dog exercise area)</li> <li>- Raglan Beach from Oporu inlet to Aerodome Bridge</li> </ul>	As outlined in report.
20	Schedule 1	Dog Exercise Area	Remove reference to Whatawhata Recreation Reserve and Te Kowhai Recreation Reserve as a dog exercise area.	To become prohibited on sport surfaces, and on lead the remainder of the reserve.
21	Schedule 1	Dog Exercise Area	Alexandra Redoubt Reserve retained as a dog exercise area	As outlined in report.
22	Schedule 1	Dog exercise areas	Fenced area of Whangarata Reserve utilised as a new dog exercise area.	As outlined in report.
23	Schedule 1	Dog Exercise areas	Fenced area in Tamahere Park utilised as a new dog exercise area	As outlined in report.
24	Policy	Definitions	Amend definitions of disability assist dog, public place, nuisance, public place and working dog.	To align definitions in Policy and Bylaw.
25	Policy	Policy review section	Include a new section 'policy review'	Required as part of the standard format for Council's policies.
26	Policy	3.1 Designated public place	Amend 'Prohibited Places' to 'Prohibited areas'	To align with language in Bylaw
27	Policy	3.2	Clarify that dogs in outdoor dining establishments are subject to the requirements of Schedule 1, list of prohibited areas	Include this clause to clarify this section does not apply to Huntly, where dogs are currently prohibited in the central business area.

28	Policy	Section 4	Include ' <i>A dog not displaying a current registration tag when in a public place may be seized and impounded</i> '	To reflect current practice.
29	Policy	Section 5	Amend heading from 'Managing troublesome dogs and dog owners' to 'Managing troublesome dogs'	To clarify the previous wording, which implied dog owners could be troublesome.
30	Policy	5.1	Include 'When a dog owner has committed three or more dog-related infringement offences <i>for separate incidents in a continuous 24-month period</i> '	To specify the period for the three or more infringements as per the Dog Control Act 1996.
31	Policy	5.6	Information required in policy for visiting impounded dogs, right of appeal when dog is impounded and how those with limited income are assisted to pay off impounded dogs (3143)	Majority of information inserted into Policy to reflect current practice as requested. Council is required to obtain full payment before releasing impounded dogs but will work with our finance team to consider if there are methods of payment that might make things easier for those on limited income.
NA	Policy	All	Hyperlinking of Policy to legislation, where appropriate.	To ensure each of access to relevant information for those reading the Policy or Bylaw.
NA	Maps	Maps	Amended as outlined in covering report.	

*Table 2: Staff responses to specific requested changes to Bylaw and Policy*

The following table included specific submitter requests for the Bylaw and Policy, and staff responses. This excludes the majority submission requests comments relating to the key submission matters outlined, as staff responses to these matters are included in the report.

What	Category	Suggestion	Staff comment
Bylaw	NA	Cats should be microchipped and required to register (2430)	Staff do not recommend including rules for cats as they are out of scope of this Bylaw and Policy.
Bylaw	5.2(b)	5.2(b) to read “Take steps as are necessary to prevent the dog(s) from becoming a nuisance or annoyance by <i>unreasonable</i> persistent barking or howling (Federated Farmers 3200)	Staff do not recommend including ‘unreasonable’ in Clause 5.2(b). Persistent means all the time and is by definition unreasonable.
Policy	Dog owner classifications	Advocates for the inclusion of a pathway to appeal menacing classification with eligibility based on demonstrated steps towards responsible dog ownership. (SPCA 3313)	A process is included within the Act to object to menacing classifications, not to rescind the classification once imposed. Staff do not recommend a separate process is included in the Bylaw or Policy
Bylaw	14	Clause 14 should be amended to reference the Animal Welfare Act 1999 and Code of Welfare (Dogs) 2018 (SPCA 3313)	Staff do not propose to include a reference to the Animal Welfare Act 1999 and Code of Welfare (Dogs) 2018. This Act is jointly enforced by the SPCA, the Ministry for Primary Industries and the Police, not Council.
Bylaw	15	Clause 15 ‘dogs on moving vehicles’ should be amended to reference Regulation 15 of the Animal Welfare (Care and procedures) regulations 2018. (SPCA 3313)	Staff do not propose this reference is required as it duplicates the content of Clause 15.



Bylaw	12.1	<p>12.1 'the Council may issue a permit subject to such any terms or special conditions which are considered to be necessary as are required to meet the criteria set by the Council'</p> <p>Requests the original wording 'as are required to meet the criteria' is re-included. (3294)</p>	Staff do not propose this is re-included as the Bylaw does not refer to any criteria set by the Council.
Bylaw and Policy	Schedule 1	<p>Schedule 1 - The Council may, by resolution, designate certain public areas to be dog exercise area. Suggests this should be MUST. (3292)</p>	No change as required as the wording of the clause does not require any difference of action by Council. This clause enables Council to amend Schedule 1 by resolution only and not require a full Bylaw review. Council is still required to review decisions against its Significance and Engagement Policy to determine consultation requirements.
Bylaw	13	<p>Clause 13 - Re-insert guidance note where it says "this clause shall not apply to bitches being shown at conformation shows, as recognised by the New Zealand Kennel Club". (3292)</p>	Guidance note is not required as the person who is in charge of land (such as agility shows) has the ability to give consent for bitches in season to enter a public place.
Policy	General	<p>Requests that Council requires mandatory de-sexing of all dogs (3184, Animal Re-homing Charitable Trust)</p>	<p>Council has a subsidised desexing scheme to ensure desexing of dogs is available to our communities. An added incentive is one free annual registration when dogs have been desexed in the previous 12 months. The Animal Control Team uses education to encourage de-sexing in the community.</p> <p>Staff do not recommend requiring other groups of dogs to be de-sexed, except dogs that are classified as menacing or dangerous.</p>
Bylaw	11	<p>Requests the permit requirement is per household, rather than property, as rural properties have a number of households (2437)</p>	Staff do not recommend this change as it is proposed permits will no longer be required in the rural zone.

Bylaw and Policy	General	Requests the Bylaw and Policy allows for swimming dogs in Weavers Lake Huntly and small lake on Kopuku Road (3084)	Swimming locations are currently excluded from the scope of the Bylaw.
Bylaw	Schedule 1, prohibited areas	Requests dogs are not permitted in the Pony Club area due to horses and stock (2658)	This land is currently leased with a community group and is considered private land. Staff do not recommend including as dog control areas apply to public places.
Services	Facilities	Requests that improved fencing is required at the current dog exercise area for Tuakau (2729)	Fencing requirements can be scoped and funding sought through the next Long Term Plan. This request has been passed to the Open Spaces team for consideration through that process.
Services	Maintenance	Notes that Te Awa Walkway has become unsafe for dogs and owners, due to invasive weeds and the walkway has not been maintained by Council (2772)	The Open Spaces Team have noted the invasive weeds and the area in mention can be assessed for weed control. It is proposed to remove the Te Awa Walkway as a dog exercise area.
Bylaw	Schedule 1, dog exercise areas	Requests that all dog exercise areas are fenced permanently to allow dogs to run freely (2779)	Staff note that not all dog exercise areas would be appropriate to fully fence due to the spaces being used by multiple user groups.
Bylaw	Schedule 1, dog exercise areas	Requests that Bridal Veil Falls should allow for dog exercise (2854)	Bridal Veil Falls is a Department of Conservation reserve and subject to their dog policy. This area is out of scope for the Bylaw.
Bylaw	Schedule 1, dog exercise areas	Requests for dog exercise area next to the Tuakau Bridge in Les Batkin Reserve to be fenced, due to concerned regarding safety and security of all dog exercise areas (2934)	Open spaces team advised fencing requirements can be scoped and funding can be sought through the next Long Term Plan.
Bylaw	Schedule 1, dog exercise areas	Requests dog exercise areas in Whatawhata due to lack of alternatives in the area (2000)	Maintaining the sport field as a dog exercise area in Whatawhata is raised to Council for their consideration as a temporary solution. The Open Spaces team are exploring alternatives in the area.

Bylaw	Schedule 1, dog exercise areas	Requests that dog exercise areas that are proposed to be changed to on leash are fenced, instead of removed (3020)	Staff note that not all off leash areas would be appropriate to be fully fenced due as the spaces are used by multiple user groups. An assessment of on-lead sites would need to be undertaken to understand which of these areas could feasibly be fenced. For those areas that are considered appropriate, fencing requirements can be scoped and funding can be sought through the next LTP.
Services	Signage	Requests that clear, effective and consistent signage be put in place throughout Huntly and Waikato District, to inform the public of areas where dogs can be exercised and where they are banned. Most members of the Huntly Community Board were not aware Riverside Reserve along Riverside road was a dog exercise area (Huntly Community Board, 3039)	Signage upgrades/installation for dog exercise areas are required across the district. Signage requirements can be scoped and funding can be sought through the next LTP.
Services	Fencing	Requests purpose built, safe fenced enclosures. Existing dog exercise areas should remain until fencing of new areas can be completed (3112)	Signage upgrades/installation for dog exercise areas are required across the district. Signage requirements can be scoped and funding can be sought through the next LTP.
Bylaw	Schedule 1, dog exercise areas	Requests some dog exercise areas at Raglan are removed as a dog exercise area due to sensitive native bird nesting habitats, such as near sand dunes at Ngaranui Beach (3003)	Staff recommend no changes are required. The current dog exercise areas in Raglan are located directly by the beach and do not include sand dunes. Dogs on beaches are usually on the beach or in the water, and therefore are not disturbing native birds. Council's ecologists advise that mustelids, cats, rats and some non-native birds pose a more significant risks to nesting birds than dogs in this area.

Bylaw	Schedule 1, dog exercise areas	Requests improved fencing at Centennial Park and Kowhai St dog exercises areas. Requests a dedicated, well looked after dog park within walking distance of Tuakau. Notes that more resource has been put into evolving areas, such as Pokeno (2291).	Fencing requirements can be scoped and funding can be sought through the next LTP.  Where the district is experiencing significant growth, Council has Developer Agreements to provide and establish Open Spaces, often predominantly funded by the developer. The Open Spaces Team have taken note of the desire for more off-leash open space, with proximity to townships.
Bylaw	Playgrounds and sport fields	Requests that the proposed amendments to sport fields and playgrounds does not progress, as it will create more complaints from parents (2324)	Staff note that through the proposed amended Bylaw dogs will be required to be on leash when on the sides of sports fields and under control at all times. None of the proposed Off Lead Areas are bordering with any schools. The removal of the 10m Set Back from playgrounds still requires dogs to be on leash and under control when around playgrounds, and strictly prohibited on playgrounds surfaces.
Services	Fencing	Requests that the type of fencing of new dog exercise areas should stop small dog breeds getting out through gaps (2332)	Fencing design and requirements for smaller dogs noted by the Open Spaces team.
Services	Fencing	Requests that new dog exercise areas in Tamahere will need fencing to stop dogs being able to access roads (2340)	Fencing design and requirements for dogs accessing the road noted by the Open Spaces team.
Bylaw	Schedule 1, Dog Exercise Area	Requests dogs are permitted off leash on Tamahere Park at certain times, as the proposed fenced area is too small (2381)	Staff do not recommend Tamahere Park as a dog exercise area at certain times due to the number of activities established at the park (sports fields and playground) and the proximity to the school significantly restricts available timing. Concerns were also raised for possible urine and faeces left on the sports field playing surfaces.
Bylaw	Schedule 1, prohibited areas	Requests that dogs should not be allowed closer towards children's playgrounds or sport grounds (2382)	Dogs are required to be on leash and under control when next to a playground or sports field, and are strictly prohibited from the surface of playgrounds and sport fields.

Services	Facilities and dog parks	Requests Council looks at Whangarei Public Dog Park, we need safe good facilities available for our dogs like this. The council would make a lot of dog owners happy if they upgraded facilities using this as an example. Franklin area has a lot of dogs as you have indicated, they need good safe areas to exercise (2393)	Thank you for recommending desired dog park examples. Staff will be investigating further the levels of service for Dog Parks in the district. Improvements can be scoped and funding can be sought through the next LTP, or projects encouraged by dog user groups.
Bylaw	Schedule 1, Dog Exercise Areas	Requests more fully fenced dog parks in the Waikato District. Pokeno is a perfect space and great being fully fenced and having a tap for water (2409)	Thank you for recommending desired assets at dog parks. Open Spaces staff will be investigating the levels of service for Dog Parks in the district. Improvements can be scoped and funding can be sought through the next LTP, or projects encouraged by dog user groups.
Services	Facilities and enforcement	Requests investment in big bold signage and patrols from enforcement staff (2481)	Signage upgrades/installation for dog exercise areas are required across the district. Signage requirements can be scoped and funding can be sought through the next LTP.
Policy	Disability dogs	<p>The Policy currently states that disability assist dog are exempt from all public place restrictions in the Policy. Disability exempt dogs require written authorisation from the appropriate organisation.</p> <p>Requests that all disability dog recipients should always carry identification cards from a certifying organisation in public and identification should show recipient, dog name and a photo of the dog (2701).</p>	Staff propose no change is required. The Animal Control Team require written paperwork that identifies the dog as a disability or service dog from an accredited organisation at time of registration. This allows the dog to qualify for free registration and fee of \$5.00 to cover the price of the registration tag. This process is considered sufficient.

Bylaw	Schedule 1, prohibited areas	Ngaruawahia Community Board requests the prohibited area on the commercial section of Great South Road and Jesmond Street in Ngaruawahia becomes on lead (2928)	<p>Staff propose no change in the current prohibited area for Ngaruawahia as there are a number of eateries with outdoor tables and chairs, and Ngaruawahia markets on Jesmond street that attract many families. Dogs being allowed in this area may cause a threat to public safety.</p> <p>The Committee directed that the Ngaruawahia Central Business Area should become on lead due to a direct lack of evidence suggesting an issue with menacing dog behaviour in the area.</p>
Bylaw	Schedule 1, dog exercise area	Objects to the change of fenced AFFCO Horotiu Park (2938)	The amended Bylaw proposed a minor change to AFFCO park, where the outline of the map reflected the fencing of the park. AFFCO dog park is not owned by Council.



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<b>To</b>	<b>Council</b>
<b>Report title</b>	<b>Earthquake Prone Buildings Consultation</b>

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To seek approval from Council to consult with the community in assisting to identify public thoroughfares, that have sufficient pedestrian traffic to identify as a 'high pedestrian traffic' area across parts of the district.

## **2. Executive summary**

### **Whakaraapopototanga matua**

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The Building (Earthquake-prone Buildings) Amendment Act 2016 (Act) requires territorial authorities in areas of medium or high seismic risk to do the following:

- identify potentially earthquake-prone buildings, focussing on priority buildings which hold either a higher level of societal risk, or contain unreinforced masonry (URM) that could fall in an earthquake onto certain thoroughfares, and
- undertake a special consultative procedure under section 83 of the Local Government Act 2002 (LGA) regarding the identification of any parts of public roads, footpaths or thoroughfare that are near or contain URM.

WDC is identified as being in both the medium and low areas of seismic risk. We have identified three towns in the medium seismic risk area that we consider have 'high pedestrian traffic' and contain URM. These include Huntly, Ngaruawahia and Te Kauwhata.

As per MBIE guidance "Community input is important to decide on the thoroughfares and routes to be prioritised due to the variation in local circumstances between territorial authorities. Undertaking public consultation enables communities to decide the appropriate level of risk to accept as a community, informed by their knowledge of the local economy, portfolio of buildings and their uses."

WDC has contracted Waikato Building Compliance to manage this piece of work on its behalf. The main reason being, the limited capacity that WDC has in the Building Quality team to meet its legal obligations for Building Consents, and that there is a legislative timeframe in which this work must be completed.

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### 3. Staff recommendations Tuutohu-aa-kaimahi

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**That the Waikato District Council:**

- a. adopts the Statement of Proposal for consultation on high pedestrian traffic areas (as set out in attachment 1 to this report); and**
- b. acknowledges that there are no strategic priority routes identified in the medium seismic risk zone in the Waikato district that require consultation as per the Building (Earthquake-prone Buildings) Amendment Act 2016.**

### 4. Background Koorero whaimaarama

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A new national system for managing earthquake-prone buildings was introduced following the Christchurch 2011 earthquake. This was facilitated and legislated by the the Act.

Key changes set out in the Act are summarised as follows:

- territorial authorities must identify potential earthquake prone buildings (EPB)
- owners of identified buildings must obtain engineering assessments of the building (or part) within 12 months, and these are to be carried out by suitably qualified structural engineers
- territorial authorities must then determine whether buildings are earthquake prone or not, and if so, must assign ratings, issue notices and publish information about the buildings in a public register held by MBIE
- owners must display the notice on their building and undertake remedial work to their building within set timeframes.

For the purposes of the above, New Zealand has been divided into three seismic risk areas – high, medium and low, and there are set time frames to identify, assess and remediate EPB based on these seismic risk areas. The Waikato district is identified as being in both the low and medium areas of risk.

Additionally, there is also a category of ‘priority buildings’ in high and medium seismic risk areas only. These are buildings that are considered higher risk because of their construction, type, use or location e.g. Hospital, School or URM in highly occupied areas. They must be identified, assessed and remediated in half the time allowed for other buildings in the area.

A key factor to confirming priority buildings requires councils to identify thoroughfares with sufficient pedestrian traffic or vehicular traffic (streets and footpaths), and strategic transportation routes (those routes used by emergency services). These routes must contain buildings with unreinforced masonry (URM) having the potential to fall in an occupied area during an earthquake.

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MBIE guidance requires that community input is important to decide on the thoroughfares and routes to be prioritised due to the variation in local circumstances between territorial authorities. Undertaking public consultation enables communities to decide the appropriate level of risk to accept as a community, informed by their knowledge of the local economy, portfolio of buildings and their uses.

To do this, Council is required to undertake a special consultative procedure (SCP) under section 83 of the LGA outlining the identification of roads, footpaths or other thoroughfare in medium risk areas, that are located near buildings containing URM, and with sufficient vehicle or pedestrian traffic to warrant prioritisation.

#### Scope of Works

The Waikato district is located in both medium and low risk areas. High pedestrian areas that are also in the medium risk zone in the Waikato district include the main urban centres of Huntly, Ngaruawahia, and Te Kauwhata.

#### What this means

If a potential EPB is confirmed as earthquake prone by way of a structural engineering assessment, there are timeframes for the remedial works to be completed as follows:

- Medium - 12 years and 6 months for a priority building and 25 years for any other building
- Low - 35 years for any building

#### Work to date

A stakeholder workshop with representatives from Waikato Building Compliance, WDC and Emergency Services was held in October 2021 to kickstart the identification process of potential priority EPBs, thoroughfares with sufficient pedestrian traffic, and strategic priority routes.

Based off a historical WDC database, letters were sent out to owners of buildings of interest in November 2021 advising them that within the next few months, a Building Inspector from WDC will be inspecting their building to assess if it is potentially earthquake prone.

Emergency stakeholders (e.g. Fire and Emergency NZ, NZ Police, Civil Defence facilities etc) and the Ministry of Education were also contacted advising them of upcoming assessments as they fell into the 'priority buildings' in the Act, that relates to medium or high seismic risk areas.

Assessments of potential EPBs are being carried out in accordance with the MBIE EPB methodology.

Inspections of buildings that contain URM in 'high pedestrian' locations of urban centres in the medium risk areas, will result in such buildings being listed as priority buildings requiring remedial works within 12.5 years.

Waikato Building Compliance are carrying out the assessment work on behalf of WDC. To date they have focused mostly on priority buildings and urban centres in the medium risk areas. This work is expected to be completed by 31 May 2022.

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### Council workshop

Council workshops were held on 16 February and 30 March to inform Council of the changes to legislation and to seek feedback on the streets being identified as high pedestrian traffic areas. At the 30 March workshop, no additional streets were identified.

Feedback was also sought on the proposal to not identify any strategic transport routes in the district. This approach was supported by Council.

## **5. Discussion and analysis**

### **Taataritanga me ngaa tohutohu**

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#### High Priority Streets

Council is only required to consult on thoroughfares with sufficient pedestrian traffic in the town centres of Huntly, Ngaruawahia, and Te Kauwhata.

The streets identified were supported by Council at their workshop on 30 March.

#### Strategic Transport Routes

Regarding strategic transport routes, Council may also, at its discretion, initiate the special consultative procedure to identify buildings that could impede a strategic transport route. Such routes are classified as routes used by emergency service vehicles if no alternative routes are available.

No strategic transport routes have been identified in Huntly, Ngaruawahia and Te Kauwhata as there are a number of alternative routes available. This approach was supported by Council at their workshop on 16 February and was also the opinion of the emergency stakeholders, as discussed at a workshop in October 2021.

Therefore, strategic transport routes have been excluded from public consultation.

### **5.1 Options**

#### **Ngaa koowhiringa**

No options are available for Council to consider because this is a legislative requirement for Council to complete the consultation process before 1 July 2022, however the Committee can determine to amend part(s) of the proposal by way of adding in or removing any of the high pedestrian traffic areas as identified in the Statement of Proposal (attachment 1).

### **5.2 Financial considerations**

#### **Whaiwhakaaro puutea**

There are no material financial considerations to Council associated with the recommendations of this report, however staff acknowledge the impact this decision has, and the potential to have a significant financial impact to building owners identified within high pedestrian streets.

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### **5.3 Legal considerations** **Whaiwhakaaro-aa-ture**

Staff confirm that the decision to consult complies with the Council's legal and policy requirements. In addition to this there is a legal requirement under the Act for Council to have completed the consultation and a decision made on high pedestrian traffic areas by 1 July 2022.

### **5.4 Strategy and policy considerations** **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

### **5.5 Maaori and cultural considerations** **Whaiwhakaaro Maaori me oona tikanga**

No specific cultural issues have been identified with respect to this decision.

### **5.6 Climate response and resilience considerations** **Whaiwhakaaro-aa-taiao**

The matters in this report have no known impact on climate change or resilience for the Council.

### **5.7 Risks** **Tuuraru**

- If the strengthening does not take place there is a risk that the buildings may be damaged in an earthquake and may result in loss of life. Priority buildings are required to be strengthened in a shorter timeframe due to being located on high pedestrian routes.
- The requirements to strengthen the buildings may have economic and financial impacts for the community if owners cannot afford to meet the requirements
- Owners may not meet deadlines and/or are unable to comply with the requirements.

## **6. Significance and engagement assessment** **Aromatawai paahekoheko**

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### **6.1 Significance** **Te Hiranga**

The decisions and matters of this report are assessed as of medium significance, in accordance with the Council's [Significance and Engagement Policy](#).

The following criteria are particularly relevant in determining the level of significance for this matter:

- There is a legal requirement to engage with the community.
-

## 6.2 Engagement

### Te Whakatuutakitaki

Council engages with the property owners who own buildings within the high pedestrian traffic areas, to inform them of the consultation and seek their views. Beyond this, feedback will be sought from the community at large through general engagement methods ie. website, public notice

Highest level of engagement	Inform <input type="checkbox"/>	Consult <input checked="" type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).	At this particular stage in the process 'Consult' will be the level of engagement used however acknowledging that the process has already 'involved' input from key stakeholders ie. emergency services, to establish a proposal.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Internal
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community Boards/Community Committees
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Communities
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

## 7. Next steps

### Ahu whakamua

Consultation is planned for 13 April – 13 May. This will be followed by a hearing (if required) in May (date TBC). A decision will be sought from Council at their last meeting of the financial year.

## 8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations. Confirmed

The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (*Section 5.1*). Confirmed

Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (*Section 6.1*). Moderate

The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (*Section 6.2*). Confirmed

The report considers impact on Maaori (*Section 5.5*) Confirmed

The report and recommendations are consistent with Council's plans and policies (*Section 5.4*). Confirmed

The report and recommendations comply with Council's legal duties and responsibilities (*Section 5.3*). Confirmed

## 9. Attachments Ngaa taapirihanga

Attachment 1 – Earthquake Prone Buildings Statement of Proposal

Attachment 2 – Submission form – Earthquake prone buildings in our main streets

Date:	22 March 2022
Report Author:	Melissa Russo, Corporate Planning Team Leader Mervyn Balloch, Building Quality Manager
Authorised by:	Sue O'Gorman General Manager Customer Support



**HAVE  
YOUR SAY**

# STATEMENT OF PROPOSAL

EARTHQUAKE PRONE BUILDINGS  
IN OUR MAIN STREETS

[waikatodistrict.govt.nz](http://waikatodistrict.govt.nz)

0800 492 452



This Statement of Proposal is made  
for the purposes of Sections 83  
of the Local Government Act 2002.

#### IT INCLUDES:

- Background to the proposal
- The proposal and reasons for the proposal
- 'have your say' details

## BACKGROUND

A new national system for managing earthquake-prone buildings was introduced following the Christchurch 2011 earthquake. This was facilitated and legislated by the the Build (Earthquake Prone Buildings) Amendment Act 2016.

Key changes set out in the Act are summarised as follows:

- territorial authorities must identify potential earthquake prone buildings (EPB)
- owners of identified buildings must obtain engineering assessments of the building within 12 months, and these are to be carried out by suitably qualified structural engineers
- territorial authorities must then determine whether buildings are earthquake prone or not, and if so, must assign ratings, issue notices and publish information about the buildings in a public register held by MBIE
- owners must display the notice on their building and undertake remedial work to their building within set timeframes.

For the purposes of the above, New Zealand has been divided into three seismic risk areas – high, medium and low, and there are set time frames to identify, assess and remediate EPB based on these seismic risk areas. The Waikato district is identified as being in both the low and medium areas of risk.

Additionally, there is also a category of 'priority buildings' in high and medium seismic risk areas only. These are buildings that are considered higher risk because of their construction, type, use or location e.g. Hospital, School or URM in highly occupied areas. They must be identified, assessed and remediated in half the time allowed for other buildings in the area.

A key factor to confirming priority buildings requires councils to identify thoroughfares with sufficient pedestrian traffic or vehicular traffic (streets and footpaths). These routes must contain buildings with unreinforced masonry (URM) having the potential to fall in an occupied area in an earthquake.

MBIE guidance requires that community input is important to decide on the thoroughfares and routes to be prioritised due to the variation in local circumstances between territorial authorities. Undertaking public consultation enables communities to decide the appropriate level of risk to accept as a community, informed by their knowledge of the local economy, portfolio of buildings and their uses.

To do this, we are required to seek your feedback, outlining the identification of roads, footpaths or other thoroughfare in medium risk areas that are located near buildings containing URM, and with sufficient vehicle or pedestrian traffic to warrant prioritisation.

#### SCOPE OF WORKS

The Waikato district is located in both the medium and low risk areas (see Figure 1). High pedestrian areas that are also in the medium risk zone in the Waikato district include the main urban centres of Huntly, Ngaruawahia, and Te Kauwhata.

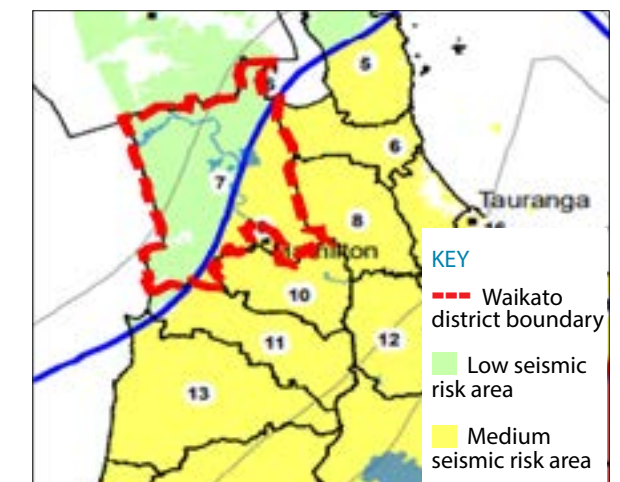


Figure 1: Seismic Risk Assessment

#### WHAT THIS MEANS

If a potential EPB is confirmed as earthquake prone by way of an engineering assessment, there are timeframes for the remedial works to be completed by as follows:

- Medium - 12 years and 6 months for a priority building and 25 years for any other building
- Low - 35 years for any building





## THE PROPOSAL AND REASONS

We've identified high pedestrian traffic areas in Huntly, Ngaruawahia and Te Kauwhata but we want to hear from you. Have we got it right? The Act does not provide criteria to determine 'high pedestrian traffic areas' so we've identified the following streets as we believe they attract the highest volume of foot traffic in each of the towns and addition to some of the buildings or part of the buildings having URM. These high pedestrian traffic areas have been identified by our building inspectors using the EPB methodology, provided as guidance by MBIE.

### NGARUAWAHIA

Central Business District



### HUNTLY

Main Street and Bridge Street



### TE KAUWHATA

Waerenga Road



## SUBMISSIONS CAN BE:

### ONLINE:

[www.waikatodistrict.govt.nz/sayit](http://www.waikatodistrict.govt.nz/sayit)



### POSTED:

Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

### DELIVERED:

Waikato District Council  
Attn: Corporate Planner  
15 Galileo Street, Ngaruawahia 3742



### EMAILED:

[consult@waidc.govt.nz](mailto:consult@waidc.govt.nz)  
Subject heading should read:  
"Earthquake Prone Buildings –  
Submission"

Huntly Office  
142 Main Street, Huntly 3700

Raglan Office  
7 Bow Street, Raglan 3225

Tuakau Office  
2 Dominion Rd, Tuakau 2121

Te Kauwhata Office  
1 Main Road, Te Kauwhata 3710

## WHAT HAPPENS NEXT?

Council will acknowledge each submission  
received in writing, either by letter or email.

Following the closing of submissions on 13 May 2022, all submissions will  
be reviewed. Verbal submissions will be heard and all submissions formally  
considered at a Council meeting in May (date to be confirmed). This meeting  
may take place online however details will be confirmed closer to the time.

#### IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 13 April 2022

SUBMISSIONS CLOSE – 13 May 2022

HEARING OF SUBMISSIONS – date to be confirmed

If you have any further queries, please contact  
Melissa Russo on 0800 492 452.



[waikatodistrict.govt.nz](http://waikatodistrict.govt.nz)



[facebook.com/waikatodistrictcouncil](https://facebook.com/waikatodistrictcouncil)



**0800 492 452**



The contents of your submission (not including your address and contact details) will be made public through Council agendas and as a result will be published on our website. If you would like your name also kept confidential, please let us know on your submission form.



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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>LGNZ Remit</b>

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To alert councillors to the remit process to be considered at the Local Government New Zealand AGM to be held by zoom on 28 July.

## **2. Executive summary**

### **Whakaraapopototanga matua**

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Local Government New Zealand (LGNZ) will be holding its Annual General Meeting on 28 July online.

Should the Council wish to submit any remits for consideration at the AGM, the remits would need to be submitted no later than 5.00pm, Friday, 20 May 2022. All submitted remits:

- must be supported by at least one Zone or Sector group meeting, or five councils; and
- are subject to review by LGNZ's Remits Review Committee. Remits that meet the Remits Screening Policy criteria will advance to the AGM for consideration.

For guidance, a memo from LGNZ, which includes details on the National Council's Remits Screening Policy, is attached to this report.

## **3. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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**That Council advise of any proposed remits.**

## **4. Background**

### **Koorero whaimaarama**

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As outlined in the report.

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## 5. Discussion and analysis

### Taataritanga me ngaa tohutohu

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This is an annual process conducted in accordance with the LGNZ Annual General meeting.

#### 5.1 Options

##### Ngaa koowhiringa

Council could choose to submit one or more remits or not.

#### 5.2 Financial considerations

##### Whaiwhakaaro puutea

There are no material financial considerations associated with the recommendations of this report.

#### 5.3 Legal considerations

##### Whaiwhakaaro-aa-ture

There are no direct legal consequences of submitting a remit for consideration.

#### 5.4 Strategy and policy considerations

##### Whaiwhakaaro whakamaaherehere kaupapa here

Linkages to strategies, policies and plans, depend on the nature of remits submitted.

The nature and content of any remit will determine whether the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required.

#### 5.5 Maaori and cultural considerations

##### Whaiwhakaaro Maaori me oona tikanga

The nature and content of any remit will determine whether there are any Maaori and cultural considerations.

#### 5.6 Climate response and resilience considerations

##### Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

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## 5.7 Risks

### Tuuraru

The nature and content of any remit will require a risk assessment to be undertaken. Given the role at this stage is advocacy only, there are unlikely to be any risks identified.

## 6. Significance and engagement assessment

### Aromatawai paahekoheko

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### 6.1 Significance

#### Te Hiranga

The decisions and matters of this specific report are assessed as of low significance in accordance with the Council's [Significance and Engagement Policy](#).

The nature of any remit will need to be evaluated against Council's [Significance and Engagement Policy](#) at the time the remit is being sent to Local Government New Zealand.

### 6.2 Engagement

#### Te Whakatuutakitaki

Highest level of engagement	Inform <input type="checkbox"/>	Consult <input type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
	This is an information only request at this stage.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	✓	<input type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

---

## 7. Next steps

### Ahu whakamua

Council needs to decide whether or not to propose any remits for the Local Government AGM.

## 8. Confirmation of statutory compliance

### Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's/Community Board's Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages ( <i>Section 5.1</i> ).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy ( <i>Section 6.1</i> ).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance ( <i>Section 6.2</i> ).	Confirmed
The report considers impact on Maaori ( <i>Section 5.5</i> )	Not applicable at this stage
The report and recommendations are consistent with Council's plans and policies ( <i>Section 5.4</i> ).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities ( <i>Section 5.3</i> ).	Confirmed

## 9. Attachments

### Ngaa taapirihanga

Attachment 1 – LGNZ Remit

Date of meeting:	11 April 2022
Report Author:	Gavin Ion, Chief Executive



---

**Date:** 16 March 2022  
**To:** Mayors, Chairs, Chief Executives, Zone Secretaries and Sector Chairs  
**From:** Susan Freeman-Greene, Chief Executive  
**Subject:** **2022 Annual General Meeting and Remit Process**

---

35th Annual General Meeting of Local Government New Zealand

Date: 28 July 2022, 9:00am to 11:00am

Venue: Zoom meeting (online)

### **AGM Representation**

Members of Local Government New Zealand are entitled to representation at the 2022 Local Government New Zealand Annual General Meeting (AGM). In mid-April we will invite fully financial members to register their delegates to attend the AGM.

Please note that the AGM will be held on **28 July 2022**, online via Zoom, commencing 9:00am. Details of the procedures will be provided closer to the time and on confirmation of your delegation.

### **Remit Process 2022**

We invite member authorities wishing to submit proposed remits for consideration at AGM to do so no later than **5.00pm, Friday 20 May 2022**. We are providing notice now to allow members of zones and sectors to gain the required support for their remit (see requirement one below).

Proposed remits should be sent with the attached form. The full remit policy can be found on the [LGNZ website](#).

### **Remit policy**

Proposed remits, other than those relating to the internal governance and constitution of Local Government New Zealand, should address only major strategic “issues of the moment”. They should have a national focus articulating a major interest or concern at the national political level. The National Council’s Remits Screening Policy is as follows:

#### **Criteria**

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action;
3. Remits should not involve matters that can be actioned by equally valid means other than the AGM; and
4. Remits should not deal with issues or matters that are “in-hand” and currently being actioned by LGNZ (including through work programmes addressing the critical issues set out in LGNZ’s strategy, being three waters reform, resource management reform, the

Future for Local Government Review, transport, climate change and housing), unless the issue is not currently being addressed.

### Requirements

1. Councils must have formal support from at least one zone or sector group meeting, or five councils, prior to their remit being submitted, in order for the proposer to assess support and achieve clarity about the ambit of the proposal. Councils supporting remits do not have to come from the proposing council's zone or sector;
2. Remits defeated at the AGM in two successive years will not be permitted to go forward;
3. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should demonstrate the:
  - Nature of the issue;
  - Background to it being raised;
  - Issue's relationship, if any, to the current LGNZ strategy, including work programmes addressing the critical issues identified above;
  - Level of work, if any, already undertaken on the issue by the proposer (and/or others), and outcomes to date;
  - Resolution, outcome and comments of any zone or sector meetings which have discussed the issue; and
  - Suggested actions that could be taken by LGNZ should the remit be adopted.

### Remit process

LGNZ will take the following steps to finalise remits for the 2022 AGM:

- All proposed remits and accompanying information must be forwarded to LGNZ no later than **5.00pm, Friday 20 May 2022**, to allow time for the remits committee to properly assess remits;
- A remit screening committee (comprising the President, Vice President, Chief Executive and lead of policy team) will review and assess proposed remits against the criteria described in the above policy;
- Prior to their assessment meeting, the remit screening committee will receive analysis from LGNZ staff on each remit assessing each remit against the criteria outlined in the above policy;
- Proposed remits that fail to meet specified criteria will be informed as soon as practicable of the committee's decision, alternative actions available, and the reasons behind the decision;
- Proposers whose remits meet the criteria will be contacted as soon as practicable to arrange the logistics of presenting the remit to the AGM; and
- All accepted remits will be posted to the LGNZ website, and members informed, at least one month prior to the AGM in order to allow members sufficient time to discuss the remits prior to the AGM.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after **5.00pm, Friday 20 May 2022**.

**General**

Remits for AGM consideration will also be included formally in the AGM Business Papers that will be distributed to delegates not later than two weeks before the AGM, as required by the Rules (although as noted above the proposed remits will be available for member consideration before the AGM papers are issued to the membership).

Should you require further clarification of the requirements regarding the remit process please contact [Scott Necklen](#)

## Annual General Meeting 2022

### Remit application

<b>Council Proposing Remit:</b>	
<b>Contact Name:</b>	
<b>Phone:</b>	
<b>Email:</b>	
<b>Remit passed by:</b> (zone/sector meeting and/or list 5 councils as per policy)	
<b>Remit:</b>	

### Background information and research:

Please attach separately and include:

- Nature of the issue;
- Background to its being raised;
- New or confirming existing policy;
- How the issue relates to the LGNZ strategy and work programmes on critical issues;
- What work or action on the issue has been done, and the outcome;
- Any existing relevant legislation, policy or practice;
- Outcome of any prior discussion at a Zone or Sector meeting;
- Evidence of support from Zone/Sector meeting or five councils; and
- Suggested course of action envisaged.

**Please forward to:** Local Government New Zealand

Scott Necklen, Deputy Chief Executive

PO Box 1214, Wellington 6140

[Scott.necklen@lgnz.co.nz](mailto:Scott.necklen@lgnz.co.nz)

**No later than 5.00pm, Friday 20 May 2022.**



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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>2022 Triennial Elections</b>

## **1. Purpose of the report**

### **Te Take moo te puurongo**

---

To inform Council that Independent Election Services has been contracted to conduct the 2022 Triennial Election.

#### **AND**

To seek direction from Council on the ordering of candidate names on voting papers.

## **2. Executive summary**

### **Whakaraapopototanga matua**

---

Independent Election Services has been contracted to conduct the 2022 Triennial Election, noting that Mr Ofoske is appointed as Council's Electoral Officer, with the Deputy Electoral Officer being the Democracy Team Leader.

Attached is a report from Independent Election Services which includes three options for consideration regarding the order of candidate names on voting papers:

- a. Alphabetical order of candidate names; or
- b. Pseudo-random order of candidate names; or
- c. Random order of candidate names.

The recommendation is alphabetical ordering because it is well acknowledged by the public and there is no evidence to suggest that having candidates in this order impacts upon the voting pattern.

It is noted that the report is based on Council's final proposal adopted on 28 September 2021, for which we are still awaiting confirmation from the Local Government Commission (LGC) on any changes based on the appeals received.

This matter is further discussed in the next report on the agenda, which will be included in the supplementary agenda of this meeting as the LGC determination is anticipated to be received after the agenda is distributed.

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### 3. Staff recommendations Tuutohu-aa-kaimahi

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That the Waikato District Council:

- a. notes that Independent Election Services have been contracted to conduct the 2022 Local Authority Elections; and
- b. resolves Option A – candidate names be in alphabetical order on voting papers for the 2022 Waikato District Council triennial elections.

### 4. Attachments Ngaa taapirihanga

---

Attachment 1 – 2022 Triennial Election

Date:	11 April 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Tony Whittaker Chief Operating Officer

**Election Services**

Level 2, 198 Federal Street, Auckland

PO Box 5135, Victoria Street West

Auckland 1142

Phone: 64 9 973 5212

Email: [info@electionservices.co.nz](mailto:info@electionservices.co.nz)

Report to the  
Waikato District Council  
regarding the

## 2022 Triennial Election

From the  
Electoral Officer

22 March 2022



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## Outline

The 2022 triennial local government elections will occur on Saturday 8 October 2022. An update on preliminary matters relating to the election is provided to Council, including consideration of the order of candidate names to appear on the voting documents.

## Background

The 2022 triennial elections for local authorities are due to occur on Saturday 8 October 2022 and are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001, and to a limited extent, the Local Government Act 2002.

Certain pre-election information and tasks are outlined in this report for Council's information and attention.

The Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical.

## Narrative

### 2022 Elections

Elections will be required for the following positions:

- mayor (elected 'at large')
- councillors (13)\*
  - Awaroa-Maramarua General Ward (1)
  - Huntly General Ward (1)
  - Newcastle-Ngaruawahia General Ward (2)
  - Tamahere-Woodlands General Ward (2)
  - Te Raki o te Takiwaa Maaori Ward (1)
  - Te Tonga o te Takiwaa Maaori Ward (1)
  - Tuakau-Pokeno General Ward (2)
  - Waerenga-Hukanui General Ward (1)
  - Western Districts General Ward (1)
  - Whaaingarua General Ward (1)
- Community board members (32)\*
  - Huntly Community Board (6)
  - Ngaruawahia Community Board (6)
  - Rural and Port Waikato Community Board (4) being:
    - North Subdivision (2)
    - South Subdivision (2)
  - Raglan Community Board (6) being:

- Urban Subdivision (4)
- Rural Subdivision (2)
- Taupiri Community Board (4)
- Tuakau Community Board (6)

- Waikato Regional Council members (either two members from the Waikato General Constituency or one member from the Ngā Hau e Wha Māori Constituency)
- Te Kauwhata Licensing Trust members (6 members from the licensing trust area)

\*subject to determination by the Local Government Commission, expected by 10 April 2022.

There are no longer elections held for district health board members.

## 2022 Election Timetable

With an election date of **Saturday 8 October 2022**, the following key functions and dates will apply:

### **Nominations open/roll open**

Friday 15 July 2022

### **Nominations close/roll closes (noon)**

Friday 12 August 2022

### **Delivery of voting mailers**

From Friday 16 September 2022

### **Close of voting**

Noon Saturday 8 October 2022

A more detailed timetable is attached [\*\*Appendix 1\*\*](#).

## 2022 Election Fact Sheet

A 2022 Election Fact Sheet summarising the key functions of the election ([\*\*Appendix 2\*\*](#)) is also attached.

## Representation Review

Following the decision to establish Māori wards in 2021, Waikato District Council undertook a representation arrangements review (review of wards, boundaries, numbers of elected members etc).

The current structure was reviewed and changed to 13 councillors, elected from 10 wards, outlined below:

- Awaroa-Maramarua General Ward (1)

- Huntly General Ward (1)
- Newcastle-Ngaruawahia General Ward (2)
- Tamahere-Woodlands General Ward (2)
- Te Raki o te Takiwaa Maaori Ward (1)
- Te Tonga o te Takiwaa Maaori Ward (1)
- Tuakau-Pokeno General Ward (2)
- Waerenga-Hukanui General Ward (1)
- Western Districts General Ward (1)
- Whaaingaroa General Ward (1)

In addition, there will be 32 community board members elected from the below six community boards:

- Huntly Community Board (6)
- Ngaruawahia Community Board (6)
- Rural and Port Waikato Community Board (4) being:
  - North Subdivision (2)
  - South Subdivision (2)
- Raglan Community Board (6) being:
  - Urban Subdivision (4)
  - Rural Subdivision (2)
- Taupiri Community Board (4)
- Tuakau Community Board (6)

The matter is currently with the Local Government Commission awaiting their determination, expected by 10 April 2022.

#### **Compilation of non-resident Ratepayer Roll**

The compilation of the 2022 non-resident Ratepayer Roll is required to commence in early-mid 2022. This will include:

- an insert detailing the qualifications and procedures for enrolment as a non-resident ratepayer elector to be included with the April 2022 rates instalment ([Appendix 3](#));
- a national Ratepayer Roll inquiry hotline operating between 1 February and 30 August 2022;
- a confirmation letter issued to all current non-resident ratepayer electors in March/April 2022;
- a national advertising campaign on the qualifications and procedures for enrolment as a non-resident ratepayer

elector during May 2022.

Council can undertake additional promotion of the ratepayer roll if it wishes - such as contacting (letter/email etc) all current or potential non-resident ratepayer electors encouraging their enrolment and participation in the electoral process.

## Order of Candidate Names

Regulation 31 of the Local Electoral Regulations 2001 provides the opportunity for Council to choose the order of candidate names appearing on the voting documents from three options – alphabetical, pseudo-random (names drawn randomly with all voting documents printed in this order) or random order (names randomly drawn by computer with each voting document different).

Council may determine which order the names of candidates are to appear on the voting documents, but if no decision is made, the order of names defaults to alphabetical.

Council had resolved to adopt the alphabetical order for the 2019 triennial election.

For Council's information, following a recent analysis undertaken by Auckland Council, research showed no observable effect of candidate order on actual election outcomes.

For the 2019 local government elections:

- 22 territorial authorities used alphabetical order (32.84%)
- 7 territorial authorities used pseudo-random order (10.44%)
- 38 territorial authorities used random order (56.72%)

## Alphabetical Order

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Comments regarding alphabetical order are:

- voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;
- the order of candidate names on the voting document



matches the order listed in the candidate directory (candidate profile statements).

### **Pseudo-Random Order**

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Comments regarding pseudo-random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

### **Random Order**

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different.

Random order enables names to be listed in a completely unique order on each voting document.

Comments regarding random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

There is no price differential in printing costs between the three orders of candidate names.

### **Number of Electors**

The number of electors for the 2022 triennial elections is expected to be 55,000 (as at 28 February 2022 this was 55,045). This compares to 48,625 electors for the 2019 triennial election or + 13.1% growth.

Pre-Election Report      Section 99A of the Local Government Act 2002 requires each local authority to prepare a pre-election report, whose purpose is to provide information to promote public discussion about the issues facing the local authority. The pre-election report is prepared by the Chief Executive, must contain financial and major project information, and should be completed by the end of June 2022 (two weeks before the opening of nominations).

## Recommendation

It is recommended that:

Council resolves for the 2022 triennial election, to adopt *either*:

- (i)      the alphabetical order of candidate names; *or*
- (ii)     the pseudo-random order of candidate names; *or*
- (iii)    the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

Author:



Dale Ofoske  
Electoral Officer // Waikato District Council  
Election Services

## APPENDIX 1



## SATURDAY 8 OCTOBER 2022

Wednesday 2 March - Saturday 30 April 2022	Ratepayer roll enrolment confirmation forms sent [Reg 16, LER]
Wednesday 2 March - Wednesday 6 July 2022	Preparation of ratepayer roll [Reg 10, LER]
May 2022	National ratepayer roll qualifications and procedures campaign [Sec 39, LEA]
Friday 1 July 2022	Electoral Commission's enrolment update campaign commences
Wednesday 13 July 2022	Public notice of election, calling for nominations, rolls open for inspection [Sec 42, 52, 53, LEA]
<b>Friday 15 July 2022</b>	<b>Nominations open / roll open for inspection</b> [Sec 42, LEA]
<b>Friday 12 August 2022</b>	<b>Nominations close (12 noon) / roll closes</b> [Sec 5, 42, 55 LEA, Reg 21, LER]
Wednesday 17 August 2022	Public notice of day of election, candidates' names [Sec 65, LEA]
by Monday 12 September 2022	Electoral officer certifies final electoral roll [Sec 51, LEA, Reg 22, LER]
<b>Friday 16 September - Wednesday 21 September 2022</b>	<b>Delivery of voting documents</b> [Reg 51, LER]
Friday 16 September - Saturday 8 October 2022	Progressive roll scrutiny [Sec 83, LEA] Special voting period [Sec 5 LEA, Reg 35, LER] Early processing period [Sec 80, LEA]
by Friday 7 October 2022	Appointment of scrutineers (12 noon) [Sec 68, LEA]
<b>Saturday 8 October 2022</b>	<b>Election day</b> [Sec 10, LEA] Close of voting (12 noon) [Sec 84, LEA] Progress and preliminary results available as soon as practicable after close of voting [Sec 85, LEA]
Saturday 8 October (pm) - Thursday 13 October 2022	Official count [Sec 84, LEA]
Friday 14 October - Wednesday 19 October 2022	Declaration of result/public notice of declaration [Sec 86, LEA]
mid-December 2022	Return of electoral donations & expenses form [Sec 112A, LEA]

LEA = Local Electoral Act 2001  
LER = Local Electoral Regulations 2001

## APPENDIX 2

# FACT SHEET

## 2022 election

### 8 OCTOBER 2022



#### What does Council do?

The District Council meets regularly to make many decisions that impact the day-to-day lives of people in the Waikato District area. The Council governs a wide range of local services including roads, water systems, rubbish collection, libraries, parks, community centre, dog registration, community and economic development and district planning.

#### Background

Local government triennial elections are being held by postal vote on Saturday 8 October 2022 and will be undertaken by Election Services, under contract to Waikato District Council.

The first past the post (FPP) electoral system will be used for both the Waikato District Council elections and the Waikato Regional Council elections.

#### 2022 Key Dates

Nominations open	Friday 15 July
Nominations close	Noon, Friday 12 August
Delivery of voting packs	from Friday 16 September
Close of voting	Noon, Saturday 8 October
Official results announced	Thursday 13 October

#### Who is being elected?

Following the decision to establish one or more Māori wards in 2021, Waikato District Council undertook a representation arrangements review (review of wards, boundaries, number of elected members etc).

As a result of this, elections will be required for the following positions\*:

- Mayor (elected 'at large')
- Councillors (13)
  - Awaroa-Maramarua General Ward (1)
  - Huntly General Ward (1)
  - Newcastle-Ngaruawahia General Ward (2)
  - Tamahere-Woodlands General Ward (2)
  - Te Raki o te Takiwaa Māori Ward (1)
  - Te Tonga o te Takiwaa Māori Ward (1)
  - Tuakau-Pokeno General Ward (2)
  - Waerenga-Hukanui General Ward (1)
  - Western Districts General Ward (1)
  - Whaingaroa General Ward (1)
- Community Board Members (32)
  - Huntly Community Board (6)
  - Ngaruawahia Community Board (6)

- Rural and Port Waikato Community Board (4), made up of:
  - North Subdivision (2)
  - South Subdivision (2)
- Raglan Community Board (6), made up of:
  - Urban Subdivision (4)
  - Rural Subdivision (2)
- Taupiri Community Board (4)
- Tuakau Community Board (6)
- Waikato Regional Council members (either 2 members from the Waikato General Constituency or 1 member from the Ngā Hau e Wha Māori Constituency).

There will be no district health board elections in 2022.

\* subject to determination by the Local Government Commission, expected by 10 April 2022.

#### How can I be nominated?

Nominations for these positions will open on **Friday 15 July 2022** and close at noon on **Friday 12 August 2022**.

Nomination papers will be available during this period from:

- Council's Main Office, 15 Galileo Street, Ngaruawahia
- Huntly Office and Library, 142 Main Street, Huntly
- Raglan Office and Library, 7 Bow Street, Raglan
- Te Kauwhata Office and Library, 1 Main Road, Te Kauwhata
- Tuakau Office, 2 Dominion Road, Tuakau
- by accessing [www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz)
- by telephoning the electoral office on 0800 922 822.

To be eligible to stand for election, a candidate **must** be:

- a New Zealand citizen (by birth or naturalisation ceremony); **and**
- enrolled as a Parliamentary elector (anywhere in New Zealand) on either the general or Māori electoral roll, irrespective of the ward being nominated for; **and**
- nominated by two electors whose names appear on the electoral roll within the respective area that a candidate is standing for.

A detailed candidate information handbook will be available from April 2022.

#### Who can vote?

Those eligible to vote are all resident electors and non-resident ratepayer electors whose names appear on the electoral roll when it closes on Friday 12 August 2022.

The Preliminary Electoral Roll will be available for public inspection from **Friday 15 July 2022** to **Friday 12 August 2022** at the above locations.



**Resident Roll:** All parliamentary electors, including those on the Māori Electoral Roll, are automatically enrolled on the Resident Roll, at the address where they live.

Any alterations to the Resident Roll (e.g. change of address details, including new postal addresses) should be made by:

- completing the appropriate form at any postal agency;
- phoning 0800 ENROLNOW (0800 36 76 56)
- accessing the Electoral Commission website on: [www.vote.nz](http://www.vote.nz)

**Ratepayer Roll:** If a person is on the parliamentary roll in one area and pays rates on a property in another area, this person may be eligible to be enrolled on the non-resident ratepayer roll. A firm, company, corporation or society paying rates on a property may nominate one of its members or officers as a ratepayer elector (provided the nominated person resides outside the area). Ratepayer Roll enrolment forms are available at [www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz), or by phoning 0800 922 822.

All electors will be able to vote for the Mayor and the respective community board members. In addition, those electors on the general roll will be able to vote for the respective general ward councillors and those on the Māori electoral roll will be able to vote for the respective Māori ward councillors.

### How to vote?

Voting packs will be sent out in the mail to all those who have enrolled from **Friday 16 September 2022**.

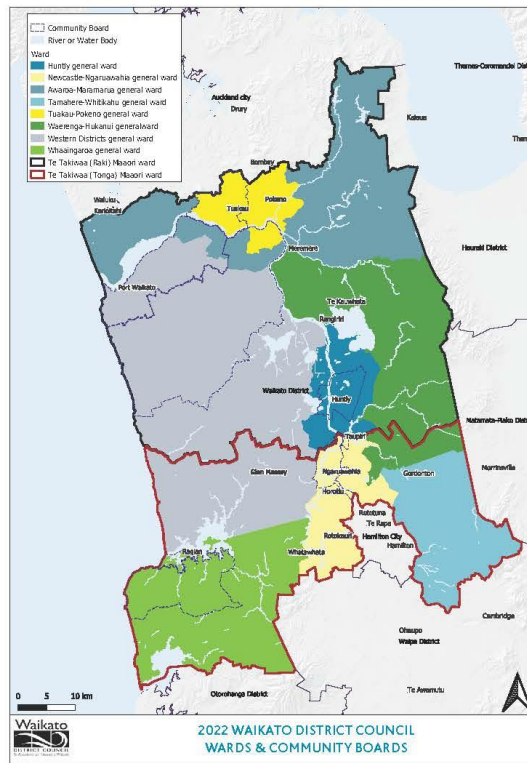
The voting period is three weeks (**Friday 16 September 2022 to noon Saturday 8 October 2022**). Electors may post their completed voting documents back to the electoral officer using the orange pre-paid envelope sent with their voting document.

Polling places for the issuing of special voting documents and for the receiving of completed voting documents will be available from Friday 16 September 2022 to noon, Saturday 8 October 2022 at:

- Council's Main Office, 15 Galileo Street, Ngaruawahia
- Huntly Office and Library, 142 Main Street, Huntly
- Raglan Office and Library, 7 Bow Street, Raglan
- Te Kauwhata Office and Library, 1 Main Road, Te Kauwhata
- Tuakau Office, 2 Dominion Road, Tuakau

To be counted, all completed voting documents must be in the hands of the electoral officer or an electoral official by **noon Saturday 8 October 2022**.

Progress results will be announced early afternoon on election day. Preliminary results will be announced on Sunday morning, 9 October 2022, and final results will be known on Thursday 13 October 2022. All results will be accessible on Council's website: [www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz).



### Contact us



Dale Ofoske, Electoral Officer  
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Level 2, 198 Federal Street, Auckland  
PO Box 5135, Victoria Street West, Auckland 1142  
Email: [info@electionservices.co.nz](mailto:info@electionservices.co.nz)  
Phone: 0800 922 822

Gaylene Kanawa, Deputy Electoral Officer  
Waikato District Council  
15 Galileo Street, Ngaruawahia  
Private Bag 544, Ngaruawahia 3742  
Email: [gaylene.kanawa@waikato.govt.nz](mailto:gaylene.kanawa@waikato.govt.nz)  
Phone: (07) 824 8633 or 0800 492 452

## APPENDIX 3



### Wherever you pay rates you can vote

### Do you live in one area and pay rates on a property in another area?

You may qualify to vote in both areas at the local authority elections in October 2022

You may like to vote in this election. Voting is a way to have your say on what happens in your local community. This information is designed to help you. It notes who you can contact to enrol, and ways you might qualify to vote.

#### There are two types of electors...

**Residential Electors** – If you are registered to vote on the electoral roll, you are automatically enrolled to vote in local authority elections. You will receive a voting document so that you can vote by post.

**Ratepayer Electors** – You may also be eligible to enrol as a non-resident ratepayer elector in a council district if both of these apply:

- you are on the district valuation roll and pay rates in the council district
- the address where you are registered as a Parliamentary elector is outside that council district.

Your eligibility to enrol or be nominated as a ratepayer elector may also depend on your individual circumstances as determined by criteria in the Local Electoral Act 2001 and its regulations.

### An organisation can nominate one of its members or officers to vote on its behalf

If a firm, company, trust, corporation, society partners, joint tenants and tenants in common collectively pay rates on a property in a council district, one of the group may be nominated to be the ratepayer elector. The person nominating and the nominated person must be registered as Parliamentary electors at addresses outside the council district where the property is located.

#### You can only enrol once

You can only enrol, or be nominated to enrol, once in a council district, no matter how many properties you own in that council district. Council district includes: a city, district and regional council area; a community board area if established; the area of Auckland Council and the local boards.

#### New Ratepayer Electors

If you think you may be eligible to enrol or to nominate someone as a ratepayer elector, get an Enrolment Form for Ratepayer Electors from the local council where you pay your rates. The Electoral Officer will be able to help you with your application.

#### If you want further information please phone toll free

0800 54 8683 0800 LG VOTE

(phone number is available from 7 February 2022 to 30 August 2022)



**Enrol now – the  
Ratepayer Electoral  
Roll closes on  
12 August 2022**

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Exclusion of the Public</b>

## 1. Staff recommendations

### Tuutohu-aa-kaimahi

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item number PEX 1 Confirmation of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.1 Waters Governance Board Recommendations – 15 March 2022		
Item PEX 2.2 Infrastructure Committee Recommendations – 28 March 2022		
Draft Development Agreement - Deferral of Development Contributions (Tamahere Eventide Homes Trust)		

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 3.2 Draft Development Agreement - Deferral of Development Contributions (Sanderson Group)	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 3.3 Revocation of the Huntly section of the Waikato Expressway - Funding Agreement with Waka Kotahi to deliver Huntly Single Stage Business Case Programme of Works		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 1 Confirmation of Minutes	7(2)(b)(ii)	Refer to the previous Public Excluded reason in the agenda for this meeting.
Item PEX 2.1 Infrastructure Committee Recommendations – 28 March 2022		Refer to the Infrastructure Committee agenda for 28 March 2022 for Public Excluded reasons.
Item PEX 3.1 Draft Development Agreement - Deferral of Development Contributions (Tamahere Eventide Homes Trust)		To protect information that would otherwise unreasonably prejudice a person's commercial position



<b>Item PEX 3.2 Draft Development Agreement - Deferral of Development Contributions (Sanderson Group)</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a person's commercial position</b>
<b>Item PEX 3.3 Revocation of the Huntly section of the Waikato Expressway - Funding Agreement with Waka Kotahi to deliver Huntly Single Stage Business Case Programme of Works</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a person's commercial position</b>
	<b>7(2)(g)</b>	<b>To protect legally privileged information.</b>
	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>
	<b>7(2)(i)</b>	<b>To enable negotiations to carry on without prejudice or disadvantage.</b>
	<b>7(2)(j)</b>	<b>To prevent use of the information for improper gain or advantage.</b>

## 2. Attachments Ngaa taapirihanga

There are no attachments for this report.

Date:	11 April 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Gavin Ion, Chief Executive