

# Statement of Proposal

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## Draft Dog Control Policy and Dog Control Bylaw

### Summary of Proposal

The Dog Control Act 1996 (the Act) requires councils to adopt a dog control policy. To implement the Policy, councils can also adopt a dog control bylaw at their discretion.

Under the Local Government Act 2002 (the LGA), councils must review their bylaws within five years of being made, and then subsequently reviewed within ten years after the date of any previous review.

Section 10AA of the Act requires Council to review its policy if the bylaw implementing the policy requires review.

Council's Dog Control Policy (the Policy) and Dog Control Bylaw (the Bylaw) were last reviewed in 2015 and are now required to be reviewed by December 2025.

### What does the Dog Control Policy do?

The purpose of the Policy is to outline how Hutt City Council will address requirements under the Act. Residents of Te Awa Kairangi ki Tai Lower Hutt can refer to the Policy to better understand what regulatory controls are in place to ensure that dog owners and other users share public spaces safely and responsibly.

The Policy includes:

- expected behaviour of a good dog-owner;
- identification of dog exercise areas and prohibition areas;
- licensing and registration requirements; and
- enforcement actions of Council's Animal Control Services.

### What does the Dog Control Bylaw do?

The Act gives territorial authorities the means to develop a bylaw to enforce the regulatory controls set out in the policy and Act, such as:

- general controls in public places;
- standards for the keeping of dogs;
- setting and collecting registration fees; and
- licensing exemptions.

Residents can refer to the Bylaw to understand how Hutt City Council enforces all aspects of dog control within the city.

Proposed changes to the Policy and Bylaw described in this Statement of Proposal include:

- minor changes to improve clarity;
- administrative changes; and
- updated maps of dog prohibition areas and dog exercise areas.

### **Authority to undertake reviews**

Section 10 of the Act requires councils to have a policy. Section 20 of the Act provides for councils to establish a bylaw to enforce the Policy and Act. The statutory authority to undertake the review of the Policy and Bylaw comes from both the Act and the LGA.

Under the Act, a new bylaw must be reviewed within five years of being made, and then subsequently reviewed within ten years after the date of any previous review. The current Dog Control Bylaw was last reviewed in December 2015, and therefore the review is required by December 2025.

Section 10AA(2) of the Act provides that the councils must review the bylaw by making the determinations required under Section 155 of the Local Government Act 2002 in the context of a reconsideration of the matters in Section 10(4) of the Act. Only the Council can make these determinations, and this authority cannot be delegated.

Section 10AA also outlines the processes that must be followed after the review has been completed. If the Council considers that the bylaw should be amended, revoked, or revoked and replaced, it must deal with the bylaw under section 156 of the LGA (relating to consultation requirements) and if appropriate amend its policy.

Section 10AA of the Act requires a council to review its policy if the bylaw implementing the policy requires review. Section 10 of the Act allows the Council, in accordance with the special consultative procedure, to adopt an amended policy at any time.

The regulatory scope and requirements are set out in Section 10 of the Act for dog control policies, and section 20 for dog control bylaws. Section 10(2) of the Act requires that the Council give notice of any draft policy to all registered dog owners.

As the bylaw is made under the authority of two Acts, the requirements of both must be considered. The bylaw must be made using the processes set out in the LGA and may be made to address a range of matters set out in Section 20 of the Act. As the policy must be reviewed when the bylaw is reviewed, the Act requires councils use the special consultative procedure for both the policy and the bylaw, and that these processes be conducted concurrently.

Section 83 of the LGA requires that a Statement of Proposal be prepared and adopted as part of the Special Consultative Procedure.

The review of the bylaw requires analysis of Section 155 of the LGA. This analysis involves a determination of whether or not a bylaw is the most appropriate way of addressing a perceived problem. If it is identified as being the most appropriate way of addressing a problem, the Council must decide whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA).

### **Early engagement**

Initial feedback was sought from the public on several questions related to dog ownership and enforcement of rules. Of the 1,317 responses received, 1,301 were Lower Hutt residents, and 1,269 were dog owners. Overall, respondents were satisfied with dog exercise areas and the management of dogs on marked sports fields and shared paths. Table 1 below outlines the results of the early engagement:

*Table 1: Results of early engagement*

Question	Yes	No	Not sure/ rather not say	Comments

Are you a dog owner? (1317 responses)	96.3% (1269)	3% (39)	0.7% (9)	N/A	
Do you ever take care of someone else's dog in Lower Hutt? (47 responses)	29.8% (14)	61.7% (29)	8.5% (4)	This question was only asked of people who answered no to the dog owner question.	
Do the dog exercise areas in Lower Hutt meet your needs? (1316 responses)	62% (811)	25% (335)	13% (170)	From respondents that are not satisfied or unsure, most responses cited: <ul style="list-style-type: none"> <li>Public safety issues</li> <li>Dog owner responsibility issues</li> <li>More dog exercise options needed</li> <li>Accessibility/closer to home</li> <li>More fenced areas for safety</li> <li>Better maintenance and infrastructure</li> <li>Year-round beach access</li> <li>Use of school grounds when not in use</li> </ul>	
Do you visit dog exercise areas outside your suburb? (1290 responses)	66% (855)	33% (424)	1% (11)	The following areas are reported as most visited:	
				Hutt Riverbanks	650
				Petone Beach area: West of Petone Wharf	595
				Petone Beach East	465
				Eastbourne: Muritai Beach	274
				Petone: Sladden Park	225
				Days Bay	204
				Petone Recreation Ground	196
				Petone: Western side of Te Mome Stream	166
				Hutt Recreation Ground	149
				Petone: North Park	102
				Alicetown: Ava Park	101
Do you have any issues with how dogs are managed around marked fields? (1295 responses)	16% (214)	71% (915)	13% (166)	Of the 29% of respondents that said yes or not sure, most comments were about: <ul style="list-style-type: none"> <li>Issues with dogs being on or off lead;</li> <li>Being able to use marked fields when not in use; and</li> <li>Lack of dog owner responsibility.</li> </ul>	
Do you have any issues with how dogs are managed on shared paths? (1250 responses)	21% (268)	72% (899)	7% (83)	Of the 28% of respondents that said yes or not sure, comments focused mostly on: <ul style="list-style-type: none"> <li>Cyclists;</li> <li>Dogs being off lead;</li> <li>Owner responsibility; and</li> <li>Public safety.</li> </ul>	
Do you have any specific issues related to dog control in Lower Hutt? (498 responses – text box)	Most common themes in the responses: <ul style="list-style-type: none"> <li>Roaming dogs are an issue (217)</li> <li>More enforcement required (167)</li> <li>Public safety issues (155)</li> <li>Owner responsibility (98)</li> <li>Barking dogs (51)</li> </ul>				

## **Summary of proposed changes**

### *Clarification and administrative changes*

Where a particular section of the Act is referenced in the Policy, wording has been amended to more accurately reflect the contents of the Act.

### *Map-related changes*

There are proposed changes to areas along the Lower Hutt Riverbank, Honiana Te Puni Reserve (Petone), and Sunset Point (Seaview), Avalon Park (Avalon), York Park (Moera), Bell Park (Waiwhetu), and the Eastern section of Richard Prouse Park (Wainuiomata). These changes are made clear in our consultation questions. In addition, there are minor changes to other maps proposed, including tidying preexisting maps within the Bylaw for clarity (e.g. amending a map to ensure it lines up with an access point).

### *Commercial licence and limiting dog numbers*

Council is proposing to add a commercial licence for professional dog walkers, and an exemption for people wishing to walk four or more dogs (non-commercially). This is to help ensure they can manage multiple dogs in a public place. The commercial dog walkers' licence will include officers checking the competency of those applying. In the case of non-commercial dog walkers, it will be an exemption rather than a licence. The exemption will be granted at Council's discretion and may require proof of competency.

This change is being proposed due to issues arising from dog walkers losing control of the large numbers of dogs they are walking and Council receiving complaints from the community.

Always maintaining control of your dog, regardless of it being on a lead, is an essential part of the Bylaw and Policy. The impact of this proposed change will primarily affect those individuals walking other peoples' dogs rather than private dog owners.

Council determines this change to the Bylaw is the most appropriate way of controlling commercial dog walkers (and controlling non-commercial dog walkers who wish to walk four or more dogs). This is because of the potential safety risk to both the general public and other dogs, as well as the potential for nuisance to the community from uncontrolled dogs. Council is proposing to make this change for groups of four or more dogs (that are under the responsibility of one individual).

This proposed change to licence commercial dog walkers will help to promote dog walking professionals who are experienced and are effective dog handlers. This will allow the community to have greater confidence when choosing professionals they pay to look after their dogs. Implementing this proposed change will give Animal Services officers the ability to enforce the rules when there are instances of irresponsible and unsafe dog handling.

The proposed change to require commercial dog walkers to apply for a license was introduced by Wellington City Council during their last review of their dog control measures. This change in Lower Hutt would help to make the rules consistent across the two neighbouring communities.

Council could have implemented a ban on walking more than four dogs. However, Council recognises the need for quality-assured commercial dog walking services (and in some cases a private individual needing to walk more than four dogs), and this license requirement supports this. Therefore, Council proposes that this change to the Bylaw is the most appropriate form of the Bylaw.

#### *Working dogs in the Policy*

Council is proposing to amend its Policy to include some additional wording around working dogs as well as a working dogs registration form, to provide clarity to the community, and reflect what is prescribed under the Act.

Under Section 36 of the Act, working dogs are required to be registered by the age of 3 months. Under Section 37(2)(b) of the Act, Council may fix fees for working dogs that are lower than would otherwise be payable to non-working dogs.

This proposed change to the wording of the Policy will help to address confusion around the definition of “working dogs” by directing community members to the [Act’s definition](#) and the Council’s fees schedule.

You can find the fees and charges for dogs [at this link](#).

A summary of all proposed changes is provided in the table below.

#### **Summary of proposed changes to Council’s Dog Control Bylaw and Policy**

Issues/Themes	Source	Impact	Comment/proposal
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Roaming dogs	Survey feedback	Safety concerns	The Bylaw and Policy provide appropriate rules and powers for managing roaming dogs. No change.
Not enough enforcement	Survey feedback	Nuisance and safety concerns	The Bylaw provides appropriate powers for officers to enforce the rules. No change.
Public safety	Survey feedback	Safety concerns	The Bylaw and Policy provide appropriate rules and powers for keeping people and dogs safe. No change.
Irresponsible owners	Survey feedback	Nuisance and safety concerns	The Bylaw and Policy provide appropriate powers for officers to issue infringements and warnings to irresponsible dog owners. No change.
Barking dogs	Survey feedback	Nuisance	The Bylaw and Policy provide appropriate rules and powers for managing barking dogs. No change.
Issues on shared paths	Survey & internal feedback	Safety concerns	Focus on educational approach to shared spaces (e.g. paths running through dog exercise areas).
Unclear wording in Policy and Bylaw	Internal feedback	Lack of clarity	Update wording where appropriate.
Policy and Bylaw could better reflect the Act	Internal feedback	Lack of clarity	Review the Policy and Bylaw against the Act and update where appropriate.
Inaccurate maps	Internal feedback	Lack of clarity	Review and update all maps in the Bylaw.
Proposed amendments to maps in significant areas	Survey & internal feedback	Changes dog exercise and dog on-lead areas in specific locations	Review and update relevant maps in the Bylaw to show amended dog exercise and dog-on-lead areas.
Maps do not align with	Consent conditions	Changes the dog on-lead	Review and update the relevant map.

consent conditions		area at Sunset Point, Seaview	
Would like more dog exercise areas	Survey feedback	Changes to dog on-lead and exercise areas	Review and update the relevant map and wording in the Bylaw.
Licence for commercial dog walkers	Internal feedback & complaints	Safety concerns	Amend Bylaw to include licensing for commercial dog walkers
Limits on the number of dogs individuals can walk - and exemptions	Internal and external feedback	Safety concerns	Amend Bylaw to include wording for controlling the number of dogs an individual can walk, and the opportunity for people to apply for an exemption to the rule.
Inconsistent summertime restrictions	Internal feedback	Lack of clarity	Review and update relevant wording (e.g. refer to summer months or daylight saving).

**Council has made the following determinations in relation to the review of the Policy and Bylaw:**

**Defining the perceived problem**

Under section 145 of the LGA, councils may make bylaws for the purpose of:

- protecting the public from nuisance;
- protecting, promoting, and maintaining public health and safety; and
- minimising the potential for offensive behaviour in public places.

The perceived problems with dogs and dog control are:

- nuisance behaviours, such as barking and aggressive behaviour;
- public health concerns including issues with dog faeces not being picked up by owners or left by roaming dogs;
- perceived lack of responsible ownership including failure to respect rules of Bylaw;



- perceived lack of bylaw enforcement; and
- perceived lack of dog friendly spaces.

### **Most appropriate way of addressing the perceived problem**

The intention of the Policy and the Bylaw is to supplement existing legislation in relation to dogs rather than to duplicate it. Specific legislation in relation to dogs includes:

- Dog Control Act 1996 – sets out the law about legal obligations of dog ownership, including their care, control and owner responsibilities for damage caused by their dog.
- Animal Welfare Act 1999 and related codes of welfare – animal owners are required to provide for the physical, health and behavioural needs of their animals, such as food, water, shelter and appropriate exercise. The act is enforced by the Ministry for Primary Industries (MPI) and the Royal New Zealand Society for the Prevention of Cruelty to Animals (SPCA). Under Section 141, approved organisations may take animals into their custody, following which they must take reasonable steps to locate or contact the owner. One possibility, if the owner cannot be identified, is to destroy or otherwise dispose of the animal. Currently, the only “approved organisation” under the act is the SPCA. Councils have no role or functions under this act.
- Health Act 1956 – The act gives powers for councils to address general health nuisances. The abatement of these nuisances can be done by Council Environment Health officers without creation of additional bylaws. Officers have the ability, if necessary, to enter a premises without notice to the occupier and abate the nuisance.
- The District Plan and the Resource Management Act – contain rules around noise and where kennels can be established.

Council bylaws may only address problems within Council’s bylaw-making power. The bylaw-making power must be exercised for the relevant statutory purpose, and all bylaws must be reasonable. The bylaw-making power in Section 20 of Act is restricted to addressing matters which properly arise out of the control of dogs and not the mere existence or presence of dogs within Lower Hutt boundaries.

The language of the bylaw-making power in Section 20 of the Act indicates a restricted role for territorial authorities, limited to regulating matters that properly arise out of the control of dogs. Any perceived problems potentially requiring a bylaw response must arise in that context e.g. the control of dogs

in public places, in restricted areas and within dog friendly spaces across Lower Hutt.

Council has assessed that a bylaw and its associated policy continues to be the most appropriate way to regulate the control of dogs within the requirements of the legislation.

### **Implications under the New Zealand Bill of Rights Act 1990**

Under Section 155(3) of the LGA, the Council is required to consider whether the proposed Bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA).

The Dog Control Act allows councils to develop bylaws that restrict access to specified public places for the purposes of dog control. Given that restrictions are permitted, a corresponding restriction on freedom of movement (if any) can be understood as a reasonable and justified limitation. In summary, there are no NZBoRA implications relating to the activities regulated in the Dog Control Bylaw.

The Act also includes a power to regulate “for any other purpose that... is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.” On this basis, the focus on wildlife, biodiversity and habitat protection in the Policy and Bylaw has strong alignment with other work the Council is doing.

The Bylaw enables most residents to keep dogs if they wish, within the parameters set by the Policy and Bylaw which fairly balance the potential impacts on other people. Council’s assessment is that the NZBORA rights are not impacted by the proposed changes to the Bylaw and Policy.

### **Proposed changes**

It is Council’s view that the proposed changes outlined in the Bylaw and Policy are:

- within the authorising provisions of the Act and the LGA;
- consistent with each other; and
- in line with the Section 155 obligations for the procedure of making bylaws within the LGA.

### **How to have your say**

We want your feedback on the proposed Policy and Bylaw.

You can provide feedback in multiple ways:

- make an online submission at [haveyoursay.huttcity.govt.nz](https://haveyoursay.huttcity.govt.nz);
- make a paper submission at any of our Neighbourhood Hubs;
- email your submission to [policy@huttcity.govt.nz](mailto:policy@huttcity.govt.nz) with 'Dog Control' in the email subject line; or
- drop off a submission at the front counter at Councils' offices at 30 Laings Road, Lower Hutt.

### **Timetable for consultation**

The consultation is open from 26 March – 26 April 2025

### **Privacy Statement**

We require your name, contact details and the suburb you live in as part of your feedback. All feedback will be published on our website with your name. All other personal or commercially sensitive information (including your email address and suburb) will be removed. Publishing feedback in full supports a transparent process and will assist in the public hearing process. If you have specific reasons for not wanting your feedback publicly released, please contact [policy@huttcity.govt.nz](mailto:policy@huttcity.govt.nz).

The feedback form asks for the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

#### *Public Hearings*

The feedback form also asks if you want to present directly to Councillors at a hearing. If you state that you do want to present to Councillors, you will be contacted by council staff to arrange a time for you to speak.

Feedback will be considered by Council regardless of whether you wish to present your views at a hearing or not. Final decisions will be made in July 2025 and the Bylaw and Policy will be adopted in July 2025.

#### *Storing personal information*

Council stores information with reasonable safeguards against loss and disclosure. Reasonable safeguards include physical and technological protections. Personal information is accessible to staff who have a legitimate reason to access it. Council has a code of conduct where unauthorised disclosure of confidential information or records in accordance with the provisions of the Public Records Act, which includes the authorised destruction

of records once they are no longer required to be kept for legislative compliance or business purposes.

### *Access to your information*

The personal information you provide will be accessible only by Council staff and is not shared with any third party outside of the Bang the Table survey platform (you can read their [Privacy Statement here](#)). You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at [policy@huttcity.govt.nz](mailto:policy@huttcity.govt.nz), or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

### **Questions to consider**

#### ***Shared pathways in Lower Hutt***

Early engagement on the Policy and Bylaw revealed that some members of the community have issues with how shared paths that go through dog exercise areas are managed.

This includes the shared pathways through Hutt Riverbank. As this is a popular dog exercise area, we are proposing to maintain current dog control measures, apart from moving the dog exercise area slightly further from the stopbank path (which is currently a dog on-lead pathway). You can view this proposed change in the [interactive map here](#).

However, to support safe use of shared pathways, Council plans to enhance educational materials, including signage.

Q: Do you support the educational approach to managing shared pathways?

- Yes
- Neutral
- Don't know
- No

Q: Do you have any comments to make about shared pathways

A: [free-text box]

#### ***Licence for commercial dog walkers***

Council is proposing a new commercial licence for commercial dog walkers to ensure they can safely manage multiple dogs in public spaces. As part of this process, officers would assess applicants' ability to control multiple dogs.

This change is being proposed in response to public complaints and instances where dog walkers have lost control of large groups of dogs. Maintaining control of a dog—on or off a lead—is a key requirement under the current Dog Bylaw, Policy and the Act.

Under this proposal, individuals walking dogs for commercial purposes would need a license. This approach aims to:

- improve public safety and reduce nuisance complaints;
- ensure professional dog walkers meet a competency standard; and
- align Lower Hutt's rules with Wellington City Council's recent dog control measures to manage commercial dog walkers.

This licensing option was chosen to support professional dog walking services while ensuring responsible practices.

### Survey Questions

1. Do you support Council managing commercial dog walkers in public spaces through a licensing system?
  - Yes
  - Neutral
  - No
  - Don't know
2. Do you have any comments about licensing commercial dog walkers?
  - [Free-text box]

### ***Limiting the number of dogs an individual can walk***

Council is proposing a rule to limit the number of dogs one person can walk to four at any given time without an exemption. The exemption will apply to private dog owners who own or walk more than four dogs (not commercial dog walkers).

Please note, the exemption to walk more than four dogs is different from the licence to own additional dogs in Clause 3 of the Bylaw. For those people who own more than four dogs, there will be no additional charge to receive an exemption to walk more than four dogs.

Survey Questions:

1. Do you support limiting the number of dogs an individual can walk at one time (without an exemption) to four?
  - Yes
  - Neutral (Neither support nor oppose)
  - No
  - Don't know
  
2. Do you have any comments about limiting the number of dogs an individual can walk to four?
  - [Free-text box]

### ***Inconsistent wording for summertime restrictions***

Currently, the Bylaw defines summer dog restrictions on beaches in two different ways:

- some areas use daylight saving time (e.g. dogs are prohibited during daylight saving at specific times).
- other areas use specific months (e.g. dogs are prohibited from December to March).

Council is considering making the wording consistent across all relevant areas.

Survey Questions:

1. Would you support making the wording consistent throughout the Bylaw?
  - Yes
  - Neutral (Neither support nor oppose)

- No
- Don't know

2. (If Yes to Q1, ask:) Which approach would you prefer?

- Option 1: Use daylight saving time as the standard across all relevant areas.
- Option 2: Use specific months (e.g. December to March) as the standard across all relevant areas.

### **Sunset Point, Seaview**



Q: Council has applied for consent to relocate Korora/Little Blue Penguin nesting locations from sites on Point Howard Wharf to this new location next to Seaview Marina. Currently classed as a local purpose reserve (dogs on-lead area), a small section of Sunset Point/Seaview Marina will be fenced off and dogs will be prohibited to accommodate nesting sites for the Korora. You can view the proposed changes on this [interactive map here](#).

Do you support this change to Sunset Point?

- Yes
- Neutral
- No
- Don't know
  
- Q: Do you have any comments to make about this proposed change to Sunset Point?

A: [free-text box]

**Honiana Te Puni Reserve, Petone**

As part of the development of a Reserve Management Plan for Honiana Te Puni Reserve alongside Te Ara Tupua (shared pathway along the highway), Council is proposing to amend dog control measures in the Reserve (as pictured below).

The proposed changes will make Honiana Te Puni Reserve, and the shared pathway that will go through it, a dog on-lead area rather than a dog exercise area. As the map shows, the dog exercise area between the carpark and Petone Wharf has been moved away from the road, shared pathway, and carpark so that it lines up with the beach and grassy areas, where dogs can be exercised safely.





The proposed change to Honiana Te Puni Reserve will not impact the dog exercise area on the beach from the Western side of Petone Wharf to the Reserve's carpark. The Reserve's carpark will also remain accessible to dogs on-lead. You can view the proposed changes on this [interactive map here](#).

Q: Do you support the proposed change in Honiana Te Puni Reserve?

- Yes
- Neutral
- Don't know
- No

Follow up Q: Do you have any comments about the proposed change in Honiana Te Puni Reserve?

A: [free-text box]

### ***York Park, Moera***

Council is proposing to change the dog on-lead area to a dog exercise area in York Park to provide a greater opportunity for dogs to exercise there. (This location does not contain marked sports fields). You can view the proposed changes on this [interactive map here](#).



York

Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Follow up Q: Do you have any comments about the proposed change in York Park?

A: [free-text box]

### **Richard Prouse Park – Eastern Section, Wainuiomata**

Council is proposing to change a dog on-lead area to a dog exercise area in the Eastern section of Richard Prouse Park because this section is not used as marked sports fields. This will give dog owners a better opportunity to exercise their dogs away from the sports fields to the Western side of the park. You can view the proposed changes on this [interactive map here](#).



Q: Do you support this change?

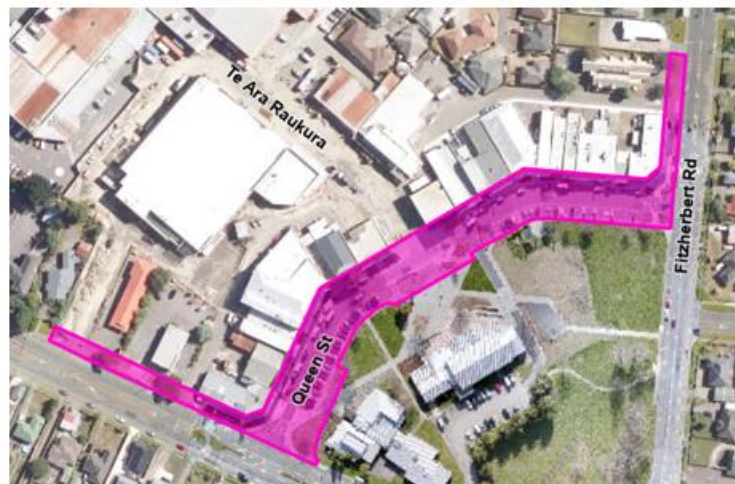
- Yes
- Neutral
- Don't know
- No

Follow up Q: Do you have any comments about the proposed change in Richard Prouse Park?

A: [free-text box]

### **Wainuiomata Prohibition Areas**

Council is proposing to remove the residential and commercial prohibition areas below and revert their status to dogs on lead. These areas are the between Upper Fitzherbert Road and Honey Street, Queen Street, and the corner of Ruthven Road and Castlereas Street.



Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Follow up Q: Do you have any comments about the proposed changes to the commercial and residential areas pictured above?

A: [free-text box]

### ***Bell Park, Waiwhetu***

Council is proposing to change a dog on-lead area to a dog exercise area in Bell Park to give dog owners a greater opportunity to exercise their dogs there. This exercise area excludes the marked field at the Southern end of the park. You can view the proposed changes on this [interactive map here](#).



Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Follow up Q: Do you have any comments about the proposed change in Bell Park?

A: [free-text box]

### **Drainage Reserve between Konini and Parkway, Wainuiomata**

Council is proposing to change this drainage reserve to a dog off-lead area for consistency with other drainage reserves in the area. You can view the proposed changes on this [interactive map here](#).



Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Q: Do you have any comments about the change in this drainage reserve?

A: text box

### **Avalon Park, Avalon**

Following the increased use of Avalon Park, Council received internal feedback from officers that the entire Southern end of Avalon Park would be safer (given the playground, bike park and introduction of the skate park) with dogs prohibited (note: dogs will still be allowed on-lead in the Northern section of the park beyond the prohibition area pictured below).

The current restrictions at the Southern end of Avalon Park are dogs on-lead on formed walking paths, and dogs prohibited in all other areas. You can view

the proposed change to prohibit dogs from the Southern section of Avalon Park on this [interactive map here](#).



Council wants to seek community feedback on this location given its increased usage since the area was last reviewed.

Survey questions:

Q: Would you support completely prohibiting dogs from the Southern section (highlighted in pink) of Avalon Park, or do you prefer to keep the current rules?

- Option 1: I support completely prohibiting dogs from this section of Avalon Park.

- Option 2: I prefer to keep the current rules (dogs on-lead on walking paths, prohibited elsewhere).

### **Waddington Canal, Naenae**

The current restrictions through Waddington Canal are dogs on-lead. Council is proposing to make those areas marked in yellow as dog exercise areas to improve dog exercising opportunities there. You can view the proposed changes on this [interactive map here](#).



Survey questions:

Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Q: Do you have any comments about the change through Waddington Canal

A: text box



### **Western Hutt Riverbank – North of Owen Street, Belmont**

Council is proposing to extend the dog exercise area from the Northern end of Owen Street (Belmont Reserve – map 6) on the Western side of the Hutt Riverbank up to where the pathway narrows below map 40. (This is opposite the Northern end of Taita Drive meeting High Street on the Eastern side of the river). You can view the proposed changes on this [interactive map here](#).



Survey questions:

Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Q: Do you have any comments about the change along the Hutt Riverbank North of Belmont Reserve?

A: [free text box]

## Eastern Hutt Riverbank – Croft Grove to Ava Bridge East End

Council is proposing to introduce a new dog exercise area that is currently a dog on-lead area. This would extend the pre-existing dog exercise area that is North of Ava Bridge East to Croft Grove. You can view the proposed changes on this [interactive map here](#).



Survey questions:

Q: Do you support this change?

- Yes
- Neutral
- Don't know
- No

Q: Do you have any comments about the change along the Hutt Riverbank between Croft Grove and Ava Bridge East End?

A: [free text box]

### **Additional comments**

Other proposed changes to the Policy and Bylaw primarily include administrative changes, alignment with the Dog Control Act, and additional wording to clarify existing content.

If you have any comments to make about those other changes, please include them below.

A: [free-text box]

# Appendix 1: Draft Dog Control Bylaw

# Hutt City Council Dog Control Bylaw 2025

Business unit(s) & Division(s)	Strategy & Policy, Legal, Animal Services
Date adopted	29/07/2025
Date effective	29/07/2025
Review period	Ten years
Owner	Head of Strategy & Policy
Approved by	Council
Implementation	Animal Services
Monitoring/Evaluation	Animal Services, Strategy & Policy

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# 1. Interpretation

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- 1.1 In this ~~Bylaw~~bylaw, unless inconsistent with the context, or where otherwise expressly provided:
- **Commercial dog walker** means any individual or business that walks or trains dogs in public spaces in exchange for payment.
  - **Dog Exercise Area** means an area within a public place that is specified by ordinary Council resolution to be a dog exercise area where dogs may be exercised off the lead.
  - **Dog Park** means a Dog Exercise Area that is defined and fenced, used solely for the purpose of dog exercise and contains specific additional amenities.
  - **Dog Prohibition Area** has the meaning set out in clause ~~118.2~~ of this ~~Bylaw~~bylaw.
  - **Household Unit** means a building or group of buildings, or part of a building or group of buildings, used principally for residential purposes and occupied exclusively as the home or residence of one household.
  - **Land** means a separately owned or occupied portion of land.
  - **Reserve** means any open space, plantation, park, garden or ground set apart for public recreation or enjoyment which is under the management and control of ~~the~~Council and includes all land administered by ~~the~~Council under the Reserves Act 1977.
  - **Sports Surface** includes any Council land used for sporting activities, whether permanently or temporarily marked, including athletic fields, playing fields, playing courts and other constructions provided for sporting purposes.
- 1.2 The expressions "Dog Control Officer", "Dog Ranger", "Owner", "Public Place", "Working Dog", "Disability Assist Dog"~~Guide Dog~~ "~~Companion Dog~~" and "~~Hearing Ear Dog~~" have the same meaning as in section 2 of the Dog Control Act 1996.

## 2. Limitation on Number of Dogs Permitted on Land or Premises

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- 2.1 No person shall keep more than two dogs over the age of three months on any premises unless they have a licence or exemption from ~~the~~ Council under clause 3.
- 2.2 No person may exercise (on-lead or off-lead) more than four dogs at any time in a public place without an exemption or Commercial Dog Walker's licence.
- ~~3.2~~ Council will have discretion to waive licensing requirements and issue an exemption on a case-by-case basis. Any persons wishing to be considered for an exemption should contact Council's Animal Services team.

## 43. Licensing of Additional Dogs

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- 4.23.2 The owner of a dog, or the owner or occupier of the land or premises, desiring wanting to obtain a licence for an additional dog or dogs shall make written application to ~~the~~ Council for a licence in the form set out in Schedule One to of this ~~part of the~~ bylaw and shall provide with their application any information ~~the~~ Council requires.
- ~~4.3~~ Council, when considering an application under clause 3.1, shall have regard to:
- ~~a. the adequacy of the premises for the keeping of the additional dog or dogs specified in the application;~~
  - ~~b. the likely effect which the keeping of the additional dog or dogs would have upon the surrounding neighbourhood;~~
  - ~~c. the likelihood of the dog or dogs becoming a nuisance; and~~
  - ~~d. any other relevant matter including the fact that the additional dog or dogs have previously been kept in another local authority area.~~

3.3 Any Commercial Dog Walker shall make written application to Council for a licence in the form set out in Schedule 3 of this bylaw and shall provide with their application any information Council requires.

4.43.4 Any licence issued under clause 3.1 and 3.2 may be subject to any reasonable terms, conditions and restrictions consistent with this ~~part of the bylaw that the Council determines.~~ Every licence shall be ~~in~~ issued on the forms set out in Schedules Two and Three ~~of~~ this ~~part of the~~ bylaw and, subject to clause ~~4.46.1~~, shall remain in force from the date of issue until the 30th of June ~~in~~ the following year.

3.5 For every licence the ~~applicant~~ applicant(s) shall pay to the Council, ~~(before the issue of the licence,~~) the fee, or a proportionate part of the fee in the case of a licence issued for a period of less than a year, ~~as the Council may by resolution determine.~~ The fee for the licence shall be payable in addition to the registration fees payable under the Dog Control Act 1996.

## 4. Revocation of Licence

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4.54.2 Council may revoke a licence at any time while ~~that~~ licence is in force in accordance with clause 3 ~~of this part of the bylaw: if:~~

- a. Council is satisfied that the keeping of the additional dog or dogs has caused or materially contributed to a nuisance or the likelihood of injury to health; or
- b. Council is satisfied that the keeping of the additional dog or dogs has caused an unduly detrimental effect upon the surrounding neighbourhood; or
- c. There has been a failure to comply with all or any of the terms, conditions and restrictions of the licence; ~~then the Council may revoke the licence.~~

4.64.3 Any exemptions issued under 3.5 are subject to revocation under 4.1.



4.4 Where an owner fails to obtain a license or exemption within seven days of being notified of the requirement to do so, the Dog Control Officer will by written notice require the owner/occupier to reduce the number of dogs on their premises to no more than two dogs within 14 days. Where the owner/occupier fails to comply with this notice, Council is permitted to seize and impound the number of dogs necessary to reduce the number of dogs on the premises to two.

## **5. Limitation on Numbers Not to Apply in Certain Areas**

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- 7.1 Nothing in clauses 2- ~~and 3~~ shall apply:
- a. to premises within any rural areas under an operative or proposed District Plan prepared by Council-;
  - b. to premises lawfully used exclusively or principally as a veterinary clinic including an office used by a veterinary surgeon in the course of their business-; ~~and~~
  - c. to premises lawfully used exclusively or principally for carrying on the business of boarding, walking or grooming dogs.

## **6. General Controls in Public Places**

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- 6.1 Except as provided in clauses 7.1 and 9:
- a. no dog shall be permitted in a public place; and
  - b. no person being the owner of a dog shall take the dog into or permit the dog to enter or remain in a public place ~~unless~~;

i. ~~Unless~~ the dog is kept under continuous control by; an effectual leash or chain held by a person and securely attached to a collar on the dog; or ~~being~~

ii. ~~the dog is~~ contained in a vehicle or cage.

6.2 — If a dog defecates in a public place or on land or premises other than that occupied by the owner, the owner or other person having control of that dog shall immediately remove the faeces.

## 7. Dog Exercise Areas

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7.1 Notwithstanding anything contained in clause ~~6 of this Bylaw~~9, a person may exercise ~~that a~~ dog off ~~the~~ lead in any designated Dog Exercise Area (~~including a Dog Park~~) as outlined in Schedule ~~Three to this part of the bylaw~~ 3.

7.2 The owner ~~or person responsible for the dog~~ shall ensure that the dog is kept under constant supervision and control while being exercised in a Dog Exercise Area.

## 8. Resolution to Specify Dog Exercise Areas

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8.1 Council may, by resolution, specify Dog Exercise Areas where dogs may be exercised off lead.

8.2 ~~The~~ Council may amend or revoke a resolution made under clause ~~8.1~~ 8.1 ~~7A~~ at any time.

8.3 Before making a resolution under clause ~~7A~~8.1, ~~the~~ Council must take into account:

- a. The need to minimise danger, distress and nuisance to the community generally.
- 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.
- c. The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs.
- d. The exercise and recreational needs of dogs and their owners.
- e. Impact on wildlife areas.
- f. Whether it is necessary to consult with the public to gauge community views on a proposed Dog Exercise Area.
- g. Any other information considered by Council to be relevant.

## 9. Prohibited Areas

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- 9.1 No dog shall be permitted in a ~~dog prohibition area~~Dog Prohibition Area, and no owner may cause or permit any dog that he or she owns to enter or remain in a ~~dog prohibition area~~Dog Prohibition Area.
- 9.2 For the purposes of clause ~~89.1~~, the following are ~~dog prohibition areas~~Dog Prohibition Areas as outlined in Schedule ~~Three to this part of the bylaw:—3:~~
  - a. any premises used as a public library;
  - b. any children’s playground within the district;
  - c. any swimming pool owned or controlled by Council;
  - d. any land used as a kindergarten or playcentre;
  - e. any marked sports surface;

f. any unmarked sports surface when in use for sporting purposes;

f.g. any area that forms part of a park or reserve where a special event that is organised and in respect of which ~~the~~ Council has publicly notified the time, date and duration of the closure-; and

g-h. any other area within a public place that is specified by ordinary Council resolution to be an area that dogs are prohibited to enter upon or remain in.

## 10. Resolution to Specify Dog Prohibition Areas

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10.1 Council may, by resolution, specify Dog Prohibition Areas where dogs are prohibited to enter upon or remain in.

10.2 A resolution made under clause ~~8A~~10.1 may specify that dogs are prohibited from the area either generally or only in relation to specified times and days or events.

10.3 ~~The~~Council may amend or revoke a resolution made under clause ~~8A~~10.1 at any time.

10.4 Before making a resolution under clause ~~8A~~10.1, ~~the~~Council must take into account:

- a. ~~The~~the need to minimise danger, distress and nuisance to the community generally-;
- b. ~~The~~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-;

- c. ~~The~~the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs-;
- d. ~~The~~the exercise and recreational needs of dogs and their owners-;
- e. ~~Impact~~impact on wildlife areas-;
- f. ~~Whether~~whether it is necessary to consult with the public to gauge community views on a proposed ~~dog prohibition area.~~Dog Prohibition Area; and
- g. ~~Any~~any other information considered by ~~the~~Council to be relevant.

## 11. Exemption for Certain Working Dogs

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- 11.1 Nothing in clauses ~~6-11~~ 9 of ~~this Bylaw~~ shall apply to ~~a working dog guide dog,~~ a Disability Assist Dog, ~~hearing ear dog companion dog~~ or to a ~~working dog~~Working Dog which is being used by the Police or a security guard in the course of their functions and duties.
- 11.2 Clause 6.1 shall not apply to the types of dogs referred to in ~~9.1 or~~ 11.1 or to a ~~working dog~~Working Dog being lawfully used to move stock.

## 12. Owner Deemed to Have Permitted Dog to be in Public Place

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- 12.1 The owner of a dog found in any place in breach of clauses 6 or 9 of ~~this Bylaw~~ shall, unless the contrary is proved, be deemed to have permitted the dog to enter or remain in that place.

## ~~CONFINEMENT OF DOGS AT NIGHT~~

~~11.1 The owner of any dog shall, during the night keep the dog:~~

- ~~a. tied up by a leash or chain which is securely attached to a collar on the dog; or~~
- ~~b. confined in an enclosed yard so that the dog cannot escape; or~~
- ~~c. confined in a kennel, shed or other building so that the dog cannot escape.~~

## ~~IMPOUNDING OF DOGS~~

~~12.1 Where a dog is found at large in breach of any provision of this Bylaw it may be impounded.~~

## 13. Standards for Keeping of Dogs

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13.1 The occupier of any premises on which a dog is kept shall take all steps reasonably necessary to:

- a. eEnsure the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter; -and
- b. pPrevent the keeping of the dog becoming a nuisance to any person or injuring, endangering or causing distress to any person.

## 14. Notice to Upgrade Standards

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14.1 ~~If the~~ Council considers that clause 13 is breached, ~~the~~ Council may (but shall not be obliged to) serve a notice on the occupier to take action to ensure the conditions under which the dog is kept are improved so that clause 13 is not breached. The notice may specify all or any of the following

actions to be taken ~~and~~ (except in the case of ongoing actions) ~~taken~~ within a reasonable time specified in the notice:

- a. Reduce the number of dogs kept notwithstanding the existence of a licence under clause 3.
- b. Construct, alter or reconstruct kennels or other places where dogs are kept.
- c. Keep dogs confined or restrained in specified ways, specified areas and for specified times.
- d. Clean kennels and other places where dogs are kept.
- e. Take any other action necessary to properly house any dogs or to reduce or eliminate the nuisance caused by the dogs.

14.2 Council shall only specify actions under clause 14.1 which are reasonable having regard to the inadequacy of housing, or the nature of the nuisance. In specifying any action under clause 14.1 ~~the~~ Council shall have regard to:

- a. The need for adequate shelter and space.
- b. The need for a reasonably clean and healthy living area.
- c. The proximity of other dwellings.
- d. The separation of kennels or other places dogs are kept from boundaries.
- e. The use of materials which are easily cleaned in kennels and other places dogs are kept.
- f. The construction of the flooring or ground treatment of a kennel or other place where dogs are kept, such as whether it is graded and whether it is drained to a sewer drain.
- g. The need for cleaning of kennels or other places where dogs are kept.

14.3 ~~The~~ Council may at any time cancel any notice given under clause 14.1 ~~by notice to the occupier~~ if it believes the notice has not been complied with and will not be complied with.

14.4 So long as a notice under this section has been issued and has not been cancelled in accordance with clause 14.3 ~~the~~ Council shall not prosecute the occupier for a breach of clause 14 before the date stated on the notice as the date by which the actions (except ongoing actions) are to be carried out.



# 15. Schedule One

## APPLICATION FOR A LICENCE TO KEEP ADDITIONAL DOGS ON LAND OR PREMISES



Servicing Hutt City and Wellington communities

HUTT CITY COUNCIL

Adobe Acrobat V11 is required to fill this form online  
Download for free <http://get.adobe.com/reader/>

Name		Person ID
Address		
Work Phone	Home Phone	Mobile Phone
Email		

I hereby apply, pursuant to Clause 3 of the Hutt City Bylaw 2005 – Dog Control, for a licence in respect of the land or premises described below permitting an additional dog/s to be kept on the land or premises.

### DETAILS OF ALL DOG/S TO BE KEPT ON THE PROPERTY

Address of premises on which it is intended to keep the additional dogs (if different from above)			
Dogs name	Dogs ID number	Current tag number	Owner (if different from above)
Owner signature		Date	

OFFICE USE ONLY		
Fee paid	Receipt no	RFS enquiry no
\$		

Animal Services | 21 Meachen Street, Seaview, Lower Hutt 5010 | [animals@huttcity.govt.nz](mailto:animals@huttcity.govt.nz)  
Hutt City Council | 531 High Street, Private Bag 31912, Lower Hutt 5040 | 04 570 6666 | [huttcity.govt.nz](http://huttcity.govt.nz)  
RSA-FORM-114F HCC | DOC/14/185976 | December 2013

# 16. Schedule Two

## LICENCE TO KEEP ADDITIONAL DOG OR DOGS ON LAND OR PREMISES



Licence number:

Pursuant to Clause 3 of the Hutt City Bylaw 2005 – Hutt City Council hereby licences the land or premises, described below for the purpose of keeping the dog(s), described below on the land or premises subject to the provisions of Part 4 of the Bylaw and the conditions contained in this licence.

Name of applicant for licence		
Address of land or premises on which the additional dog or dogs are permitted to be kept		
Dog name	Dog ID	Owner (if different from above)
Conditions of Licence		

Any change to the listed address or any addition to the dogs listed will require a new application.  
Any breach of Conditions of Licence will result in this Licence being cancelled.

Licence granted by	Date
<i>Regional Manager Animal Services</i>	

Animal Services | 21 Meachen Street, Seaview, Lower Hutt 5010 | animals@huttcity.govt.nz  
Hutt City Council | 531 High Street, Private Bag 31912, Lower Hutt 5040 | 04 570 6666 | huttcity.govt.nz  
RBA-FORM-115L HCC | DOC/14/185978 | December 2013

# 17. Schedule Three



## Commercial Dog Walking



Requirement	Evidence Required
<p><b>Training and Assessment</b></p> <p>You must demonstrate required knowledge and be assessed by an Animal Control Officer.</p>	<p>Be assessed by an Animal Control Officer. This will cover knowledge of</p> <ul style="list-style-type: none"> <li>- Dog Control Act 1996</li> <li>- Hutt City Council's Dog Control Bylaw</li> <li>- Hutt City Council's Dog Control Policy</li> </ul> <p>An Animal Control Officer will require a demonstration of the dog handlers ability to control and handle multiple dogs</p>
<p><b>Insurance and Application</b></p> <p>Public Liability Insurance</p>	<p>You need to supply HuttCity Council with a public liability insurance certificate and submit a Commercial Dog Walkers licence application along with the required fee.</p>
<p><b>Legal Compliance</b></p>	<p>You must not have been convicted or received an infringement under the following in the past year.</p> <ul style="list-style-type: none"> <li>• Dog Control Act 1996</li> <li>• Animal Welfare Act 1999</li> <li>• Hutt City Council Dog Control Bylaw 2015</li> </ul> <p>You must not have received a substantiated complaint in the past year or been classified as a Probationary or Disqualified dog owner at any time.</p>
<p><b>Licence Renewal:</b></p>	<p>You need to renew your licence annually with Hutt City Council</p>

<p><b>Licence on request.</b></p>	<p>You are required to have your Commercial dogs walkers licence on your person and available on request by any Warranted Animal Control officer, when walking multiple dogs.</p>
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**Licensee Details:**

Full Name:	
Date of Birth:	
Name of Business	
Business Mobile:	Business Phone:
Business Email:	
Company Registration Number:	

# 18. Schedule ~~Three~~ Four

## DOG PROHIBITION AREAS AND DOG EXERCISE AREAS

### Introduction

The following areas were adopted by Council at its meeting on ~~15 December 2015~~ XX July 2025 as either Dog Prohibition Areas, or Dog Exercise Areas. On 28 May 2024 Council, by resolution, made amendments within the ~~Bylaw~~ bylaw to include additional dog prohibition areas in the Eastern Bays.

The file containing tables with descriptions relevant to each corresponding map that is indicative of the areas can be viewed [here](#).

<b>1. DOG PROHIBITION AREAS</b>	
<b>1.1 Eastbourne</b>	
a. The picnic and leisure areas of Point Howard where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	<u>46</u> TBC
b. The picnic and leisure areas of Lowry Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	72 TBC
c. The picnic and leisure areas of York Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	73 TBC
d. The picnic and leisure areas of Mahina Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	74 TBC
e. The picnic and leisure areas of Sunshine Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	75 TBC

f	The picnic and leisure areas of Days Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	76 TBC
g	The picnic and leisure areas of Rona Bay where there are signs prohibiting dogs between 9.00am and 8.00pm during daylight saving time each year.	77 TBC
h.	That piece of land vested in Council at Marine Drive, Days Bay, being Lots 5, 6 and 7 Deposited Plan 1694, and being all of the land contained in Certificate of Title 498/171 (Wellington Registry), more commonly known as the Days Bay Pumping Station Site and the Proposed Local Purpose Reserve (Wildlife Management).	<u>45</u>
i.	<del>That piece of</del> Pencarrow Road south of Pencarrow Head where there are signs prohibiting dogs.	No map
j.	<del>That area from Burdans Gate on Pencarrow Road south to Pencarrow Head effective during lambing time on an annual basis from 1 August to 31 October.</del>	<del>No map</del> <u>60</u> <u>TBC</u>
k.	Sorrento Bay – Dogs prohibited at all times from the areas where there are signs: the foreshore and beach area of Sorrento Bay; from the <u>S</u> outhern end of the rocky outcrop and running to the <u>N</u> orthern end of the oystercatcher managed works zone.	<u>56</u>
l.	Whiorau Reserve – Dogs prohibited at all times from the bird protection area as indicated by the signs.	<u>57</u>
m.	CL Bishop Park – Dogs prohibited at all times from the areas where there are signs: the foreshore and beach area of Rona Bay abutting Bishop Park bird protection area; and from the bird protection area.	<u>58</u>
n.	HW Shortt Recreation Ground – dogs to be prohibited at all times from the bird protection areas as indicated by the signs.	<u>34</u>
<b>1.2 Petone</b>		
a.	Petone Beach between Hikoikoi Reserve and the Petone Wharf between the hours of 9.00am and 8.00pm during the period in which daylight-saving time applies.	<u>42</u>
b.	Percy Scenic Reserve.	<u>43</u>

c.	Eastern section of McEwan Park	<a href="#">20A</a>
d.	Memorial Park	<a href="#">10A</a> <a href="#">TBC</a>
<b>1.3 Wainuiomata</b>		
a.	<del>The entire road reserve of Queen Street, and the footpath and berm on the road frontages of the commercial properties on Wainuiomata Road and Fitzherbert Road adjacent to Queen Street.</del>	<del><a href="#">47</a></del>
b.	<del>The footpaths and berms on the road frontages of the commercial properties on Norfolk Street and Ruthven Road.</del>	<del><a href="#">49, 50</a></del>
c.	<del>That piece of Pencarrow Road south of Pencarrow Head where there are signs prohibiting dogs.</del>	<del>No map</del>
<b>1.4 Lower Hutt</b>		
a.	Mitchell Park.	<a href="#">52</a>
b.	Avalon Park  Three-quarters of Avalon Park from the tree line to the north of the children's bicycle track through to the Park's southern boundary be specified as a dog prohibition area. However, a dog on a leash is permitted to walk along the pathway as designated on Map 53 and coloured as a broken yellow line. Dogs are also permitted on leash at the northern end of the park as designated in Map 53.	<a href="#">53</a>
<b>1.5 Rimutaka Forest Park and Catchpool Valley</b>		
a.	<del>Picnic areas adjacent to the Catchpool Valley Road upstream of the vehicle ford.</del>	<del>No map</del>
b.	<del>The camping areas adjacent to Catchpool Stream.</del>	<del>No map</del>
c.	<del>Landcare Research Station, formerly DSIR Field Station, Orongorongo Valley.</del>	<del>No map</del>
<b>1.6 Turakirae Head Scenic Reserve</b>		
<b>1.7 Stokes Valley</b>		
a.	Speldhurst Park	<a href="#">1A</a>
<b>1.8 Belmont</b>		
a.	Belmont Recreation Reserve Southern end	<a href="#">6A</a>

<b>1.9 Seaview</b>	
a. The small, fenced section of Sunset Point where the bird protection area is located	<u>59</u> TBC



## 2. DOG EXERCISE AREAS

### 2.1 Stokes Valley

Area	Entrances	
Delaney Park (excluding sports surfaces)	George Street, Stokes Valley Road	<u>1</u>
Kamahi Park (excluding sports surfaces)	Stokes Valley Road	<u>2</u>
<b>2.2 Kelson</b>		
Area	Entrances	
Kelson Reserve	Kelso Grove	<u>7</u>
b. Fraser Park		<u>3</u>

### 2.3 Belmont

Area	Entrances	
Belmont Recreation Reserve	Owen Street to <del>Belmont Domain</del> <u>the Northern end of the Riverbank before the path narrows (opposite High Street at the Northern end of Taita Drive).</u>	<u>6</u> TBC
Redvers Drive Reserve	Redvers Drive	<u>55</u>

### 2.4 Naenae

Area	Entrances	
Naenae Park (excluding sports surfaces)	Seddon Street Naenae Road Gibson Street <u>Waddington Drive</u> Rimu Street	<u>8</u>

<a href="#">Waddington Canal</a>	<a href="#">Balgownie Grove</a> <a href="#">Waddington Drive</a> <a href="#">Hill Grove</a> <a href="#">Judd Crescent</a> <a href="#">Seddon Street</a>	<a href="#">63 TBC</a>
<b>2.5 Waiwhetu</b>		
<b>Area</b>	<b>Entrances</b>	
Te Whiti Park (excluding sports surfaces)	Whites Line East, Riverside Drive	<a href="#">9</a>
Trafalgar Park (excluding sports surfaces)	Trafalgar Street, Brook Street	<a href="#">10</a>
<a href="#">Bell Park (excluding sports surfaces)</a>	<a href="#">Bell Road, Douglas Street,</a> <a href="#">Riverside Drive South</a>	<a href="#">14 TBC</a>
<b>2.6 Petone</b>		
<b>Area</b>	<b>Entrances</b>	
Portion of Te Mome Stream east side from Bracken Street along rear of Wilford School to Petone Central Croquet Club right of way.	Bracken Street Petone Central Croquet Club right of way.	<a href="#">10B</a>
Sladden Park (excluding <a href="#">children's playground and</a> -sports surfaces)	Bracken Street	<a href="#">11</a>
Ava Park	Wakefield Street	<a href="#">18</a>
Petone Recreation Ground (excluding children's playground and sports surfaces)	Buick Street	<a href="#">19</a>
North Park (excluding sports surfaces)	Roxburgh Street	<a href="#">21</a>
Frank Cameron Park ( <del>excluding sports surfaces</del> )	London Road	<a href="#">22</a>

Petone Beach Area (west of Petone Wharf) – <u>excluding Honiana Te Puni Reserve as indicated by the boundary lines</u>	The Esplanade, <u>Honiana Te Puni Reserve carpark</u>	<u>17 TBC</u>
Petone Beach East	Marine Parade	<u>20</u>
<b>2.7 Hutt Central</b>		
<b>Area</b>	<b>Entrances</b>	
Hutt Recreation Ground (excluding sports surfaces)	Myrtle Street, Woburn Road, Bellevue Road	<u>12</u>
<b>2.8 Moera</b>		
<b>Area</b>	<b>Entrances</b>	
York Park ( <del>excluding sports surfaces</del> )	York Street, Elizabeth Street	<u>13 TBC</u>

<b>2.9 H Hutt River-banks</b>		
<b>Area</b>	<b>Entrances</b>	
Eastern bank from <u>Tirangi Road to Croft Grove, Moera.</u>	<u>Tirangi Road to Croft Grove, Moera</u>	<u>64 TBC</u>
Eastern bank from Ava <u>Rail Bridge to Barber Grove, Moera</u>	Ava <u>Rail Bridge to Barber Grove, Moera</u>	<u>65 TBC</u>
Eastern bank from <u>Ewen Bridge</u> to Ava <u>Rail Bridge</u>	<u>Ewen Bridge to Ava Rail Bridge</u>	<u>66 TBC</u>
Eastern bank from <u>Melling Bridge to Ewen Bridge</u>	<u>Melling Bridge to Ewen Bridge</u>	<u>67 TBC</u>

Eastern bank from <a href="#">Kennedy Good Bridge to Melling Bridge</a>	<a href="#">Kennedy Good Bridge to Melling Bridge</a>	<a href="#">68 TBC</a>
Eastern bank from <a href="#">Stokes Valley to Kennedy Good Bridge</a>	<a href="#">Stokes Valley to Kennedy Good Bridge</a>	<a href="#">5 TBC</a>
Eastern bank from <a href="#">Reynold Bach Drive to Stokes Valley</a>	<a href="#">Reynold Bach Drive to Stokes Valley</a>	<a href="#">69 TBC</a>
Western bank from Manor Park Road to Benmore Crescent extension.	Benmore Crescent, Western Hutt Road, Manor Park Road.	<a href="#">40</a>
Western bank north of Owen St, Belmont.	Owen Street	<a href="#">70 TBC</a>
Western bank from Kennedy Good Bridge south to <del>Firth's Industrial Plant</del> <a href="#">Melling Bridge</a>	Kennedy Good Bridge, Melling Bridge	<a href="#">15</a>
Western bank from <del>Firth's Industrial Park</del> <a href="#">south Melling Bridge</a> to Ewen Bridge	Melling Bridge, Ewen Bridge	<a href="#">16</a>
Western bank from Ewen Bridge to Ava Park.	Ewen Bridge, Ava Park	<a href="#">71 TBC</a>
<b>2.102 Wainuiomata</b>		
<b>Area</b>	<b>Entrances</b>	
Leonard Wood Park (excluding <del>sports surfaces</del> <a href="#">children's playground</a> )	Wood Street/Willow Grove/ Parenga Street	<a href="#">23</a>
Wainuiomata River Bank	Main Road/Poole Crescent	<a href="#">24</a>
Hine Road Reserve	Hine Road	<a href="#">25</a>
Black Creek (West) Banks	Nelson Crescent Moohan Street	<a href="#">26</a>

Pencarrow Hall Reserve	Tipperary Grove	<a href="#">27</a>
Drainage Reserve between Norfolk Street and Nelson Street.	Norfolk Street Nelson Street	<a href="#">28</a>
Drainage Reserve between Mohaka Street and Momona Street	Parkway Manutuke Street	<a href="#">29</a>
Karaka Park (excluding children's playground area)	Karaka Street	<a href="#">30</a>
Drainage Reserve between Wainuiomata Road and Fraser Street	Fraser Street Wainuiomata Road	<a href="#">31</a>
<a href="#">Drainage Reserve between Parkway and Konini Street</a>	<a href="#">Parking, Konini Street, Totara Street, Karamu Crescent</a>	<a href="#">61 TBC</a>
Burden Avenue Riverbank Reserve	Faulke Avenue Main Road	<a href="#">32</a>
<a href="#">The Eastern section of Richard Prouse Park, and outside the sports surfaces in the Western section</a>	Hine Road	<a href="#">33 TBC</a>
Wood Street Reserve	Wood Street	<a href="#">36</a>
Rotary Park	Main Road, Gibbs Crescent	<a href="#">37</a>
<a href="#">Les Dalton Dog Park</a>	<a href="#">Waiu Street</a>	<a href="#">62 TBC</a>
<b>2.113 Eastbourne</b>		
<b>Area</b>	<b>Entrances</b>	
Muritai Beach, 200 metres south of the Rona Bay Wharf (Rata Street) to Miro Street. This excludes the bird protection area that runs parallel to HW Shortt Recreation Ground.	Rata Street to Miro Street.	<a href="#">34</a>

### 3. EASTBOURNE DOG EXERCISE AND DOG PROHIBITION AREAS

### 3.1 Eastbourne

The area in Days Bay on the beach north of the wharf is –

- i) A Dog Exercise Area between 7.00pm and 10.00am from 1 December to 31 March every year;
- ii) A Dog Exercise Area at all times from 1 April to 30 November; and
- iii) A Dog Prohibition Area between 10.00am and 7.00pm from 1 December to 31 March every year.

Area to the north of the Days Bay Wharf

54

## Appendix 2: Draft Dog Control Policy

# Dog Control Policy

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Business unit(s) & Division(s)	Strategy and Policy		
Date adopted	29 July 2025		
Date effective	29 July 2025		
Review period	Ten years, or earlier if required		
Owner	Head of Strategy and Policy		
Approved by	Council		
Implementation	Animal services		
Monitoring/Evaluation	Animal services		
	Author	Date	Description
V 2.0	TBC	Adopted: 29 July 2025	Legislatively required review
V 1.0	Graham Sewell	Adopted: 15 December 2015	Legislatively required review

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# Hutt City Council Dog Control Policy

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## 1. Overview

1.1 Under the Dog Control Act 1996, (the Act), Hutt City Council (Council) is responsible for dog control within Lower Hutt City.

Council has many powers under that Act (for example the power to declare dogs to be dangerous or menacing dogs). the Act. The purpose of this policy is to let the Lower Hutt City Community know how Council will approach carrying out its functions and powers under that Act.

1.1.2 In Hutt City Council's Annual Plan 2014 – 2015 it is noted that dog control is necessary to achieving a clean, healthy, attractive and sustainable environment. Council has established resident satisfaction targets concerning dog control.

1.2.1.3 The aim of this policy is to balance the needs of two general groups:

- Those people who own a dog(s). In this regard Council aims to encourage responsible dog ownership and support the needs of dog owners, for example by establishing exercise areas for dogs; and
- The general public. In this regard Council needs to support the right for people to move freely around within the city without experiencing danger, distress or nuisance from dogs, for example by establishing areas within the city where dogs are prohibited or restricted.

Council has undertaken a review of the current Hutt City Dog Policy 2005 to ensure that its approach to dog control meets the needs of dogs and their owners balanced against the needs of the wider community. This has been done in accordance with the requirements of the Dog Control Act 1996.

## ~~DOG CONTROL ACT 1996~~

~~1.4~~ ~~The Dog Control~~ This Policy has been divided into three parts. Part one sets out how dog exercise and prohibition areas are established. Part two sets out dog owner's responsibilities and part three deals with administration and enforcement.

## 2. Dog Control Act 1996

~~2.1~~ Section 10 of the ~~Act 1996~~ requires each territorial authority to adopt a ~~Dog Control Policy~~ dog control policy for its district. In accordance with section 10(3) of the Act; every policy adopted under section 10:

- shall specify the nature and application of any bylaws made or to be made under section 20 of the Act; and
- shall identify any public places where dogs are to be prohibited either generally or at specified times, pursuant to a bylaw under section 20(1)(a) of the Act; and
- shall identify any particular public places, and any other areas or parts of the district in which dogs (other than working dogs) in public places are to be required by a bylaw made under section 20(1)(b) of the Act to be controlled on a leash; and
- shall identify those areas or parts of the district in respect of which no public places or areas are to be identified under sections 10(3)(b) and 10(3)(c) of the Act; and
- shall identify any places within areas or parts of the district specified in section 10(3)(c)(ii) of the Act that are to be designated by a bylaw under section 20(1)(d) of the Act as dog exercise areas in which dogs may be exercised at large; and
- must state whether dogs classified by the territorial authority as menacing dogs under section 33A or 33C of the Act are required to be neutered under section 33E(1)(b) of the Act and if so whether the requirement applies to all such dogs and if not, the

matters taken into account by it in requiring any particular dog to be neutered; and

- must state whether dogs classified by any other territorial authority as menacing dogs under section 33A of 33C of the Act are required to be neutered under section 33EB(2) of the Act if the dog is registered with the territorial authority and if so, whether the requirement applies to all such dogs and if not the matters taken into account by it in requiring any particular dog to be neutered; and
- shall include such other details as the territorial authority thinks fit including, but not limited to:
  - i. fees or proposed fees; and
  - ii. owner education programmes; and
  - iii. dog obedience courses; and
  - iv. the classification of owners; and
  - v. the disqualification of owners; and
  - vi. the issuing of infringement notices.

1.32.2 In accordance with section 10(4); when adopting a policy, a territorial authority must have regard to—:

- the need to minimise danger, distress, and nuisance to the community generally; and
- 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
- the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; ~~and~~
- ~~the exercise and recreational needs of dogs and their owners.~~
- ~~In the policy, territorial authorities are required to:~~

- ~~specify the nature and application of any bylaws made or to be made to give effect to the Policy; and~~
- ~~identify any public places where dogs are to be prohibited under a bylaw; and~~
- ~~identify any particular public places, in which dogs (other than working dogs) are to be required by a bylaw to be controlled on a leash; and~~
- ~~identify those areas or parts of the district in respect of which dogs will not be prohibited or required to be controlled on a leash; and~~
- ~~identify any places that are to be designated by a bylaw as dog exercise areas; and~~
- ~~include such other details as the territorial authority thinks fit including, but not limited to:~~
  - ~~fees or proposed fees; and~~
  - ~~owner education programmes; and~~
  - ~~dog obedience courses; and~~
  - ~~the classification of owners; and~~
  - ~~the disqualification of owners; and~~
  - ~~the issuing of infringement notices.~~

1.42.3 Every statement or publication of a policy adopted under ~~this~~ section ~~is required to~~10(5) of the Act shall identify any land within the district that is included in:

- a controlled dog area or open dog area under section 26ZS of the Conservation Act 1987; or
- a national park constituted under the National Parks Act 1980;  
~~and or~~

- Te Urewera, as defined in section 7 of the Te Urewera Act 2014;  
and
- may contain such other information and advice in relation to dogs as the territorial authority thinks fit.

1.52.4 The territorial authority must give effect to a policy adopted under ~~this section~~ 10 of the Act by making the necessary bylaws ~~and~~ may under section 20 of the Act, which must come into force not ~~have in place~~ later than the adoption of the policy and by repealing, before the 60th day after the adoption of the policy, any bylaws that are inconsistent with the policy.

~~This Policy has been divided into three sections. Part 1, Dog Control, sets out such matters as how dog exercise and prohibition areas are established. Part Two sets out Dog Owners Responsibilities and Part Three deals with Administration and Enforcement.~~

## 2.3. Dog Control

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### Overview

3.1 When a dog is on land or premises occupied by its owner, the owner must at all times ensure that either the dog is under the direct control of a person, or the dog is confined in such a manner that it cannot freely leave the land or premises.

Owners must ensure that meet the reasonable needs of dog owners and promote animal welfare, to clearly identify to the public where dogs may and may not be exercised, and to minimize danger, distress and nuisance to the community generally and to safeguard the welfare of children the Council will designate specified dog exercise areas and specified dog prohibition areas.

3.2 1.1.2 are kept under control at all times. Dogs not under the control of their owners or a person in charge, will be prohibited from all public places at all times. ~~The~~

3.3 Dogs must be kept on a leash, chain, or lead when in any public area, unless it's a designated dog exercise area or specified prohibited public place.

2.13.4 Council will put signposts at public places where dogs are prohibited or permitted during specified times.

3.5 Council will designate specific dog exercise areas and dog prohibition areas in order to:

- meet the reasonable needs of dog owners
- promote animal welfare;
- protect wildlife;
- inform the public about areas where dogs may and may not be exercised,
- minimise danger, distress and nuisance to the community generally; and
- safeguard the welfare of children.

## 4. Dog Prohibition Areas

2.24.1 In order to minimise danger, distress and nuisance to the community generally and to safeguard the welfare of children and wildlife, areas within Lower Hutt City will be designated as dog prohibition areas. Dogs will not be permitted to enter or remain in these areas. This is the responsibility of the dog's owner.

1.2.2

4.2 Dog prohibition areas are set out in the Hutt City Council Dog Control Bylaw 2015/2025 (the Bylaw) and are:

- any premises used as a public library;
- any children's playground within the district;
- any swimming pool owned or controlled by Council;
- any land used as a kindergarten or playcentre;
- any marked sports surface;
- any unmarked sports surface when in use for sporting purposes;
- any area that forms part of a park or reserve where a special event that is organised and in respect of which Council has publicly notified the time, date and duration of the closure; and
- other area within a public place that is specified by ordinary Council resolution to be an area that dogs are prohibited to enter upon or remain in.

4.3 Dog Prohibition Areas are also set out at <https://www.huttcity.govt.nz/services/dogs> and will be clearly identified to the public.

4.4 Dog Prohibition Areas can also be established by ordinary Council resolution under the Bylaw. They are set out on the Council website at [huttcity.govt.nz](https://www.huttcity.govt.nz). Dog Prohibition areas will be clearly identified to the public. Areas where dogs are not permitted include playing fields and children's playgrounds within Council's parks and reserves.

~~1.2.3 Dog owners can have their dogs on any public places that are not specified prohibited public places or specified dog exercise areas, as long as the dogs are under proper control by being secured effectively by a leash, chain or lead.~~

~~2.34.4~~ ~~1.2.4~~ The matters that Council must have regard to under the Bylaw ~~in~~when making a decision to establish or disestablish a dog prohibition area are as follows:

- the need to minimise danger, distress, and nuisance to the community generally;
- 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;
- the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
- the exercise and recreational needs of dogs and their owners;
- impact on wildlife areas;
- whether it is necessary to consult with the public to gauge community views on a proposed dog exercise area; ~~and~~
- any other information considered by ~~the~~ Council to be relevant.

## **5. Dog Exercise Areas**

~~2.45.1~~ To meet the ~~reasonable~~ needs of dog owners ~~and~~, promote animal welfare, and ~~also to~~ clearly ~~identify to the public~~indicate where dogs ~~may and may not~~can be exercised, the Council will designate ~~specified~~specific dog exercise areas.

~~2.55.2~~ ~~1.3.2~~ Designated dog exercise areas are set out in the Bylaw and can also be established by ordinary Council resolution under the ~~Hutt City Council Dog Control~~ Bylaw ~~2015~~. They are set out on ~~Council's~~Council's website at [huttcity.govt.nz](http://huttcity.govt.nz). It is important to have a number of exercise areas available within Lower Hutt ~~City~~ for dogs to be exercised. These are clearly signposted and include most Council



parks and reserves, and the Hutt River banks and drainage reserves in Wainuiomata.

2.65.3 ~~1.3.3~~—The matters that Council must have regard to in when making a decision to establish or disestablish a dog exercise area are as follows:

- ~~(~~the need to minimise danger, distress, and nuisance to the community generally;
- 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;
- the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
- the exercise and recreational needs of dogs and their owners;
- impact on all wildlife ~~areas~~;
- whether it is necessary to consult with the public to gauge community views on a proposed dog exercise area; and
- any other information considered by ~~the~~ Council to be relevant.

## **3.6. Designation of Exercise and Prohibition Areas and Maps**

3.16.1 Dog exercise areas and dog prohibition areas will be clearly signposted.

3.26.2 ~~1.4.2~~—Owners or anyone in control of responsible for a dog being exercised within such in a dog exercise area must carry their dogs a dog leash and not allow the dog to foul the area. However, no offence will a waste bag for picking up their dog's excrement. Any excrement must be committed against the bylaw if such people remove the droppings immediately. removed and appropriately disposed of.

3.36.3 ~~1.4.3~~—Owners of dogs that enter or remain in a dog prohibition area will be liable for prosecution for a breach of the Bylaw.

## 4.7. Department of Conservation Land

4.7.1 Under the Conservation Act 1987, the Minister of Conservation can, by notice in the Gazette, declare any part or parts of land managed and administered by the Minister or Department under specific acts to be either a controlled dog area or an open dog area.

4.7.2 To identify such areas within the Lower Hutt district, please refer to the Department of Conservation website: [www.doc.govt.nz](http://www.doc.govt.nz)

## 5.8. Owner Responsibilities

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### Overview

5.8.1 Council recognises the importance of owner responsibility and education and wishes to have in place policies and measures that support responsible dog owner status and send clear signals as to the preferred way that owners should carry out their responsibilities as dog owners. The measures that Council will have in place to support and promote responsible dog owner behaviour are as follows:

- ~~Pamphlets~~pamphlets will be available and, when appropriate, distributed to dog owners explaining their obligations and rights, and the provisions of the ~~Dog Control~~ Bylaw;
- ~~Closer links and partnerships will be sought with dog training and obedience clubs to formally recognise their role in effective owner education and dog obedience;~~
- ~~In~~in order to support dog owners in fulfilling their responsibilities, the Council's Animal Control Officers will be available to give dog owners advice on all matters relating to the keeping and control of dogs;
- ~~A~~a fee rebate is available to dog owners who qualify as responsible dog owners under Council's criteria set out below;  
and

- Council will actively enforce the ~~bylaws~~Bylaw and the ~~Dog Control~~Act.

## Owner Obligations, Education and Dog Obedience

5.28.2 In addition to the requirements of any other Act or of any regulations or bylaws regulating the control, keeping, and treatment of dogs, the ~~Dog Control Act 1996~~ requires every owner of a dog—:

- ~~Feto~~Feto ensure that the dog is registered in accordance with this Act, and that all relevant territorial authorities are promptly notified of any change of address or ownership of the dog—;
- ~~Feto~~Feto ensure that the dog is kept under control at all times:
- To ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter—;
- ~~Feto~~Feto ensure that the dog receives adequate exercise—;
- ~~Feto~~Feto 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—;
- ~~Feto~~Feto take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person—;
- ~~Feto~~Feto 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—;
- ~~Feto~~Feto take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person; and
- ~~Feto~~Feto comply with the requirements of this Act and of all regulations and bylaws made under this Act.

## Responsible Dog Owner Status

5.38.3 Council will encourage responsible dog ownership by; formally recognising "Responsible Dog owner" status, dog ownership education programmes and dog obedience courses. Responsible Dog Owner status will qualify owners for significantly lower registration fees under the Act.

5.48.4 ~~To may only be made between 1 February and 30 May in each year. In order to~~ obtain Responsible Dog Owner Status, in addition to the obligations imposed on every dog owner by the Act, owners are required by ~~Hutt City~~ Council to:

- ~~Make complete a questionnaire demonstrating their knowledge of the Act and the Bylaw;~~
- ~~make~~ a written declaration that they will comply with the requirements for Responsible Dog Owner status and understand that any breaches of the ~~Dog Control Act 2003 or City Bylaw~~ the Bylaw will lead to the immediate cancellation of the Responsible Dog Owner status for a period of 2 years;
- ~~Register~~ register their dog(s) by 31 July in any registration year;
- ~~Have ensure~~ their property is fully fenced or the dogs are penned or controlled ~~in such a way that to allow~~ safe access to the front door ~~is assured~~ for people lawfully going about their business ~~and that, while preventing the dog cannot escape dogs from the property; escaping;~~
- a. ~~Demonstrate that they have full control over~~ ensure their dogs both on and off a leash and in other situations. This can be proved by presentation of a certificate from an approved trainer that the dog and owner have passed a Grade 2 Dog Obedience Course or by a practicable demonstration to a Hutt City Animal Control Officer;

- ~~The dog(s) are provided with~~ have a warm ~~and,~~ dry, draft-free kennel, ~~given~~ proper exercise ~~and,~~ sufficient food daily, and ~~have~~ access to ~~a~~ clean water ~~supply~~ at all times;
- ~~Clean~~ clean up after their dog if it fouls any public place or property owned by any other person ~~and;~~
- ensure ~~it~~ the dog is leashed in public places when not being exercised under control in a designated dog exercise area;
- ~~Notify~~ notify Council of any changes of address, transfer of ownership or death of their dogs; ~~and~~
- ~~Dogs need to have been~~ registered their dogs with Hutt City Council for a period of 12 months prior to ~~owners~~ applying for ~~responsible dog~~ Responsible Dog Owner status. Owners who currently have Responsible Dog Owner status and obtain an additional dog can apply as soon as that dog is registered.

8.5 An Animal Control Officer may complete an inspection to verify that (d) and (e) have been complied with.

5.58.6 It is desirable but not mandatory for an owner status to provide a certificate from an approved trainer showing that the dog and owner have passed a Grade 2 Dog Obedience Course. The Animal Control Officer may require a demonstration that an owner has full control over their dogs both on and off leash and in other situations.

## Licence for Three or More Dogs

5.68.7 To minimise the potential nuisance and danger to the community caused by dogs, and to ensure that adequate provision is being made for the proper care and welfare of dogs, under the Bylaw a licence license is required if for owners/occupiers of premises in the city who wish to keep three or more dogs aged three months or more older on their premises ~~at any one time, regardless of ownership status~~. This does not apply to rural working dogs.

## Owners to Keep Dogs Under Effective Confinement and Control

~~5.78.8~~ To enable the public, to the extent that is practicable, to use streets and public amenities without fear of attack or intimidation by dogs and to minimise nuisance to the community generally caused by dogs, dog owners must prevent their dogs from wandering by keeping them under proper control or under effective confinement, especially at night. This includes, to the extent possible—:

- ~~Keeping~~keeping every bitch, while in season, confined or under control while being exercised;
- ~~Taking~~taking all practicable steps to stop their dog barking, howling or being aggressive; and
- ~~Cleaning~~cleaning up after their dogs defecate in any public place, or on land or premises other than the owner's. Droppings must be disposed of in an ~~approved~~appropriate manner (i.e. in a bin:).

## Access to Front Door

~~5.88.9~~ Safe access to a dog owner's front door (or another safe access point) is to be provided at all times, to people lawfully going about their business. Where the gate is locked to prevent access, this requirement does not apply.

~~5.98.10~~ ~~2.6.2~~—The intention is to ensure that people entering a property are not attacked by aggressive or savage dogs. Owners must ensure that such dogs are penned, chained or contained ~~in the rear yard~~.

## Disability Assist and Working Dogs

~~5.108.11~~ The Act contains some specific exceptions for certain types of dogs. Section 75 of the ~~Dog Control Act 1996~~ provides an exclusion for a disability assist dog accompanying or assisting a person with a disability, or any person engaged in training such a dog. These dogs may enter and remain:

~~a. In~~ any premises registered under regulations made pursuant to Section 120 of the Health

- Act 1956; or
- ~~In~~ any public place, subject to compliance with any reasonable condition imposed by the occupier or person having control of the premises or public place, as the case may be.

~~5.118.12~~ ~~2.7.2~~ Under Section 2 of ~~the~~the Act, Working Dogs are defined as:

- a. any disability assist dog;
- b. any dog:
  - i. kept by the Police or any constable, the New Zealand Customs Service, the Ministry of Agriculture and Forestry, the Ministry of Fisheries, or the Ministry of Defence, or any officer or employee of any such department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the department of State or that constable, officer, or employee; ~~or~~
  - ii. kept solely or principally for the purposes of herding or driving stock; ~~or~~
  - iii. kept by the Department of Conservation or any officer or employee of that department solely or principally for the purposes of carrying out the functions, duties, and powers of that department; ~~or~~
  - iv. kept solely or principally for the purposes of destroying pests or pest agents under any pest management plan under the Biosecurity Act 1993; ~~or~~
  - v. kept by the Department of Corrections or any officer or employee of that department solely or principally for the purposes of carrying out the functions, duties, and powers of that department; ~~or~~

- vi. kept by the Aviation Security Service under [section 72B\(2\)\(ca\)](#) of the Civil Aviation Act 1990, or any officer or employee of that service solely or principally for the purposes of carrying out the functions, duties, and powers of that service; ~~or~~
- vii. certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the [Civil Defence Emergency Management Act 2002](#);
- viii. ~~[Defence Emergency Management Act 2002](#)~~; ~~or~~ ~~viii.~~  
 — owned by a property guard as defined in [section 9](#) of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in [section 17](#) of that Act, and kept solely or principally for the purpose of doing the things specified in [section 9\(1\)\(a\) to \(c\)](#) of that Act; or
- ~~ix.~~ ~~ix.~~ — declared by resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.

8.13 The owner of a dog or dogs wanting to register a Working Dog or Dogs shall make an online application to Council in the form set out at [Schedule One](#) and shall provide with their application any information Council requires.



# 6.9. Administration and Enforcement

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## Registration Fees

~~6.19.1~~ Fees under the ~~Dog Control~~ Act are set by Council resolution and notified in the Long Term ~~Council Community~~ Plan and on the Council's website: [huttcity.govt.nz](http://huttcity.govt.nz).

~~9.2~~ Council will fix reasonable dog registration fees to allow effective management and enforcement of the ~~Dog Control~~ Act 1996 and ~~Council bylaws: the Bylaw~~. All revenue received and retained under the Act will be used only for purposes authorised ~~by or~~ under the Act. The fee structure will recognise dog owners who are licensed as "responsible dog owners", or who have had their dogs neutered or spayed ~~and microchipped~~.

~~6.29.3~~ Incentives will be available to encourage owners to register their dogs before July 31 each year.

## Enforcement

~~6.39.4~~ The Act and Bylaw will generally be enforced by ~~Hutt City~~ Council Animal Control Officers. There are a range of possible enforcement tools including:

- ~~Seizure~~ seizure of dog;
- ~~Issue~~ issue of infringement notices and fines;
- ~~Prosecution~~ prosecution with fines ~~of \$~~ being possible;
- ~~Declaring~~ declaring a dog menacing or dangerous; ~~and~~
- ~~Prohibiting~~ prohibiting people from ~~owning~~ owning dogs.

~~6.49.5~~ ~~3.2.2~~ The Council aims to enforce the ~~Dog Control~~ Act 1996 and the ~~Dog Control~~ Bylaw in order to meet the objects of ~~that~~ the Act. ~~To that end, the~~ Council will undertake prosecutions for breaches of the ~~bylaw~~ Act and the Bylaw, and issue infringement notices for offences specified in the First Schedule to the Act. Recovery of unpaid

infringement fees will be sought through the Summary Proceedings Act 1957, in the courts.

[6.59.6](#) ~~3.2.3~~ In addition to powers of prosecution and issuing infringement notices, ~~the~~ Council has a number of other powers under the Act which will also be carried out with the aim of safeguarding the public and minimising nuisance caused by dogs and ill-treatment of dogs.

[6.69.7](#) ~~3.2.4~~ To enable the public, to the extent that is practicable, to use streets and public amenities without fear of attack or intimidation by dogs, dogs found roaming in any public place or on another person's property, whether or not they are wearing collars or properly registered, will be impounded.

[6.79.8](#) ~~3.2.5~~ In addition, where ~~the~~ Council receives complaints, Animal Control Officers may take appropriate action including seizing a dog that is not being properly provided for.

## Probationary Owners

[6.89.9](#) Council notes that the Act establishes disincentives for owners who are issued with repeat infringement notices under the ~~Dog Control~~ Act. Such behaviour can affect that person's ability to register future dogs and so impact on their ability to lawfully own dogs in the future.

[6.99.10](#) ~~3.3.2~~ Section 21 of the ~~Dog Control Act 1996~~ provides for the classification of a dog owner as a probationary owner. This applies where that person has been convicted of any offence ~~against~~under the Act (except an infringement offence), or has committed three or more infringement offences within a continuous period of two years.

[6.109.11](#) ~~3.3.3~~ Under the Act, "Probationary Owner "status will last for 24 months. Probationary owners will not be allowed to register any dog unless they were the registered owner of the dog at the time of the offence.

[6.119.12](#) ~~3.3.4~~ Probationary owners will be required to pay a 50 percent surcharge over and above all dog control fees.

## Disqualification of Owners

[6.129.13](#) Dog owners will be disqualified from owning a dog under Section 25 of the ~~Dog Control Act 1996~~ if they are convicted of an offence (not

being an infringement offence) against the Act while a probationary owner at the time of the offence. Disqualified owners will not be allowed to own a dog for up to five years after the offence.

## Menacing Dogs – Requirement to be Neutered

[6.139.14](#) ~~The Act 1996~~ provides that a territorial authority must classify as menacing any dog that the territorial authority has reasonable grounds to believe belongs wholly or predominantly to 1 or more breeds or types listed in Schedule 4 of the Act.

[6.149.15](#) ~~3.5.2~~ These breeds and type are currently Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario and ~~America~~American Pit Bull Terrier. In addition, a territorial authority may classify a dog as menacing under the Act in relation to the dog's behaviour. An owner of a dog that is classified as menacing may object to this classification and has the right to be heard. The territorial authority may require that the owner of a menacing dog is required to produce evidence that the dog has been neutered or that it is not in a fit condition to be neutered by the specified date.

[6.159.16](#) ~~3.5.3~~ It is Council policy in all cases where dogs are classified as menacing because of their breed (i.e. because they are one of the breeds of dogs specified in the 4th Schedule to the Act) or behaviour to require evidence that the dog has been neutered or is unfit to be neutered by the specified date.

## Barking Dogs

[6.169.17](#) Where a dog control officer has received a complaint and has reasonable grounds for believing that a nuisance is being created by the persistent ~~and/or~~ loud barking or howling of any dog, In determining whether a nuisance is being created the officer ~~may~~ will consider:

- Barking during unsociable hours;
- Persistent barking of a long duration;
- Prolonged barking over a period of days; and
- And other factors which the officer deems relevant.

9.18 In the event of a nuisance the officer may:

- Enter the premises to inspect; and
- Serve written notice requiring the nuisance to be reduced to a reasonable level, ~~or~~ ~~Remove the dog from the land or premises.~~

~~6.179.19~~ ~~3.6.2~~ Owners ~~may appeal to the Council within~~ have seven days ~~against these notices to comply with the notice or object to Council about the content of the notice.~~ Where a notice has been served and the dog causes a further nuisance by barking, the ~~dog control officer~~ Animal Control Officer may remove the dog from the premises.

## **~~DOGS ATTACKING PEOPLE OR ANIMALS~~**

9.20 ~~3.7.1~~ Aggressive behaviour is not limited to but may include:

- Rushing at or startling another person or animal in a way that causes or is likely to cause them injury or endangerment;
- Rushing at any vehicle in a way that is likely to cause an accident; or
- Attacking any person or animal.

~~6.189.21~~ Where a dog control officer observes or believes a dog has ~~attacked~~ a person or animal acted aggressively, the officer may:

- ~~At~~ at the time, seize the dog if it is at large; or
- ~~If~~ if the dog continues to be a threat to the safety of people or animals, seize the dog.

~~3.7.2~~ ~~The matter may also be taken to court, where the dog control officer might ask that the dog be destroyed and that penalties be imposed.~~

9.22 ~~3.8.1~~ If a dog is seized, then a criminal prosecution against the owner of the dog may be advanced.

## **Dangerous Dogs**

9.23 Where a dog is declared a "dangerous dog" under the Act, the dog must be muzzled at all times while in a public place and neutered or spayed within one month of the classification. The dog must also be kept in a secure area within the property and the owner must pay a higher registration fee.

## **10. Implementation**

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- This policy is given effect by Hutt City Council's Animal Services team.
- You can find more information on our website, here: <https://www.huttcity.govt.nz/services/dogs>

## **11. Related Documents**

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- Dog Control Act 1996;
- Hutt City Council's Dog Control Bylaw
- Conservation Act 1987
- National Parks Act 1980
- Health Act 1956
- Biosecurity Act 1993
- Civil Aviation Act 1990
- Civil Defence Emergency Management Act 2002

## 7.12. Schedule One



### Working Dogs

Class	Evidence Required
<p><b>Working dogs as Stock dogs.</b></p> <p>Dogs that are kept principally for the purposes of herding or driving stock.</p>	<p>The following breeds are considered by Council to be used as stock dogs in the District:</p> <ul style="list-style-type: none"> <li>• Any "Collie" breed</li> <li>• Huntaway</li> <li>• Heading</li> <li>• Australian Cattle Dog</li> <li>• Kelpie</li> <li>• Sheepdog (Maremma)</li> </ul> <p>Any of the above crosses.</p>
<p>An Animal Control Officer will be notified of any registrations for other breeds. The Animal Control Officer may request a demonstration of the dog working, when it is of age.</p>	
<p><b>Working Dogs</b></p>	<p><b>Pest dog:</b> Photo/copy/scan of the pest management plan under the Biosecurity Act 1993.</p> <p><b>Dogs owned by a licensed Property, Guard</b> under section 9 or section 17 of the Private Security Personnel &amp; Private Investigators Act 2010: Photo/copy/scan of property guard approval documentation</p> <p><b>Government dogs:</b> Photo/copy/scan of documentation from one of the following Government agencies:</p> <ul style="list-style-type: none"> <li>• Police</li> <li>• Customs Service</li> <li>• MPI (fisheries/forestry)</li> <li>• Ministry of Defence</li> <li>• Department of Conservation</li> <li>• Department of Corrections</li> <li>• Aviation Security Service</li> <li>• Civil Defence Emergency Management</li> </ul>

#### Declaration of Working Dog

This form is to be completed to declare that your dog(s) is a/are full time working dog(s) kept solely or principally for the purpose of herding or driving stock, pest control under a Pest Management Plan under the Biosecurity Act 1993 or guarding property under section 9 or section 17 of the Private Security Personnel & Private Investigators Act 2010. If requested you must demonstrate the dog's ability to perform its specified function to council's satisfaction.

**Registered Dog Owner Details:**

Full Name:	
Date of Birth:	
Address where dog(s) are kept at:	
Mobile:	Business Phone:
Email:	
Company Registration Number:	

**Dog Details:**

Name	Breed	Primary Colour	Secondary Colour	Age:	Sex M/F

In accordance with section 40(1) of the Dog Control Act, I hereby declare that the dog(s) listed above is a/are full time working dog/s, as defined by section 2 of the Dog Control Act 1996 and is/are kept solely or principally for this purpose. I understand that if I knowingly provide any false or misleading statements in relation to this declaration that, on summary conviction, I am liable to a fine not exceeding \$3,000.

Signature:	Date: / /
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