

# **Dog control bylaw and dog policy**

Council meeting

25 September 2024



**ROTORUA  
LAKES COUNCIL**



**Housing**  
 Planning and consenting to provide enough options

**Economy**  
 Revitalised inner city and Fenton Street corridor

**Community**  
 Enhanced community wellbeing [health] for all  
 Safe and proud communities

# Consultation process

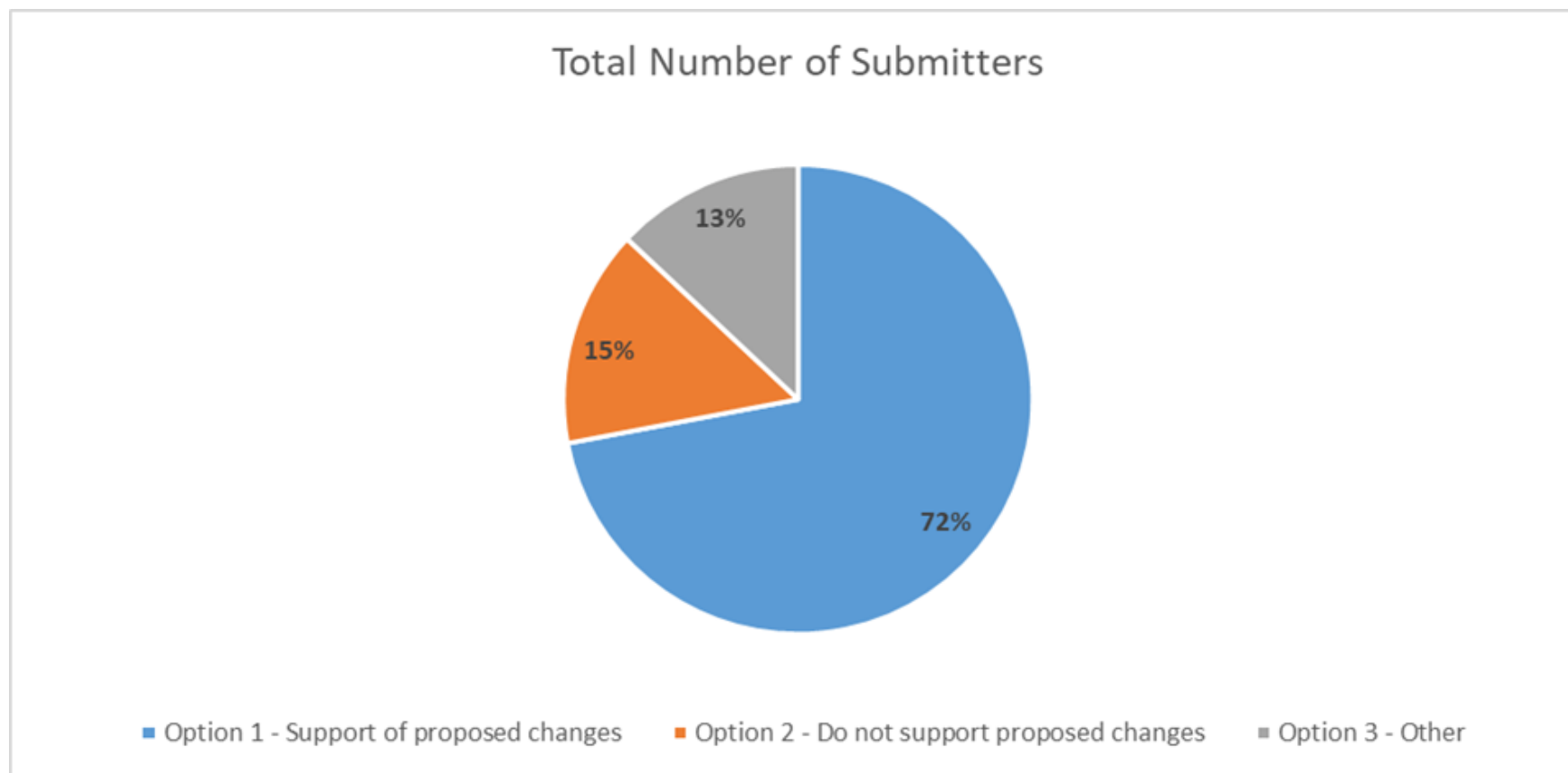
- Consultation was held from the 16 August to 17 September
- Largely digital engagement programme.
- Targeted engagement was also delivered through:
  - **Emails** or **letters** sent to all registered dog owners
  - A targeted email was sent to **specific stakeholders** including kennels, pet stores and vets
  - **Signs** were placed in 20 of our most popular dog exercise areas with QR codes to the website
  - **Posters** at the Rotorua Pound and posters delivered by the Animal Control team.
  - **Advertisement** in the Rotorua Daily Post
  - **Information displays** at Te Aka Mauri Rotorua Library and the RLC customer centre

# Consultation outcome

- 483 submissions
- 13 submitters wished to be heard, 8 spoke to their submission

Total number of submitters	Email	Let's Talk/Korero mai	Hard Copy
483	36	446	1

# Consultation outcome



# Consultation themes

- The use of **DNA** to identify dogs for prosecution.
- The inclusion of mandatory **desexing** for dogs impounded more than once within a 12-month period.
- Allowing dogs into the **inner city**

# Other topics or questions raised

- **Cost** of the enhancements to the Bylaw and Policy and who will pay for this?
  - DNA costs - \$65 to run a profile, \$13 to store the DNA in the databank
  - Costs to be added to impounding fees
  - These must be paid before the dog will be released
- Ability to impose stricter **finer**?
  - Schedule 1 of the Dog Control Act sets the infringement offences and fees, not Council.
  - Recovery is via the reminder notice period, and through to Court if unsuccessful.
  - *Fines are statutory and may require court action – additional costs of these activities could be carried by rates or dog registration fees*

# Other topics or questions raised

- Why require **DNA** if we are already using **Microchipping**?
  - Microchipping is a permanent means to quickly identify a dog and confirm who the registered owner is (e.g. lost or roaming dogs).
  - DNA is used to evidentially prove or disprove a dog's involvement in an attack on people or animals.
- Authorisation to **destroy** dogs?
  - Section 57(1)(a) & (b) of the DCA states a person may for the purposes of stopping an attack, seize or destroy a dog if they are being attacked, or if the person sees the dog attacking another person, or any stock, poultry, domestic animal or protected wildlife.
  - Section 60 of the Act also allows the owner of any stock or poultry... may also either seize or destroy any dog running at large among that stock or poultry.



# Other topics or questions raised

- **Barking**

- There is no requirement for a dog to bark for 15mins. Barking dogs are dealt with in two ways.
- RMA. Dogs must comply with the relevant decibel limits contained in the District Plan, this is a 'land use' matter. Noise measurements taken must be in accordance with the relevant NZ standard for acoustic measurement. A minimum time recording of 15mins is considered a suitable representative sample to then analyse and assess for compliance against the District Plan.
- Dog Control Act S55(and our own Bylaw which links back to the act) – general obligation on all owners around loud barking and howling. An officer who has reasonable grounds for believing that a nuisance is being created by the persistent AND loud barking or howling may take action including written notice, abatement, infringement for not complying with abatement or removal from the premises.

# Other topics or questions raised

- **Out of Control** Definition – Cl 5 of Bylaw outlines what out of control means. (S52 of DCA 1996)
  - found at large on any land or premises **other than a public place** without the consent (expressed or implied) of the occupier or person in charge of that land or those premises
  - permit any dog kept by them to enter or remain **in any public place** unless the dog is kept under control by the way of a leash not greater than two (2) metres in length held by that person, unless that dog is in an area set aside by the Rotorua District Council and stipulated in the Third Schedule to this Bylaw as a designated Dog Exercise Area.

# Recommendation

- Adopt the revised Dog Control Bylaw and Dog Policy – with the inclusion of the DNA banking and desexing clauses.