



**RANGITIKEI**  
DISTRICT COUNCIL  
*Making this place home.*

# ORDER PAPER

## POLICY/PLANNING COMMITTEE MEETING

**Date:** Thursday, 12 March 2026  
**Time:** Following Council Meeting  
**Venue:** Council Chamber  
Rangitikei District Council  
46 High Street  
Marton

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**Chair:** Cr Jeff Wong  
**Deputy Chair:** Cr Piki Te Ora Hiroa  
**Membership:** Cr Dave Wilson  
Cr Alan Buckendahl  
Cr John Hainsworth  
Cr Sandra Field  
Cr Diana Baird  
HWTM Andy Watson

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<b>Locations:</b>	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>Marton</u>            Head Office            46 High Street            Marton         </td> <td style="width: 50%; vertical-align: top;"> <u>Bulls</u>            Bulls Information Centre            Te Matapihi            4 Criterion Street            Bulls         </td> </tr> <tr> <td style="vertical-align: top;"> <u>Taihape</u>            Taihape Information Centre            102 Hautapu Street (SH1)            Taihape         </td> <td></td> </tr> </table>	<u>Marton</u> Head Office 46 High Street Marton	<u>Bulls</u> Bulls Information Centre Te Matapihi 4 Criterion Street Bulls	<u>Taihape</u> Taihape Information Centre 102 Hautapu Street (SH1) Taihape	
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**Notice is hereby given that a Policy/Planning Committee Meeting of the Rangitīkei District Council will be held in the Council Chamber, Rangitīkei District Council, 46 High Street, Marton on Thursday, 12 March 2026 at Following Council Meeting.**

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## AGENDA

ITEM 6.1

**1 Welcome / Prayer**

**2 Apologies**

**3 Public Forum**

**4 Conflict of Interest Declarations**

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

**5 Confirmation of Order of Business**

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, [enter item number](#) be dealt as a late item at this meeting.

## 6 Reports for Decision

### 6.1 Review of Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy

**Author:** Tiffany Gower, Strategy Manager

**Authoriser:** Katrina Gray, Group Manager - Strategy, Community and Democracy

#### 1. Reason for Report

1.1 This report provides an overview of the review of the Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy. It contains an analysis of the submissions received during pre-engagement with the community on the Policy and Bylaw and considers comparable policies and bylaws in surrounding territorial authorities.

#### 2. Context

2.1 Territorial Authorities (TAs) are required to adopt a policy in respect of dogs under section 10 of Dog Control Act 1996 (the Act). The intention (as stated by the then Minister of Local Government) was to "*stimulate wider community debate*".<sup>1</sup> In adopting such policy, TAs were to have regard for:

- 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, and*
- d) *the exercise and recreational needs of dogs and their owners.*

2.2 TAs are required to give effect to such a policy by making a bylaw under section 20 of the Act. The scope is much wider than what had been permitted since 1955, which was limited to '*requiring dogs to be tied up or otherwise confined during a specified period*'.<sup>2</sup> The Act also prescribes a range of matters which dog owners must comply with, resulting in some overlap between what is enforced under the bylaw and what is specified under the Act.

2.3 Section 34 of the Act requires every TA to maintain a register of dogs registered with it, and section 36 requires everyone who owns a dog to register it. Such a requirement dates from 1849<sup>3</sup>. Section 35A of the Act established the National Dog Control Information Database to which the Council must provide specified information and pay an annual levy towards the cost of maintaining the Database.

<sup>1</sup> Parliamentary Debates (Hansard), Volume 554, p.111.

<sup>2</sup> Dog Registration Act 1955, section 30.

<sup>3</sup> An Ordinance to abate the Dog Nuisance , 1849 [Province of New Munster] The annual registration fee was 10 shillings; 'all unregistered dogs may be destroyed by any person belonging to the Constabulary Force'.

- 2.4 Section 20(4) of the Act specifies that bylaws made under that section are deemed to have been made in accordance with the Local Government Act 2002 (LGA). Section 159 of the LGA requires a review of such a bylaw no later than ten years after it was last reviewed. Section 160A provides that if the bylaw is not reviewed within the specified time period it will be revoked two years after that date.
- 2.5 The Council's Control of Dogs Bylaw (the Bylaw) is due for review by 26 May 2026. The Control of Dogs Bylaw must be consistent with the Council's Dog Control and Owner Responsibility Policy in accordance with section 10(7) of the Act.

Process for review:

- 2.6 Section 10AA(2) of the Act requires the Council to make the determinations required by section 155 of the LGA *'in the context of the matters in section 10(4) of 'the Dog Control Act'*.<sup>4</sup> Those matters are:
- (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, and*
  - (d) the exercise and recreational needs of dogs and their owners.*
- 2.7 The determinations required by section 155 of the LGA, before making a bylaw, are:
- i. whether a bylaw is the most appropriate way of addressing the perceived problem, and (if that is the Council's determination)*
  - ii. whether the proposed bylaw is the most appropriate form of bylaw and gives rise to any implications under the New Zealand Bill of Rights Act 1990.*
- 2.8 Expert external advice is that the nature of the review is a reconsideration of the matters required by section 155. If the Council does agree that a bylaw is the most appropriate way to solve the problem, it makes that determination, and this concludes the review process as far as the LGA is concerned.
- 2.9 Since the Council has a statutory requirement to make a bylaw to give effect to the policy (section 10(6)(a)), no other consideration is needed in making determination (i).
- 2.10 For determination (ii), alignment with the purposes specified in section 20(1) will provide assurance that the bylaw is the 'most appropriate form of bylaw'. As action taken by Council following the issue of an infringement notice proceeds under legislation administered by the Justice Department, the bylaw does not give rise to any implications

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<sup>4</sup> There is an inconsistency with section 160 of the Local Government Act 2002. While section 160(1) requires a local authority reviewing a bylaw (under section 158 or 159) to make the determinations required by section 155, section 160(5) provides that 'this section does not apply to any bylaw to which section 10AA of the Dog Control Act 1996 applies'. Section 160 was an amendment made in 2006.

under the Bill of Rights Act 1990.<sup>5</sup> A recommendation is included to provide for these determinations.

- 2.11 Section 156 of the LGA requires Council to consider whether the proposed amendment to the bylaw *‘concerns a matter identified in the local authority’s policy under section 76AA as being of significant interest to the public’* or whether *‘there is, or is likely to be, a significant impact on the public’* due to the proposed bylaw or changes to it. If so, then the special consultative procedure (as specified in section 86) must be used. The Council’s Significance and Engagement Policy repeats that phrase, so it is suggested that the special consultative procedure is used. It is also acknowledged that recent media focus on dog attacks in other parts of the country may mean that members of the public may have a heightened interest in the control of dogs at present.
- 2.12 Section 10AA(3) of the Act requires the Council to amend the Policy, if appropriate, in terms of any amendments made to the Bylaw. Section 10(8) of that Act allows the Council, at any time, to adopt, in accordance with the special consultative procedure, an amended policy. The discretion available for the review of the Bylaw does not apply to reviewing the Policy.
- 2.13 There is no statutory requirement specifying when the Policy adopted under the Dog Control Act 1996 must be reviewed. However, the Policy as adopted by Council in 2016 specified a review ten years after adoption (i.e. by 26 May 2026). Given the statutory requirement to use the special consultative procedure, it is suggested that the Committee recommend a six month extension to this date to enable consultation to be undertaken, submissions considered, and a decision made on any amendments to the Policy. Proposed changes to the Bylaw would be included in the same consultation and deliberations process.

**3. Discussion and Options Considered**

Performance:

- 3.1 Section 10A of the Act requires the Council to report on the administration of its dog control policy adopted under section 10 and its dog control practices. While the total number of registered dogs has been fairly stable since 2019/20, the number of good dog owners has declined by about 11%, and service requests/complaints have increased by around 9%. The number of attacks in 2024/25 is just slightly higher than 2019/20 and lower than each one of the intervening years.<sup>6</sup>

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
<b>Service requests/complaints</b>	<b>750</b>	<b>966</b>	<b>976</b>	<b>894</b>	<b>949</b>	<b>819</b>
Attacks (human and animal - includes rushing)	57	65	86	95	77	60
Barking	129	167	202	171	153	122
Wandering/Stray (includes stock)	130	288	260	112	261	280*

<sup>5</sup> Schedule 1 of the Dog Control Act lists the infringement offences and the prescribed fees; section 65 specifies that a person alleged to have committed such an offence may be proceeded against under section 14 of the Criminal Procedure Act 2011 or served with an infringement notice under section 66, which is done under section 21 of the Summary Proceedings Act 1957.

<sup>6</sup> These reported numbers do not reveal the number of unregistered dogs involved

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	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Animal welfare/Property investigations	41	41	37	43	34	23
Found	112	101	94	116	102	97
Lost	98	107	98	102	96	73
Other (e.g. microchipping, good dog owner status)	183	197	199	153	170	164
<b>Number of dog owners</b>	<b>2313</b>	<b>2537</b>	<b>2353</b>	<b>2328</b>	<b>2384</b>	<b>2356</b>
<b>Total registered dogs</b>	<b>5091</b>	<b>5088</b>	<b>5058</b>	<b>5065</b>	<b>5080</b>	<b>4969</b>
Working dogs	2382	2551	2519	2526	2514	2440
Good Dog Owners	2132	2050	2012	1968	1951	1900
Non-working dogs	377	487	527	571	615	629
<b>Total Probationary Owners</b>	nil	nil	nil	nil	nil	nil
<b>Total Disqualified Owners</b>	nil	nil	nil	nil	nil	nil
<b>Total Dangerous Dogs</b>	4	3	3	5	2	3
<b>Total Menacing Dogs</b>	63	53	44	40	40	36
<b>Total infringement notices</b>	45	39	83	32	46	50

\*Wandering/stray dogs in 2024/25 were 155

- 3.2 The 2024/25 report is cautious about the reasons for the decline in total complaints, suggesting that proactive enforcement of registration compliance and targeted follow-ups on previously identified non-compliant properties may have improved overall owner accountability. However, the report notes that some members of the public increasingly use social media platforms to resolve lost or wandering dogs directly rather than contacting Council - *"This may reduce the number of formally recorded service requests without necessarily reflecting a proportional decrease in underlying incidents."* It is noted that this trend is unlikely to affect the number of reported attacks by dogs.
- 3.3 The 2023/24 and 2024/25 reports note that a graduated enforcement approach is employed for all unregistered dogs, progressing from property inspections to verbal or written warnings, infringement notices and impounding (section 42 of the Act) as a final measure.
- Pre-engagement Survey
- 3.4 Officers ran a pre-engagement survey from 22 December 2025 through to 20 January 2026. A total of 23 submissions were received.
- 3.5 The following table summarises the submissions and notes potential considerations for the Policy and Planning Committee:

	No. of submitters	Potential considerations for the Committee
<b>1. What is working well</b>		
Dog management generally working well - no significant issues	4	These views demonstrate that some elements of the current approach are meeting community expectations. The Committee may wish to consider how these strengths can be maintained while addressing areas of concern raised by other submitters.
Positive and prompt response from Council staff	3	
Availability of dog friendly spaces (e.g. Wilson Park and Bulls Domain/river area)	3	
Good dog owner framework is affordable and works well	2	
Positive view of Animal Control Team and clear communication with dog owners	2	
<b>2. Roaming, aggressive and uncontrolled dogs</b>		
Concern about roaming dogs within residential streets, rushing gates, intimidating pedestrians and being loose in public spaces	6	The Committee will need to consider whether existing enforcement mechanisms, containment requirements, and leash controls are sufficient, or whether amendments to the Bylaw or operational practices are required to address these concerns.
Concern about aggressive behaviours, including biting incidents, attacks on livestock, and fears for the safety of children and vulnerable residents	4	
Repeated incidents of dogs being off-leash in areas designated as on-leash only, particularly at the Tutaenui Reservoir	4	
Barking and noise issues, including concerns about multiple dogs being kept on urban properties	3	
Concern about availability of Animal Control Team in Taihape	1	
<b>3. Dog waste</b>		
Concern that dog waste is being left in parks, reserves and on footpaths	6	The Committee may wish to consider whether infrastructure changes (e.g. bins or dispensers), increased education, or enhanced enforcement would improve compliance, and whether these measures are proportionate to the level of concern expressed.
Request installation of dog bag dispensers in public areas to improve compliance	4	
Request for additional rubbish bins (noting that removal of bins may contribute to increased dog waste being left behind)	2	
Stronger enforcement measures for owners who fail to carry bags or remove dog waste	2	
<b>4. Dog exercise areas and infrastructure</b>		
Current exercise areas are suitable	17	Requests for fenced dog parks reflect a desire for safer off-leash environments and clearer separation between dog exercise areas and other recreational users. The Committee will need to consider land
Request for fully fenced dog parks to promote safer off-leash opportunities	4	
Request for a fenced off-leash space in Marton, noting limited current provision	2	
Request for establishing a dedicated dog area in Hunterville	2	

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Suggest formalising or recognising the Bulls River address area as a dog-friendly space	2	availability, cost implications, and alignment with the intent of the Dog Control Bylaw and Policy.
Request improved signage in parks and reserves to clarify dog control requirements	2	
Suggests additional seating within dog areas	1	
<b>5. Registration and responsible dog ownership</b>		The Committee will need to consider whether adjustments to the fee structure would support compliance objectives, while ensuring cost recovery requirements are met.
Request lower registration fees for responsible dog owners or a tiered registration system	6	
Introduce or strengthen longer-term compliance rewards (e.g. 'exceptional dog owner' discounts)	3	
Current registration system is easy and affordable	2	
Concern that registration costs are increasing and may discourage compliance	2	
Suggests earlier distribution of registration notices	1	
Suggests a rebate where proof of vaccination is provided	1	
Suggests working dogs should not require registration until they reach one year of age	1	
<b>6. Enforcement and education</b>		
Call for stronger enforcement of existing rules, particularly in relation to roaming dogs and containment	4	
Suggests random Animal Control team visits to leash-only areas to improve compliance	1	
Suggests stronger consequences for repeat offending dogs or owners following harm incidents	2	
Request improved access to dog training or dog club facilities within the district	2	
Suggests additional education for children on dog safety	1	
<b>7. Other matters raised</b>		While some of these matters fall outside the direct scope of the Dog Control Bylaw, they reflect broader community concerns regarding animal management and public safety. The Committee may wish to note these matters for consideration in related policies or operational planning.
Request that injured dogs collected by Council are assessed by a veterinarian prior to euthanasia decision	1	
Requests improved online access to dog control rules for visitors travelling with dogs	1	
Concern about footpath safety in Hunterville, noting limited safe walking options	1	
Concerns about feral cats and requests greater control measures	2	

Alignment with Statutory Requirements:

- 3.6 As noted above, the Dog Control Act 1996 specifies the content of the Council's Policy and the purpose for the Council's Bylaw. *Attachment 1* provides a table which sets out the alignment for the Policy and the Bylaw. Comments below are based on that analysis.

- 3.7 The Policy generally complies with the statutory requirements, clearly identifying which public places are prohibited to dogs (other than working dogs carrying out their functions), which public places are off-leash dog exercise areas, and requiring dogs to be controlled by a leash in all other public places.<sup>7</sup> However, the Policy provides discretion to a Senior Dog Control Officer (now the Manager - Animal Control) to require a classified menacing dog to be neutered rather than specifying '*the matters taken into account*' in requiring such a dog to be neutered.<sup>8</sup>
- 3.8 The Bylaw also generally complies with the purposes set out in clause 20, repeating the requirements over public places specified in the Policy, but adding a fifth dog exercise area, the Turakina Reserve<sup>9</sup> and allows a 48-hour exemption for dog shows. It specifies the minimum standards of accommodation,<sup>10</sup> limits the number of dogs at any property, requires dog owners to immediately remove faeces left in a public place, extends the requirement to confine bitches in season to dogs suffering from an infectious disease, and provides for impounding of dogs and the procedures for release or disposal.<sup>11</sup> However, while requiring a dog owner to provide the means of confining the dog within the owner's property,<sup>12</sup> the Bylaw does not require such confinement during a specified period which section 20(1)(g) allows.
- 3.9 The Bylaw does not reflect the Policy's position over neutering menacing dogs. Nor does it provide for requiring neutering of a dog which has not been kept under control on a number of occasions. However, the Bylaw does allow Council to issue a notice to a dog owner where a dog (or dogs) on the property have become (or a likely to become) a nuisance or injurious to health. Potential requirements could extend to reducing the number of dogs or repairing the kennel or constructing a new one. Neutering is not mentioned in this context.
- 3.10 The Bylaw prohibits any person (not just a dog owner) from aggravating a dog leading to behaviours in breach of section 5 of the Act, i.e. nuisance, barking, causing injury to an animal or person. However, that section of the Act is limited to dog owners.

Comparison with policies and bylaws of surrounding TAs:

- 3.11 The Bylaw is the enforcement mechanism for the Policy (but as noted above the Act is also an enforcement mechanism<sup>13</sup>). Since the legislators intended that the community engage with the Policy, there will be differences between councils, both in the Policy and the Bylaw. Examining policies and bylaws of other councils has the potential to provide useful perspectives. *Attachment 2* analyses the current policies and bylaws adopted by Manawatū, Tararua and Whanganui District Councils. *Attachment 3* provides a comparable analysis of the bylaws of those three councils.
- 3.12 Manawatū District Council (MDC) emphasises that dogs should be '*under control*' by their owners at all times, including dog exercise areas. This is defined as '*either*

<sup>7</sup> The policy does not identify any public places where leashes are not required (apart from designated dog exercise areas) but that is redundant since the policy requires that a dog must be on a leash in any public place which is not prohibited.

<sup>8</sup> Section 33E and 33EB of the Dog Control Act allow the Council to require neutering of any dog classified as menacing.

<sup>9</sup> Added by Council resolution, 28 June 2018: 18/RDC/248, in response to a request from the Turakina Reserves Management Committee.

<sup>10</sup> This aligns with section 54(1) of the Dog Control Act

<sup>11</sup> This aligns with section 69 of the Dog Control Act.

<sup>12</sup> Required by section 52A(2)(b) of the Dog Control Act.

<sup>13</sup> With one exception, the infringement offences specified in Schedule 1 of the Act relate to provisions in the Act. The exception is breaches of the bylaw.

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*controlled by a leash that is being held by someone that is capable of restraining the dog, under direct control such as being held, or controlled by voice command where the dog must be within sight and obeys commands without hesitation’.*

- 3.13 Whanganui District Council (WDC) distinguishes dog exercise areas from other off-leash areas on the basis that dog owners are the priority users. However, this does not mean an exception from the requirement for dogs to be under continuous control.
- 3.14 MDC explains in its Policy the reasons for identifying public places which are prohibited to dogs. There are more opportunities in Manawatū (and in Whanganui) for dogs to be permitted under leash. This could be one of issues raised in consultation i.e. identifying some areas now prohibited where dogs on leash would be permitted.
- 3.15 MDC and WDC exempt dogs herding or driving stock on a road from the faeces removal requirement. While a valid clarification, it seems unnecessary since such dogs will be in an environment where there are faeces from stock.
- 3.16 Tararua District Council (TDC) defines what ‘adequate accommodation’ for a dog is, comparable to what Rangitikei requires. MDC and WDC do not do this (although MDC specifies that a dog must be kept at least 1.8 metres from a boundary fence (unless an exemption is given by the Council). Such a requirement could reduce the likelihood of nuisance to neighbours or (if a street boundary) passers-by.
- 3.17 TDC reflects the confining requirement specified Section 52A of the Act, but Council, MDC and WDC do not specify this requirement. This is a significant requirement and including it in the Bylaw ensures greater profile, however, including wording from legislation verbatim can create unnecessary repetition and can also lead to issues if the wording in the legislation is amended or replaced.
- 3.18 TDC’s Policy requires microchipping of all dogs classified as dangerous or menacing and all dogs first registered after 1 July 2006. This repeats section 36A(1) of the Act. MDC and WDC do not mention this in their respective policies.
- 3.19 The policies of MDC and WDC are specific in allowing impounding of a dog found wandering after a first such incident. TDC’s Policy does not specify such a transition, thus implying impounding could occur at the first instance.
- 3.20 All three councils describe their procedures in addressing barking dogs. MDC details how Council defines ‘persistent’ and ‘loud’ barking and ‘howling’ – terms used in section 55 of the Act, but not explained further there.
- 3.21 TDC does not allow more than two dogs at an urban property unless a ‘Three Plus Permit’ has been issued. The equivalent limit imposed by MDC is two (not specified in the Policy but included in the Bylaw), and in Whanganui the limit is three. These councils have formal procedures for allowing a greater number.
- 3.22 TDC and WDC provide a process for recognising responsible dog owners with a particular status (‘Preferred Dog Owner’ in Tararua, ‘Responsible Dog Owner’ in Whanganui) and discounted fees. MDC’s Policy provides for a reduced registration fee for selected owners, but does not elaborate on how that status is achieved.

Improving the effectiveness of the policy and the bylaw

- 3.23 The comments made by those who participated in the pre-engagement survey point to the Animal Control Team being responsive and good communicators.

3.24 A key question for the Committee is what amendments to the Policy and Bylaw could reinforce what the Team is doing and make the Bylaw more effective. Some improvements/amendments for the Committee to consider are listed below:

- a) Improve the scope by:
  - adding 'Under Control' (as provided by MDC) to make explicit owners' responsibility, even in dog exercise areas;
  - explaining why certain public places are prohibited to dogs;
  - setting requirements for boarding and breeding kennels;
  - allowing access to premises and public places for disability assist dogs accompanying a person with a disability; and
  - Under 'standards of accommodation' include reference to the requirements under the Animal Welfare (Care and Procedures) Regulations 2018. While enforcement of these regulations sits outside Council, such a reference makes explicit Council's expectations of responsible ownership.
- b) Provide additional public places where dogs under leash are permitted (i.e. amending the areas of prohibited public places). While Council is able to determine additional off-leash dog exercise areas by resolution, the proposed consultation on the amended Bylaw and Policy would provide information to inform that decision.
- c) Require all dog owners to carry (and use) a waste bag when taking their dog into any public place where control under a leash is required, to 'immediately remove the faeces and dispose of them in a sanitary manner'. Clause 7.2.6 of the Policy has this requirement, but it needs to be provided for in the Bylaw so that non-compliance becomes an infringement offence under section 20(5) of the Dog Control Act. This change will help address the concern raised in the pre-engagement survey.
- d) Allow discretion to the Animal Control Team to require neutering to when the dog has a series of behavioural issues.

3.25 Although there is concern expressed in the pre-engagement survey about roaming dogs and dogs not on leash where they should be, it is not proposed to specify mandatory impounding for any dog at large in breach of the Bylaw, which is the case in Manawatū and Whanganui (noted above, para. 3.19). Such a Policy potentially undermines Rangitikei's compliance-focussed framework which prioritises education and voluntary compliance before enforcement action. The experience of the Animal Control Team is that only a small proportion of roaming dogs encountered are repeat offenders. Clause 7.13.7 of the Policy, which provides discretion to the Animal Control Team to return a roaming dog with a warning or infringement notice, would be retained.

3.26 These changes must be reflected in an amended Bylaw as well as the Policy.

3.27 There are currently several provisions in the Bylaw which are not identified in the Policy. Examples are standards for accommodation, limits on the number of dogs kept at any property, confinement of a dog suffering from an infectious disease, dispensations for approved dog shows.

- 3.28 The lack of off-leash dog exercise areas in urban areas like Rātana, Hunterville and Mangaweka warrants consideration, but this does not necessarily need to be addressed in the proposed consultation of an amended Policy, as Council is able to determine additional dog exercise areas by resolution.

**Options:**

3.29 Option 1: Determine that a Bylaw is appropriate and provide direction on amendments the Committee seeks to be made to the Bylaw and Policy

- 3.29.1 This option should be chosen if the Committee agrees that a bylaw is the most appropriate way of addressing the issues raised, while acknowledging that improvements could be made to the form of the Bylaw (and the Policy).

- 3.29.2 If this option is chosen offices seek direction for any changes the Committee may be seeking to be made to the Bylaw and Policy. Officers will use any feedback to draft the amendments to the Bylaw and Policy before bringing it back to the Committee to adopt it for consultation. This option is recommended by officers.

3.30 Option 2: Determine that the current bylaw continues to be fit for purpose and consult on retaining the bylaw and policy in their current form

- 3.30.1 This option should be chosen if the Committee believes that the Control of Dogs Bylaw 2016 continues to be fit for purpose.

- 3.30.2 If this option is chosen officers will come back to the Committee with the material required to consult on retaining the Bylaw for adoption.

**4. Financial Implications**

- 4.1 There are no financial implications associated with this report - bylaws are reviewed within existing budgets.

**5. Impact on Strategic Risks**

- 5.1 Council's Bylaw and Policy need to be fit for purpose to ensure that officers are able to have the right tools to be able to do their jobs effectively and mitigate the strategic risk of '*Regulatory effectiveness is questioned*'.

**6. Strategic Alignment**

- 6.1 The Bylaw and Policy align with the Social Wellbeing and the Strategic Priority of 'working collaboratively to improvement community wellbeing' elements of Council's Strategic Framework.

- 6.2 Provision of safe spaces for dog owners and other members of the community, as well as promoting responsible dog ownership and public education around dogs are important aspects of the Bylaw and Policy.

**7. Mana Whenua Implications**

- 7.1 There are no mana whenua implications associated with this report.

**8. Climate Change Impacts and Consideration**

- 8.1 There are no climate change implications associated with this report.

## 9. Statutory Implications

- 9.1 The Council is required under the Dog Control Act 1996 to have a Policy in respect of dogs in its district. The Council must make any necessary Bylaws in order to give effect to the Policy.
- 9.2 Any Bylaw authorised by the Act must be made in accordance with the LGA.
- 9.3 Under the LGA, a new Bylaw must be reviewed within five (5) years of being made, and then subsequently reviewed within ten (10) years after the date of any previous review. The Dog Control Bylaw 2016 is an amended version of the Dog Control Bylaw 2014 and 2004 versions, and therefore, the statutory deadline is within 10 years of the last review.
- 9.4 Section 10AA(2) of the Act provides that the Council must review the Bylaw by making the determinations required under section 155 of the LGA in the context of a reconsideration of the matters in section 10(4) of the Dog Control Act 1996. The information and analysis of this report and its attachment aim to meet the review requirements for section 155.
- 9.5 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. If the Council considers that the Bylaw should continue without amendment, it must use the special consultative procedure as set out in the LGA.
- 9.6 The Act requires the 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.
- 9.7 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.
- 9.8 Section 10(2) of the Act requires that the Council give notice of any draft Policy to all registered dog owners.
- 9.9 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, it is recommended that the Council use the special consultative procedure for both the Policy and the Bylaw, and that these processes be conducted concurrently.

## 10. Decision Making Process

- 10.1 No matter which of the two options (outlined under section 3.29 and 3.30 of the report) the Committee chooses, public consultation must occur.
- 10.2 Depending on which option the Committee chooses officers will come back at a later date and confirm the process and timeline.

### Attachments:

1. **Rangitikei Dog Control and Policy Bylaw alignment with statutory requirements (under separate cover)**

**ITEM 6.1**

2. **Comparison of neighbouring Councils Dog Control Policies - Manawatu, Tararua, Whanganui (under separate cover)**
3. **Comparison of Dog Control Bylaws in neighbouring Councils (under separate cover)**

**Recommendation 1**

That the report 'Review of Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy' is received.

**Recommendation 2**

That the Policy/Planning Committee expresses its appreciation to those people who provided responses to the pre-engagement survey on the operation of the Dog Control and Owner Responsibility Policy and Control of Dogs Bylaw.

**Recommendation 3**

That the Policy/Planning Committee makes a determination under section 155 of the Local Government Act 2002 that a bylaw for the control of dogs is the most appropriate way of addressing the problems of managing dogs in the Rangitikei District and to give effect to the requirements of the Dog Control Act 1996, noting that section 10(6) of the Dog Control Act 1996 requires the Council to make a bylaw to enforce its Dog Control and Owner Responsibility Policy.

**Recommendation 4**

That the Policy/Planning Committee direct officers to make amendments to the Control of Dogs Bylaw and the Dog Control and Owner Responsibility Policy, and that a draft Bylaw and Policy along with consultation material are brought back to the Committee for its consideration at a later date.

OR

That the Policy/Planning Committee consider that the current Control of Dogs Bylaw is fit for purpose and that officers shall prepare and bring back to the Committee, at a later date, the consultation material for retaining this Bylaw and the Dog Control and Owner Responsibility Policy.

**Recommendation 5**

That the Policy/Planning Committee recommends to Council that it extends the date for the review of the Dog Control and Owner Responsibility Policy from 26 May 2026 to 26 November 2026 to allow consultation on proposed amendments to the Policy to be undertaken.

## **7 Meeting Closed**

