



MEETING of Hearings Committee AGENDA

Time: 9:00 am
Date: Wednesday, 9 April 2025
Venue: Waiata House, 27 Lincoln Road,
Masterton

MEMBERSHIP

Councillor Craig Bowyer (Chairperson)

Mayor Gary Caffell

Iwi Representative Jo Hayes

Councillor David Holmes

Councillor Tom Hullena

Iwi Representative Robin Potangaroa

Values

1. **Public interest:** members will serve the best interests of the people within the Masterton district and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.
3. **Ethical behaviour:** members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour.
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their ethnicity, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of Council staff.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code, and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which MDC operates, including a regular review and assessment of MDC's collective performance.

These values complement, and work in conjunction with, the principles of section 14 of the LGA 2002; the governance principles of section 39 of the LGA 2002; and our MDC governance principles:

**Whakamana
Tangata**

Respecting the mandate of each member, and ensuring the integrity of the committee as a whole by acknowledging the principle of collective responsibility and decision-making.

Manaakitanga

Recognising and embracing the mana of others.

Rangatiratanga

Demonstrating effective leadership with integrity, humility, honesty and transparency.

Whanaungatanga

Building and sustaining effective and efficient relationships.

Kotahitanga

Working collectively.

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1 CONFLICTS OF INTEREST

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

2 APOLOGIES

The Chair invites notice from members of apologies, including apologies for lateness and early departure from the meeting.

3 REPORTS FOR DECISION

3.1 2025 CONTROL OF DOGS BYLAW, DOG POLICY, DANGEROUS, AFFECTED, AND INSANITARY BUILDINGS POLICY HEARINGS REPORT

File Number:

Author: Stephanie Frischknecht, Policy Manager

Authoriser: Kym Fell, Chief Executive

PURPOSE

To provide the Hearings Committee with the submissions on the draft Dangerous, Affected and Insanitary Buildings Policy: Kaupapa Here mō ngā Hanganga Mōrearea, Tūtata, Paru hoki, Control of Dogs Bylaw: Whakahaere Ture ā-Rohe mō ngā Kurī and the Dog Policy: Kaupapa Here Kurī ki Whakaoriori ahead of the Hearing on 9 April.

EXECUTIVE SUMMARY

This report provides the submissions received on the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy during the consultation period (21 February to 21 March 2025). Council received:

- 15 submissions on the Dangerous, Affected, and Insanitary Buildings Policy; and
- 135 submissions on the Control of Dogs Bylaw and Dog Policy.

Five people wish to be heard at the Hearings. All submitters who wish to be heard are speaking to their submissions on the Control of Dogs Bylaw and Dog Policy.

The hearings procedure has been provided to those submitters who wish to present to the Hearings Committee orally. A copy of the procedure and schedule are attached to this report.

The hearing will take place on Wednesday 9 April 2025 from 9am at Waiata House, Lincoln Road, Masterton. The hearing will also be livestreamed via the Council's YouTube channel.

RECOMMENDATIONS

That the Hearings Committee:

1. **receives** the full set of submissions on the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy as part of consultation (Attachments 4 and 5);
2. **notes** that 15 submissions were received on the Dangerous, Affected, and Insanitary Buildings Policy;
3. **notes** that 135 submissions were received on the Control of Dogs Bylaw and Dog Policy;
4. **notes** that five submitters are confirmed to be heard on the Control of Dogs Bylaw and Dog Policy; and
5. **notes** that deliberations will take place on 30 April 2025.

CONTEXT

Consultation on the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy occurred between 21 February to 21 March 2025.

The Dangerous, Affected, and Insanitary Buildings Policy Statement of Proposal, the Control of Dogs Bylaw and the Dog Policy Statement of Proposal, and submission forms for both, were available on our website, from the Customer Services Centre (161 Queen Street) and the Library.

The opportunity to submit was widely advertised to our community via mechanisms such as direct emails to key stakeholders and community groups, through print media and local radio. Additional examples are provided further in this report.

Section 82 of the LGA requires Council to provide opportunities for people to present their views in a manner and format that is of preference to them, including orally. A formal hearings process is a way of enabling that.

The Dangerous, Affected and Insanitary Buildings Policy provides guidance to Council to identify and manage buildings in the district that may be dangerous, insanitary, or affected by nearby dangerous buildings.

The Control of Dogs Bylaw and the Dog Policy aims to minimise danger, distress and nuisance to the community. It also manages dog access in public places to ensure public safety, particularly in areas frequented by children. It aims to balance public safety with the needs of dogs and their owners for exercise and recreation.

ANALYSIS AND ADVICE

Consultation Process

Consultation on the on the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy began on Friday 21 February and closed 4pm Friday 21 March 2025.

The Statement of Proposals and submission forms were available on the Council website and from the Masterton District Library and the Customer Service Centre (161 Queen Street).

The opportunity for the community to have their say was advertised to our community through direct emails to key stakeholders, Antenno, and traditional media including print and local radio.

We informed all registered dog owners, the SPCA, Masterton Primary School, Forest and Bird, Riversdale Beach Community Association, Castlepoint Residents and Ratepayers Association, our iwi entities and other key stakeholders regarding the opportunity to provide feedback on the Control of Dogs Bylaw and the Dog Policy.

Posters were available at Taranaki Street Park and stores at Castlepoint and Riversdale Beach to advertise proposed changes to the Control of Dogs Bylaw and Dog Policy.

The Ministry of Business Employment and Innovation, Heritage New Zealand Pouhere Taonga, Fire and Emergency New Zealand, and our iwi entities were informed of the opportunity to provide feedback on the Dangerous, Affected, and Insanitary Buildings Policy.

Consultation Topics

Community feedback was sought on the following options.

Dangerous, Affected, and Insanitary Buildings Policy

- **Option 1:** Adopt the proposed Dangerous, Affected, and Insanitary Buildings Policy – to take account of legislative requirements, improve transparency and consistency, and to clarify how the policy is applied within the Council's broader strategic context (preferred option).
- **Option 2:** Adopt the proposed Dangerous, Affected, and Insanitary Buildings Policy with further amendments
- **Option 3:** Retain the current Dangerous, Affected, and Insanitary Buildings Policy – this means we may not be compliant with our legislative requirements

Control of Dogs Bylaw and the Dog Policy

- **Option 1:** Make proposed changes to the Control of Dogs Bylaw and the Dog Policy – updates the Policy and Bylaw to respond to current needs, protect wildlife, reduce roaming, provide flexibility, and improve clarity (preferred option).
- **Option 2:** Make other changes to Control of Dogs Bylaw and the Dog Policy – this option enabled submitters to suggest changes not included in our proposals outlined in the Statement of Proposal.
- **Option 3:** Leave the Control of Dogs Bylaw and the Dog Policy as is – this does not address dog exercise needs, wildlife protection, or persistent roaming. It also misses opportunities for improvement.

In addition, we sought feedback on the eight key proposed changes, which were:

- **Proposed Change 1:** Taranaki Street Park Off-Leash
 - We proposed to designate Taranaki Street Park as off-leash. This is due to feedback we have received that this area is already informally used off-leash without issues, an increased demand for more off-leash areas spread out in urban Masterton, and the park's suitability for off-leash (no playgrounds, sports, etc.)
- **Proposed Change 2:** Castlepoint Beach Reef Area Prohibited
 - We proposed to designate the reef area of Castlepoint Beach as prohibited as it has been identified in the Greater Wellington Regional Council's Natural Resource Plan as a significant habitat for indigenous birds.
- **Proposed Change 3:** Motuwaireka Stream Mouth at Riversdale Beach On-Leash
 - We proposed to designate the northern end and Motuwaireka Stream mouth at Riversdale Beach as on-leash as it has also been identified as a significant habitat for indigenous birds in Greater Wellington Regional Council's Natural Resource Plan.
- **Proposed Change 4:** Requirement to Neuter an Uncontrolled Dog
 - We proposed to introduce a requirement to neuter an uncontrolled dog. Masterton's most common dog incident is roaming, and unneutered dogs are more likely to roam.

- **Proposed Change 5: Exercising Dogs Alongside Moving Vehicles Clarification**
 - We proposed to add a section clarifying that exercising dogs alongside a moving motor vehicle means the owner is not in control of their dog. This would not apply to working dogs.
- **Proposed Change 6: Process for Removing Menacing Dog Classification**
 - We proposed to implement a process for removing a menacing dog classification. If a menacing dog owner has taken sufficient steps to demonstrate responsible dog ownership, they may apply to have the classification removed. This will incentivise positive behavioural change.
- **Proposed Change 7: Discretion for Council to Waive Surrendering Fees**
 - We proposed to provide discretion for Council to waive surrendering fees in exceptional circumstances. This covers exceptionally rare cases, where a person may choose to abandon or dispose of a dog inappropriately rather than surrender it to Council.
- **Proposed Change 8: Responsible Dog Owner Status Clarity and Exemptions for Neutering**
 - We proposed to improve clarity around Responsible Dog Owner status for multiple dog ownership and moving house, and provide exemptions from the neutering requirement for dog owners who are responsible but have a dog that is not fit for neutering due to potential health risks.

Further information on key proposed changes are provided in the Statement of Proposals included as Attachment 1.

Submissions

A total of 15 submissions were received on the Dangerous, Affected, and Insanitary Buildings Policy.

A total of 135 submissions were received on the Control of Dogs Bylaw and Dog Policy. Five submitters are confirmed to speak in support of their submission on the Control of Dogs Bylaw and Dog Policy.

No submitters wished to speak to their submissions on the Dangerous, Affected, and Insanitary Buildings Policy.

One submission on the Dangerous, Affected, and Insanitary Buildings Policy was provided in te reo Māori. To support your understanding of submission 12 (Attachment 4, page 26) their submission has been translated as follows:

Kei te whakaae a Rangitane Tu Mai Ra ki nga kaupapa kua raua atu ki te kaupapahere hou. *Rangitane Tū Mai Rā agrees with the topics which are covered/ gathered in the new policy.*

The submissions are attached to this report

The hearing schedule is included as Attachment 2, this also attaches the submissions of those five submitters speaking at the hearing. The full sets of submissions for the Control of Dogs Bylaw and Dog Policy and Dangerous, Affected, and Insanitary Buildings Policy can be found at Attachment 4 and 5 respectively.

Redactions have been applied to personal information (excluding name and organisation) and content that does not meet the conditions of the [Submissions Policy](#) (e.g. out of scope comments, offensive language).

Hearing Procedure

The hearing procedure provided to submitters in advance is provided as Attachment 3. Submitters will be heard either in person or online via Microsoft Teams.

Each submitter has been allocated 10 minutes, 7 minutes to present and 3 minutes for questions.

Deliberations

Analysis of submissions will be presented to the Hearings Committee as part of the Deliberations Report.

The Hearings Committee will discuss the submissions received, consider the views of the community and advice from staff, and decide recommendations at the Hearings Committee Deliberations meeting scheduled for 30 April.

Single issue operational matters (e.g. specific to a property or ratepayer), and out-of-scope comments (such as comments on dog registration fees) will be referred to the appropriate Council staff for consideration rather than being discussed in the Deliberations Report.

SUMMARY OF CONSIDERATIONS

Strategic, Policy and Legislative Implications

Sections 82 of the LGA sets out principles of consultation which must be met when undertaking consultation. Consultation on the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy must follow the Special Consultative Procedure (section 83 (and section 86 for bylaws)).

Under section 131 of the Building Act 2004, territorial authorities must adopt a policy on dangerous and insanitary buildings.

Under the Dog Control Act 1996 we must have a Dog Policy and Control of Dogs Bylaw and these must comply with sections 10 and 20 respectively of the Dog Control Act 1996.

Significance, Engagement and Consultation

Consultation followed the requirements of section 82, 83 and 86 of the LGA. Statement of Proposals, draft Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw, the Dog Policy, and information about how the community could have their say and present their views was widely advertised and available.

The recommendation to receive and hear submissions does not trigger any additional criteria under the Significance and Engagement Policy.

Financial Considerations

There are no specific financial considerations associated with the receipt or hearing of submissions.

Implications for Māori

Māori make up 22.6 per cent of the population of Masterton. There are no specific implications for Māori arising from the receipt or hearing of submissions.

Analysis of submitter demographics will be included in the Deliberations Report.

Communications/Engagement Plan

As stated, consultation meet the requirements of the LGA. This involved making a proposal available for one month and providing an opportunity to present their views to the Council.

The opportunity to be heard was promoted in the Statement of Proposals.

Environmental/Climate Change Impact and Considerations

There are no environmental/climate change impacts or considerations arising from the receipt of this report. The Deliberations Report will comment on any key themes related to Climate Change and the Environment that are noted in submissions if applicable.

NEXT STEPS

The Hearings Committee will deliberate on 30 April and will make recommendations back to Council on the three documents. Council will consider the adoption of the Dangerous, Affected, and Insanitary Buildings Policy, Control of Dogs Bylaw and the Dog Policy on 14 May 2025.

ATTACHMENTS

1. **Statements of Proposal - Dangerous, Affected and Insanitary Buildings Policy and Dog Policy and Dog Control Act** [↓](#)
2. **Hearing Schedule and Submissions to be Heard** [↓](#)
3. **Hearing Procedure** [↓](#)
4. **Full Set of Submissions - Dog Policy and Dog Control Bylaw (under separate cover)**
5. **Full Set of Submissions - Dangerous Affected and Insanitary Buildings Policy (under separate cover)**

He Arotakenga o te Kaupapa Here mō ngā
Hanganga Mōrearea, Tūtata, Paru hoki

Dangerous, Affected, and Insanitary Buildings Policy Review Statement of Proposal





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This Statement of Proposal has been prepared in accordance with Section 83 of the Local Government Act 2002.

Horopaki

Background

Our Dangerous, Affected, and Insanitary Buildings Policy is now due for review, and we would like your feedback.

Consultation is open from 21 February to 21 March 2025.

This proposal is to adopt an amended Dangerous, Affected, and Insanitary Buildings Policy. A policy is required by the Building Act 2004 (the Act) and the current policy was adopted in 2018.

The intent of the Dangerous, Affected and Insanitary Buildings Policy is to reduce the risk of injury, death, ill health or damage that may occur as a result of dangerous, affected, and/or insanitary buildings (at risk buildings). We have undertaken a review of our policy to make sure it is still effective and are proposing some changes to bring the Policy up to date.

The draft Policy is attached to this Statement of Proposal and is available on our website. More information about the policy, key changes, and how to have your say can be found further in this document.

What is a Dangerous, Affected and Insanitary Buildings Policy?

Each Council must have a Dangerous, Affected and Insanitary Buildings Policy.

This policy outlines how buildings deemed to be potentially dangerous, affected and/or insanitary will be identified and categorised, and what action shall be taken in the Masterton District. This must include:

- the approach the Council will take in relation to at-risk buildings
- the Council's priorities for this approach
- how the policy will apply to heritage buildings.

This Policy does not cover dams, or any part of a building that is a dam, or earthquake-prone buildings as these have their own requirements under the Act.

Why are we updating the Policy?

The Policy must be reviewed every five years, in consultation with the community. The Policy is now due for review.

The existing policy approach to dangerous and insanitary buildings is reactive, meaning that a Council response only occurs when a complaint or information is received. Council does not undertake regular inspections of such buildings. We think that our current approach is working well for the Masterton community, but we are proposing some improvements to:

- take account of legislative requirements
- improve transparency and consistency
- update the policy structure and clarify how the policy is applied within the Council's broader strategic context.

While the wording of the policy has been revised for clarity, the practical implementation remains unchanged. The proposed Policy will continue to enable a local response in meeting Council's obligations under the Act to identify and remedy dangerous, affected and insanitary buildings. The proposed Policy will contribute to Council achieving the objective of the Act to ensure that buildings do not endanger the health, safety of the people who use them.

We are keen to hear from building owners and our wider community about what you think.

Tā tātou tono

Our proposal

We are proposing some improvements to the policy to:

1. take account of legislative requirements
2. improve transparency and consistency
3. update the policy structure and clarify how the policy is applied within the Council's broader strategic context.

Key proposed changes

Proposal 1: Take account of legislative requirements

Description	Inclusion of “affected buildings” in the Policy title and more explicit references in the Policy
Reason	Section 132A of the Act requires the Council to amend any existing policy to take account of affected buildings. This means that for any building that is in close proximity to a building that is determined as ‘dangerous’, the Council has the ability to determine whether it fits the definition of ‘affected’ and to seek to mitigate any risk if it is. The draft Policy includes provisions on ‘affected’ buildings and the name of the draft Policy has been changed to include ‘affected’ buildings.
Description	Explanation of how the Policy functions in relation to an Emergency Designation (interaction with other provisions of the Act)
Reason	In 2019, a series of changes were made to the Act to provide new powers to manage buildings following an emergency event. The policy now includes explanation of how subpart 6B of the Act applies when a building is affected by an emergency. The inclusion of these updates in the draft Policy provides procedural clarity for the community and staff in case of an emergency.

Proposal 1 continued

Description	Inclusion of information regarding the heritage legislative and policy framework including any relevant District Plan policies and section 6(f) of the Resource Management Act 1991 (RMA) to reflect that historic heritage is a matter of national importance
Reason	<p>We must outline how the policy applies to Heritage Buildings. Preserving the unique heritage of Masterton is a part of our strategic goals and outcomes outlined in Cultural Development Strategy (a part of our Wellbeing Strategy He Hiringa Tangata, He Hiringa Whenua) and in our Long-Term Plan 2024-34 (outcome: pride in our identity and heritage). Heritage Buildings in the district contribute to the cultural life and heritage of our community, contributing to a sense of connection and belonging.</p> <p>We have expanded the Heritage Buildings section to include relevant references to the Heritage New Zealand Pouhere Taonga Act 2014 that are triggered during the remedial or demolition process. Updated wording provides procedural clarity for both building owners and Council staff during remediation works.</p>

Proposal 2: Improve transparency and consistency

Description	Inclusion of a statement on our approach to identifying at-risk buildings
Reason	<p>Makes clear the Council's position on identifying buildings that are at risk. We consider our current approach (reactive) is working well for our community.</p> <p>Dangerous and insanitary buildings are uncommon in the Masterton District. Identifying these buildings proactively may be difficult unless resources to undertake inspections and evaluations of buildings are increased.</p>

Proposal 2 continued

Description	Inclusion of a statement covering the recording of the status of dangerous, affected, and insanitary buildings and whether this information will be disclosed in any land information memorandum or, where it affects any proposed building work, whether the information should be disclosed in a project information memorandum
Reason	Makes it clear to the community and building owners how their information will be recorded. Ensures prospective new building owners have access to relevant information about the property.
Description	Inclusion of a Heritage Building definition
Reason	Including a definition in the draft Policy provides clarity for the community and staff. The definition aligns with the definition in the Act and is provided alongside other building definitions that are already in the Policy.
Description	Inclusion of when we will consult relevant iwi, hapū or hapori Māori
Reason	It is important that we consult with relevant iwi, hapū or hapori Māori when we are forming a view as to the appropriate action for buildings that are of significance to Māori. This is to ensure that cultural matters are considered. This does not preclude the relevant action being undertaken to ensure health and safety and reduce risk.

Proposal 3: Update the policy structure and clarify how the policy is applied within the Council's broader strategic context

Description	Context updated to reflect strategic context
Reason	Inclusion of wording that recognises that social, economic, environmental, and cultural factors may impact implementation of the provisions of the Act and Policy.

Alongside these key proposals, we have also proposed updates to improve the flow and readability of the policy. As part of these changes, we have included a flow chart to help support greater understanding of how we will determine and take action of dangerous, affected, and insanitary buildings.



Ngā āhuatanga i whakaarohia

Options considered

The Masterton District Council has considered the reasonably practical options for the future of the Dangerous, Affected and Insanitary Buildings Policy. The advantages and disadvantages of each option are outlined on the following pages. We are proposing to proceed with Option 1.

Option 1

Adopt the proposed Dangerous, Affected, and Insanitary Buildings Policy - This is our preferred option.

Advantages

- The policy has been developed based on latest available information and guidance from the Ministry of Business Innovation and Employment (MBIE).
- The policy takes into account feedback received through the early engagement period.
- It more accurately reflects our approach and current practice.
- The flow and readability of the policy has been improved and includes a flow chart to assist both staff and community to understand the process.

Disadvantages

- Aspects of the policy may be unfamiliar to, or unsupported by, the community.

Option 2**Make other changes to the Dangerous, Affected, and Insanitary Buildings Policy.****Advantages**

- Advantages would depend on the suggested changes.

Disadvantages

- Disadvantages would depend on the suggested changes.
- Dependent on extent of changes, may require further consultation which could delay a new Policy.

Option 3**Retain the current Dangerous and Insanitary Buildings Policy.****Advantages**

- The current policy is familiar to the community.

Disadvantages

- Does not reflect current approach or practices.
- Does not align with best practice guidance from MBIE and other stakeholders.
- Would be silent on aspects of the Building Act 2004 that are relevant to this policy.
- Does not take advantage of the opportunity to improve the flow and readability of the policy.

Te āhua o tō tuku kōrero

How you can have your say

We welcome your feedback on the Dangerous, Affected, and Insanitary Buildings Policy. Submissions close at 4pm Friday 21 March 2025.



Complete our online submission form at: mstn.govt.nz



Download a fillable pdf submission form from our website, and email to: submissions@mstn.govt.nz



Phone the Policy Team on 06 370 6300 between 9am and 4pm Monday to Friday (excluding public holidays) and tell us what you think.



Pick up a submission form from the Masterton District Library or Customer Service Centre at 161 Queen Street. You can also print out our printer-friendly form from the website. Post it to Masterton District Council, PO Box 444, Masterton 5840, or drop it off to our Customer Service Centre.

Submissions close 4pm Friday 21 March

Hearing

For those wanting to present their views to the Council, a hearing will be held on Wednesday 9 April 2025. You will need to indicate on your submission form that you would like to attend the Hearing.

He aha atu anō?

What happens next?

Following the consultation period, all feedback received will be considered by the Hearings Committee of the Council. A hearing will be held on Wednesday 9 April 2025 with a subsequent deliberations meeting on Wednesday 30 April 2025. Following the Hearing and Deliberations meetings, the Council will meet to consider the adoption of a policy in May 2025.

Supporting Documents

Our draft Dangerous, Affected, and Insanitary Buildings Policy can be found on our website and attached to this Statement of Proposal.

In developing this policy, we have taken into consideration the Ministry of Business Innovation and Employment guidance: Dangerous, affected and insanitary buildings: Guidance for developing policies on dangerous, affected and insanitary buildings (2024)¹.

You can find a list of frequently asked questions on our website: www.mstn.govt.nz

¹ www.building.govt.nz/building-officials/guides-for-building-officials/dangerous-and-insanitary-buildings-policies

Kaupapa Here mō ngā Hanganga
Mōrearea, Tūtata, Paru hoki

Dangerous, Affected, and Insanitary Buildings Policy





Ihirangi

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Policy number: MDC031

First adopted	2006
Latest version	xxxx
Adopted by	Masterton District Council
Review date	xxxx

Horopaki

Context

Councils are required by the Building Act 2004 (the Act) to manage dangerous, affected and insanitary buildings in their districts. Councils are required by sections 131 and 132A of the Act to adopt a policy that states their approach and priorities for doing this and confirm how the policy applies to heritage buildings. The Health Act 1956 (sections 29 and 42) also enables councils to deal with nuisance conditions related to certain matters that are likely to cause injury to the health of people in relation to insanitary buildings.

The Masterton District Council (the Council) first adopted a policy in 2006.

This policy sits within the Council's broader cultural, social, environmental, and economic strategic context and community outcomes. Considerations of cost and benefit of action are balanced between minimising threats to health and safety and the wider community impact of removing a building or taking it out of active use. If the building is used for housing, the impact on housing supply and affordability will be considered.

Pūtake

Purpose

The purpose of this policy is to:

- ensure people who use buildings can do so safely and without endangering their health; and
- provide a framework for how the Council will respond to and manage dangerous, affected, and insanitary buildings in the Masterton District.

Whānuitanga

Scope

This policy applies to all buildings within the Masterton District (the District).

The policy sets out:

- the approach that the Council will take in performing its functions under the Act, in relation to dangerous, affected and insanitary buildings;
- the priorities that will be adopted in carrying out those functions; and
- how the policy applies to heritage buildings.

Out of scope

Earthquake prone buildings are not covered within the scope of this Policy. The approach for earthquake prone buildings is covered in Subpart 6A of the Act.

A building that is a dam or any part of a building that is a dam, is also not covered by this Policy. Dams have their own requirements under section Subpart 7 of the Act.

Te tautohu i ngā hanganga mōrearea, tūtata, paru hoki

Identifying dangerous, affected, or insanitary buildings

The Council will not proactively inspect all buildings in the District but will respond promptly to complaints and information received by the community or by staff carrying out other inspections or visits regarding a potentially dangerous, affected or insanitary building.

The Council must first be satisfied that the building in question is dangerous, affected, or insanitary. To determine this, the Council will carry out the following steps:

1. On receiving a complaint or information expressing concern that a building is dangerous, affected, or insanitary, the Council will consult the owner of the building, inspect the building and site, and may also seek the advice of Fire and Emergency New Zealand (FENZ). The Council may also engage a subject matter expert to assist in identifying whether a building is dangerous, affected or insanitary or with determining a course of action.
2. Following the inspection, and taking into account the advice or recommendations of FENZ, the Council will determine whether the building is dangerous, affected or insanitary. In making this decision the Council will assess the information against the definitions provided in sections 121, 121A and 123 of the Act, and any relevant case law or previous Ministry of Business Innovation and Employment (MBIE) determinations.
3. If the Council is satisfied that the building in question is dangerous, affected, or insanitary, the Council will then determine the work or action that must be carried out to remedy it.

Te hāpaitanga ki ngā hanganga mōrearea, tūtata, paru hoki

Taking action on dangerous, affected, or insanitary buildings

The Council will consider each identified dangerous, affected, or insanitary building and determine the appropriate course of action based on the particular set of circumstances that exist. A flow chart procedure for remedying dangerous, affected, or insanitary buildings is attached to this Policy (Attachment 1).

Priorities

The Council will give priority to buildings that have been determined to be immediately dangerous, affected or insanitary. Immediate action will be required, as outlined in step 5 on the following page.

Our approach: taking action on dangerous, affected, or insanitary buildings

1. In forming a view as to the work or action that is required to be carried out to remedy the building from remaining dangerous, affected, or insanitary, the Council will take the following matters into account:
 - a. the size of the building
 - b. the complexity of the building
 - c. the location of the building in relation to other buildings, public places, and natural hazards
 - d. the life of the building
 - e. how often people visit the building
 - f. how many people spend time in or in the vicinity of the building
 - g. the current use of the building, including any special traditional and cultural aspects of the current or likely future use
 - h. the reasonable practicality of any work concerned
 - i. any special historical or cultural value of the building
 - j. any other matters that the Council considers may be relevant, taking into account the particular set of circumstances.
2. For all buildings, the Council will inform the building owner(s), tenants (if any) and any other relevant person directly impacted of the inspection results and the Council's intended course of action.
3. If the Council has determined that a building is dangerous, affected, or insanitary, the Council may do any or all of the following (section 124):
 - a. erect a hoarding or put up a fence around the building
 - b. attach a notice warning people not to approach the building
 - c. issue a written notice restricting entry to the building for particular purposes or to particular groups of people for a maximum period of thirty (30) days. Such notice may be reissued once for a further maximum period of thirty (30) days.
4. Following the inspection of the building, the Council will decide whether immediate action should be taken to avoid the immediate danger or to fix the insanitary conditions, pursuant to the provisions of section 129 of the Act.
5. If immediate action is required by Council to remove the immediate danger or fix insanitary conditions, a warrant will be issued by the chief executive to cause any action to be taken that is necessary in their judgment to remove that danger or fix those insanitary conditions.
6. On completion of the action stated in the warrant, the Council will apply to the District Court to endorse the issue of the warrant in accordance with section 130 of the Act, unless the building owner does not dispute the entry into the owner's land; agrees confirmation of the warrant by the District Court is not required; and the owner pays the costs of the action taken.

7. If the Council decides that immediate action under section 129 of the Act is not required to remove danger or fix insanitary conditions, the Council will issue a notice under section 124(2)(c) of the Act, requiring the owner to carry out the necessary work to reduce or remove the danger or prevent the building from remaining insanitary. The notice will state whether a building consent is required before commencing work. The time required to obtain a building consent and commence work will depend on the particular set of circumstances but shall not exceed six months from the time notice was served on the owner. Completion of the work for which a building consent has been issued shall depend on the particular set of circumstances of each case but shall not exceed a period of six months from the time the building consent was issued.
8. Where the building work is not completed, or not proceeding with reasonable speed in a notice issued under section 124 of the Act, the Council may apply to the District Court, for an order authorising it to carry out the work, pursuant to section 126 of the Act. Before the Council applies to the District Court, it will provide 10 days written notice to the building owner of its intention to do so. The full costs of carrying out such works will be recovered from the property owner.

Taipitopito hānga ki ngā hanganga mōrearea, tūtata, paru hoki

Information relating to dangerous, affected, or insanitary buildings

All information relating to a dangerous, affected, or insanitary building will be filed on the relevant property file. This will include a copy of the original inspection record and any actions taken against the property to remedy the matter.

If a notice is still being actioned by the property owner, this notice will also be included on any Land Information Memorandum (LIM) or Project Information Memorandum (PIM) prepared for the property.

Hanganga Aronehe

Heritage Buildings

The Wairarapa Combined District Plan and section 6(f) of the Resource Management Act 1991 (RMA) reflect that historic heritage is a matter of national importance. Those documents, and section 4(2)(l) of the Act collectively anticipate that work on a heritage building will be done in a manner that protects its heritage value.

When heritage buildings are determined to be dangerous, affected, or insanitary, the Council will seek to ensure, as far as reasonably practicable, that work carried out will not diminish the heritage value of the building. Property owners must take all reasonable steps to ensure that this objective is achieved.

If a notice under section 124 of the Act is issued to the owner of a heritage building listed by Heritage New Zealand Pouhere Taonga (HNZPT), the Council will send a copy of the notice to HNZPT. Council will work closely and consult with HNZPT for buildings that are listed in the New Zealand Heritage List/Rārangi Kōrero.

If the building is listed in the Wairarapa Combined District Plan as a heritage building or item, the Council will ensure the heritage value of the building is taken into account when forming a view as to the work or action that is required.

If demolition is proposed to a building that was constructed before 1900, the building may be an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 (Heritage Act) and the relevant archaeological provisions under the Heritage Act apply. Advice must be sought from HNZPT on relevant approvals and other requirements under the Heritage Act.

Dangerous, affected, or insanitary buildings of significance to Māori

This section applies to buildings that are of significance to Māori such as marae, wharenuī, or buildings on wāhi tapu, urupā, or Pā sites etc.

In forming a view as to the work or action that is required to be carried out to remedy the building from remaining dangerous, affected or insanitary, consultation will be undertaken with relevant iwi, hapū or hapori Māori, where appropriate, to ensure special historical or cultural value and tikanga are considered. Staff will be guided by the Significance and Engagement Policy and Pou Ahurea Māori on appropriate consultation.

Hanganga paru me te Ture Hauora

Insanitary buildings and the Health Act

Sections 29 and 42 of the Health Act 1956 also enable the Council to deal with nuisance or insanitary conditions related to certain matters that are likely to cause injury to the health of people in relation to insanitary buildings.

The Council will work with appropriate parties and use the most effective legislative mechanism in addressing potential health related issues.

Wherawhera i ētahi atu ritenga o te Ture

Interaction with other provisions of the Act

When a building is located in an area that has been designated as affected by an emergency under Part 2, subpart 6B of the Act, then dangerous, affected, or insanitary notices shall not apply if issued while the designation is in force. However, any action taken, or notices issued prior to any emergency designation shall continue to apply.

Notices issued while there is a designated emergency in force may continue to apply when the Responsible Person (as defined by section 133BK) decides, before the state of emergency or transition period ends, that any notice should continue in force.

Arotake Kaupapa Here

Review of Policy

This policy will be reviewed every five years.

The Ministry of Business, Innovation and Employment (Hīkina Whakatutuki) is provided a copy of the Policy.

Kuputaka

Definitions

The following definitions are from the Building Act 2004. Where a definition has the same meaning as a definition in the Act, the definition for the purposes of this policy includes any subsequent amendment to the definition in the Act. For the avoidance of doubt, where a definition in the Act differs from a definition in this policy, the definition in the Act has precedence.

Affected Building

In accordance with section 121A of the Act, a building is defined as affected if it is adjacent to, adjoining or nearby:

- a dangerous building as defined in section 121 of the Act; or
- a dangerous dam as defined in section 153 of the Act.

Dangerous Building

In accordance with section 121 of the Act, a building is defined as dangerous if:

- in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause:
 - injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - damage to other property; or
- in the event of fire, injury or death to any persons in the building or to persons on other property is likely.

Insanitary Building

In accordance with section 123 of the Act, a building is defined as insanitary if it:

- is offensive or likely to be injurious to health because:
 - of how it is situated or constructed; or
 - it is in a state of disrepair; or
- has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- does not have a supply of potable water that is adequate for its intended use; or
- does not have sanitary facilities that are adequate for its intended use.

Heritage Building

In accordance with section 7 of the Act, means:

- a building that is included on the New Zealand Heritage List/Rārangi Kōrero maintained under section 65 of the Heritage Act; or
- a building that is included on the National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu list maintained under section 81 of the Heritage Act; or
- a place, or part of a place, that is subject to a heritage covenant under section 39 of the Heritage Act and is registered under section 41 of that Act; or
- a place, or part of a place, that is subject to a heritage order within the meaning of section 187 of the Resource Management Act 1991; or
- a place, or part of a place, that is included in a schedule of the Wairarapa Combined District Plan because of its heritage value.

Tuhinga Hāngai

Related Documents

Wairarapa Combined District Plan

Dangerous, affected and insanitary buildings: Guidance for developing policies on dangerous, affected and insanitary buildings, Ministry of Business Innovation and Employment (2024)

Ngā Tohutoro

References

Building Act 2004

Heritage New Zealand Pouhere Taonga Act 2014

Health Act 1956

Resource Management Act 1991

Whakahaere kōnae

Version control

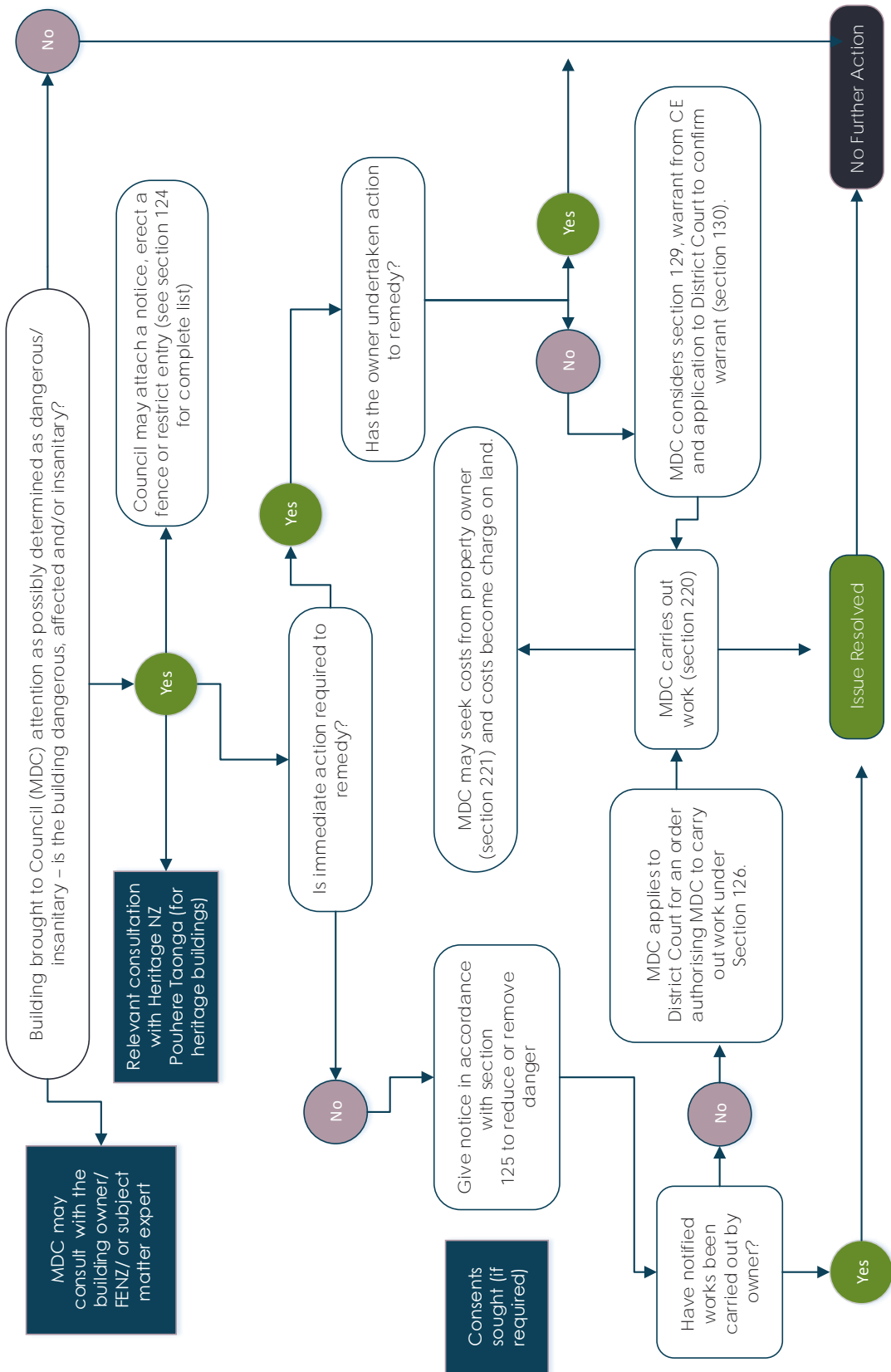
Version	Date	Summary of amendments	Approved by
1	2026	New policy	Masterton District Council
2	12/12/2018	Updated to include reference to 'affected' buildings, clarification of MDC priorities and how the policy applies to heritage buildings, minor amendments to improve readability.	Masterton District Council
3	x/x/2025	TBC	

Āpitihanga

Attachment

Attachment 1: Procedure for remedying dangerous, affected, and insanitary buildings flow chart.

Attachment 1: Procedure for remedying dangerous, affected and insanitary buildings





Phone

06 370 6300 - 8am to 5pm except Tuesdays 9am to 5pm
06 378 7752 after hours

Email

submissions@mstn.govt.nz

Call into

Masterton District Council
161 Queen Street, Masterton
9am - 4pm

Write to

Masterton District Council
PO Box 444, Masterton 5840
www.mstn.govt.nz



He Arotakenga o Te Kaupapa Here Kuri ki Whakaoriori
me te Whakahaere Ture Ā-Rohe mō ngā Kuri

Dog Policy and Control of Dogs Bylaw Statement of Proposal





Ihirangi

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This Statement of Proposal has been prepared in accordance with sections 83, 86 and 156 of the Local Government Act 2002 (LGA).

Horopaki

Background

Our Dog Policy and Control of Dogs Bylaw are due for review. We're proposing some changes and would like your feedback so we can ensure our policy and bylaw reflect the views of the community.

Consultation is open until 4:00pm on Friday 21 March 2025.

Masterton has over 6,000 registered dogs. Many people consider their dogs to be part of the whānau (family), and there are various health, social, and physical benefits of having a dog as a companion animal. However, if not well managed, there is the potential for dogs to cause harm, such as bites, which can be particularly harmful to children, protected wildlife, or other animals.

Masterton District Council (the Council) has two documents to help ensure dogs are managed effectively in the district. These are the:

- Dog Policy (the Policy); and
- Control of Dogs Bylaw (the Bylaw).

Why do we have a Dog Policy and Bylaw?

We must have a Policy and Bylaw under the Dog Control Act 1996 (the Act).

When developing and reviewing the Policy and Bylaw, Council must consider:

- 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.

Why are we reviewing the Policy and Bylaw?

The Policy was last reviewed in 2018 and is due for review. The Bylaw is being reviewed alongside it to ensure they remain consistent with one another.

There has been an increase in dog ownership over the past few years, especially following the COVID-19 pandemic. This growth means we need to assess whether our dog exercise areas meet current and future demand. It is also an opportunity to check the policy is still relevant and effective for our district.

What is a Dog Policy?

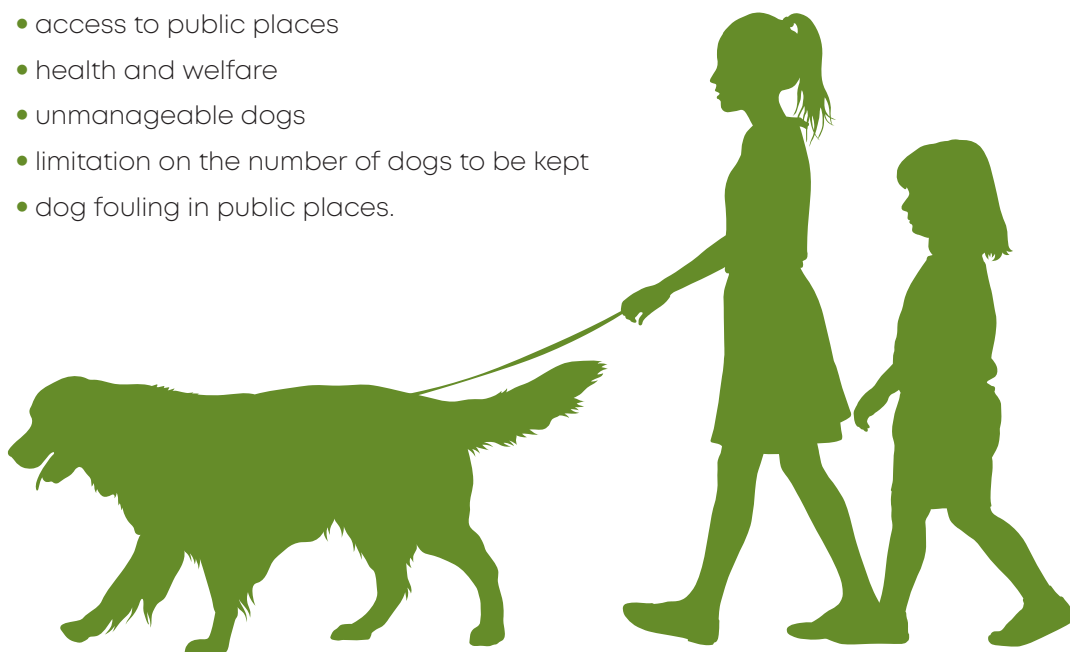
Our Policy covers:

- dog access in public places
- dog exercise areas
- information about registration fees and how they are set
- responsible dog owner status
- microchipping requirements
- menacing and dangerous dogs
- number of registered dogs in the district
- education
- enforcement
- probationary and disqualified owners.

What is a Control of Dogs Bylaw?

Our Bylaw covers:

- general dog control requirements
- shelter requirements
- access to public places
- health and welfare
- unmanageable dogs
- limitation on the number of dogs to be kept
- dog fouling in public places.



What about fees?

Dog registration fees are set in accordance with the Council's Revenue and Financing Policy, and are set as part of the Council's Fees and Charges, adopted alongside the Annual Plan or Long-Term Plan.

Dog registration fees are used to fund dog-related services such as responding to dog attacks, barking, roaming and other complaints. They provide funds for:

- responding to reports of uncontrolled dogs
- receiving and caring for abandoned and impounded dogs
- monitoring and enforcing the Bylaw and Policy
- implementing the Dog Control Act 1996
- promoting better care and control of animals
- taking action against owners of unregistered and uncontrolled dogs
- providing information and education to local schools and communities
- maintaining dog exercise areas
- helping to fund our animal shelter.



Ngā kitenga matua i ā mātou rangahau a muri

Key findings from our background research

- The most common request for service in Masterton has consistently been responding to roaming dogs. There were 347 roaming dog requests for service in 2023/24.
- The most common infringement notice issued is failure to register a dog – 28 were issued in 2023/24., followed by failure to keep dog controlled or confined.
- There is demand in urban Masterton for more off-leash areas to meet dogs' exercise needs.
- There is an opportunity to promote responsible behaviours by encouraging education and providing clear guidelines on dog control matters, such as exercising dogs from a moving vehicle.
- There is stakeholder support for the Council to consider potential risks from dogs to natural environments and protected wildlife, and for greater alignment with Greater Wellington Regional Council's Natural Resource Plan.
- There is an opportunity to better align the Policy and Bylaw with the Act and available guidance (such as veterinary guidance), and improve clarity and consistency of the Policy, Bylaw, dog access area maps, and signage.

Tā tātou tono

Our proposal

We are proposing some changes to the Dog Policy and Control of Dogs Bylaw based on our research and feedback from key stakeholders. These changes are intended to balance the exercise and recreational needs of dogs with the risk of potential harm. We have also prioritised making the Policy and Bylaw easy to understand and implement.

Key proposed changes

Changes to dog access in selected public places

Proposal	Designate Taranaki Street Park as off-leash. ✓ Policy ✓ Bylaw This area is currently designated as on-leash.
Reasons	<ul style="list-style-type: none"> • There is a demand for more off-leash areas in urban Masterton with greater distribution – most are clustered at the north end of urban Masterton. • Our area assessment determined this area is suitable due to its effective fencing, distance from road, safety for dogs and people, accessibility and amenities, and compatibility with other uses. • Feedback indicates this area is already informally used off-leash without issues. • This aligns with the purpose of the Policy, Bylaw, and Act to meet the exercise and recreational needs of dogs and their owners.
Proposal	Designate the Castlepoint reef area as prohibited. ✓ Policy ✓ Bylaw This area is currently designated as on-leash.
Reasons	<ul style="list-style-type: none"> • Supports protection of sensitive wildlife. Dogs in this area, even on-leash, can be disruptive to wildlife. • Castlepoint's reef is identified in Greater Wellington Regional Council's Natural Resource Plan as a significant habitat for indigenous birds. • The red-billed gull, white-fronted tern, black shag, variable oystercatcher and New Zealand pipit live in or frequently visit Castlepoint reef. • This amendment is supported by the Castlepoint Residents and Ratepayers Association, and Forest and Bird.

Changes to dog access in selected public places continued

Proposal	Designate the northern end and Motuwaireka Stream mouth at Riversdale Beach as on-leash. ✓ Policy ✓ Bylaw This amendment is for clarification purposes as there is some inconsistency in information as to whether this area is on-leash or off-leash.
Reasons	<ul style="list-style-type: none"> • The current Policy and Bylaw designate Riversdale Beach beachfront (excluding the northern end and Southern Reserve, where birds breed) as on-leash, however the Council's dog area access maps and signage are inconsistent and allow dogs off-leash at northern end, including at the Motuwaireka Stream mouth. • Riversdale beach and Motuwaireka Stream mouth are identified as a significant habitat for indigenous birds in Greater Wellington Regional Council's Natural Resource Plan. • Clarifying the designation of the northern area and stream mouth as on-leash will protect bird breeding. • Remainder of beach front along settlement is proposed to remain off-leash to meet exercise and recreational needs of dogs and their owners (excluding during busy holiday period between 20 December and 31 January).



Reducing roaming, minimising danger, distress, and nuisance to the community

Proposal	Introduce a requirement to neuter an uncontrolled dog. ✗ Policy ✓ Bylaw
	<p>The proposed Bylaw sets out a process to deliver a written notice to owners requiring their dog to be neutered if they have failed to keep their dog under control on more than two occasions within a 12-month period.</p>
Reasons	<ul style="list-style-type: none"> • Masterton's most common dog incident is roaming. Unneutered dogs are more likely to roam to seek a mate. • This proposal intends to help with Masterton's repeated roaming dog problem. • This aligns with the purpose of the Policy and Bylaw to minimise danger, distress, and nuisance to the community. • This proposal reflects feedback by the New Zealand Vet Association on neutering. • Other councils have similar sections in their Bylaw, and this power is provided in the Act under s20(1)(k).
Proposal	Clarify that exercising dogs alongside a moving vehicle means the owner is not in control of their dog. ✓ Policy ✓ Bylaw
	<p>This would not apply to working dogs.</p>
Reasons	<ul style="list-style-type: none"> • Dog owners must be in control of their dog(s) at all times. • Exercising dogs alongside a moving vehicle has been identified as an issue in Masterton that has caused harm to dogs and the public. • Other councils have similar provisions. • This aligns with the purpose of the Policy and Bylaw to minimise danger, distress, and nuisance to the community.

Reducing roaming, minimising danger, distress, and nuisance to the community continued

Proposal	<p>Implement a process to enable dog owners to request the removal of a menacing dog by deed classification if:</p> <ul style="list-style-type: none"> the owner provides evidence of a MDC approved dog behavioural assessment report, at the owner's expense; the owner has not obtained any infringements or convictions in relation to the dog within the preceding 24-month period; and the owner has complied with all obligations under the menacing dog classification. 	✓ Policy ✗ Bylaw
Reasons	<ul style="list-style-type: none"> Masterton has 57 dogs classified as menacing by deed. A dog may be classified as menacing by deed if it poses a threat to any person, stock, poultry, domestic animal or protected wildlife due to its observed or reported behaviour. This proposal intends to incentivise human behaviour change and adoption of responsible dog ownership practices. Owners of menacing dogs currently have no incentive to change their behaviour for cheaper dog registration fees (they are not eligible for responsible dog owner status) and removal of the requirement to muzzle their dog in public places and on private ways (e.g. shared driveways). This proposal is supported by the SPCA and has been successfully adopted by Auckland Council. 	

Providing more flexibility for the community in appropriate circumstances

Proposal	<p>Provide discretion for the Council to waive surrendering fees in exceptional circumstances.</p>	✓ Policy ✗ Bylaw
Reasons	<ul style="list-style-type: none"> In exceptionally rare cases, a person may choose to abandon or dispose of a dog inappropriately rather than surrender it to the Council. The current fee of \$330 to surrender the dog to the Council may be a barrier. It is more appropriate for a dog to be surrendered to the Council than abandoned. This proposal aims to prevent potential harm to the dog and distress to the community. It is more equitable for lower socio-economic households. It encourages better behaviour around surrendering dogs. 	

Providing more flexibility for the community in appropriate circumstances continued

Proposal	Clarify Responsible Dog Owner status (RDO) for multiple dog ownership, moving house, and exemptions for neutering.	✓ Policy ✗ Bylaw
Reasons	<ul style="list-style-type: none"> Improved clarity around RDO status for multiple dog ownership, moving house, and exemptions for neutering. This proposal: <ul style="list-style-type: none"> - clarifies that RDO status will be maintained for those who acquire a new dog, without requiring dog registration payment for the standard two-year period first (provided all other criteria are met, e.g. microchipping); - clarifies obligations of owners to notify the Council if they have moved house to ensure their new property continues to meet RDO requirements (e.g. shelter, fencing); and - allows dog owners who may be responsible but have a dog that is not fit for neutering due to potential health risks to be eligible for RDO status if they provide a veterinarian certificate and meet all other RDO requirements. Aligns the Policy with current practice and reflects feedback from the New Zealand Vet Association. 	

Updates for clarity

Proposal	Non-material updates for clarity.	✓ Policy ✓ Bylaw
Reasons	<ul style="list-style-type: none"> Feedback from our early engagement found that the current dog access area maps are out of date and difficult to understand. The proposed Policy and Bylaw have been made clearer by: <ul style="list-style-type: none"> - updating dog access area maps to align with Policy and Bylaw - including a context section - updating the purpose of the Policy to align with the Act - rewording selected sections for readability. 	

Ngā āhuatanga i whakaarohia

Options considered

Under section 77 of the LGA, we must consider all reasonable options. The advantages and disadvantages for each option are set out in the following table. We are proposing to proceed with Option 1.

Option 1

Make proposed changes to the Policy and Bylaw - Preferred option.

Advantages

- Addresses current needs. Updates reflect the increase in dog ownership and ensure dog exercise areas meet current and future demand.
- Protects sensitive wildlife areas. Reviews area access for Castlepoint Reef and Riversdale Beach, enhancing protection for indigenous birds and wildlife.
- Reduces roaming dogs. Introduces a requirement to neuter uncontrolled dogs, aiming to minimise danger, distress, and nuisance in the community.
- Provides flexibility. Implements processes for removing menacing dog classifications and waiving surrender fees in exceptional circumstances.
- Improves clarity. Updates dog access area maps and wording for better understanding and alignment with current practices.

Disadvantages

- Implementation costs. Additional resources may be required for enforcement, signage, and education on proposed changes.
- Adjustment. Dog owners may need time to adapt to new rules, potentially causing initial confusion.

Option 2

Make other changes to the Policy and Bylaw.

Advantages

- Advantages would depend on the suggested changes.

Disadvantages

- Disadvantages would depend on the suggested changes.
 - Dependent on extent of changes, may require further consultation which could delay a new Policy and Bylaw.
-



Option 3**Leave the Policy and Bylaw as is.****Advantages**

- Maintains status quo. No changes mean dog owners and the community can continue with familiar rules and regulations.
- No immediate costs. Avoids expenses associated with implementing and communicating policy changes.

Disadvantages

- Fails to address increased demand. Does not account for the rise in dog ownership and may lead to insufficient dog exercise areas.
- Continued risk to wildlife. Sensitive areas like Castlepoint Reef and Riversdale Beach remain unprotected from dog disturbance and put birds at risk.
- Persistent roaming issues. Lacks new measures to reduce roaming dogs, potentially leading to ongoing community nuisance and safety concerns.
- Outdated information. Dog access area maps and signage remain inconsistent or incorrect, which will likely cause confusion.
- Missed opportunities. Does not provide additional flexibility or incentives for responsible dog ownership.

Reo Māori translation

Determination of whether the bylaw is appropriate

When we review a bylaw, we need to determine if a bylaw is the most appropriate way to address the perceived problem as per section 155 of the LGA.

The Council is required to make necessary bylaws to give effect to its Dog Policy made under Section 10 of the LGA. The Policy and Bylaw helps the Council balance the rights and responsibilities of dog owners with the safety of the public and other dogs. We've ensured that the proposed Bylaw is appropriate. We've incorporated research and feedback to make improvements. These changes aim to make the Bylaw effective, enforceable, and aligned with what our community needs.

Is the proposed Bylaw consistent with the New Zealand Bill of Rights Act 1990?

If we determine that a bylaw is the most appropriate solution, we must also check whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA) and is not inconsistent with it.

NZBORA provides for certain rights and freedoms in relation to life and the security of people, democratic and civil rights, non-discrimination and minority rights, and rights in relation to search, arrest and detention.

The Council considers that the proposed Bylaw is not inconsistent with the NZBORA.

Section 18 of the NZBORA provides everyone a right to freedom of movement in New Zealand. The proposed Bylaw does not impact movement of people alone but it does place restrictions on people's ability to move with a dog by designating some public places as prohibited. A significant number of areas in the district remain available to people with their dogs. Therefore, to the extent the bylaw restricts any rights, The Council considers any restrictions reasonable and demonstrably justifiable in a free and democratic society.

The broader purpose of the Bylaw is to minimise danger, distress and nuisance to the community. The Council considers any limitation to be proportionate to the broader purpose of the Bylaw and fair and reasonable in the interest of public safety.

Te āhua o tō tuku kōrero

How you can have your say

We welcome your feedback on the proposed Dog Policy and Control of Dogs Bylaw. Submissions close at 4pm on Friday 21 March 2025.



Complete our online submission form at: mstn.govt.nz



Download a fillable pdf submission form from our website and email to: submissions@mstn.govt.nz.



Phone the Policy Team on 06 370 6300 between 9am and 4pm Monday to Friday (excluding public holidays) and tell us what you think.



Pick up a submission form from the Masterton District Library or Customer Service Centre at 161 Queen Street. You can also print out our printer-friendly form from the website. Post it to Masterton District Council, PO Box 444, Masterton 5840, or drop it off to our Customer Service Centre.

Hearing

For those wanting to present their views to the Council, a hearing will be held on Wednesday 9 April 2025. You will need to indicate on your submission form that you would like to attend the Hearing.

Submissions close 4pm Friday 21 March

He aha atu anō?

What happens next?

Following the consultation period, all feedback will be considered by the Hearings Committee of the Council. A hearing will be held on 9 April 2025 and subsequent deliberations meeting on 30 April 2025.

Following the Hearing and Deliberations meeting, The Council will then meet to consider the adoption of the Policy and Bylaw on 14 May 2025.

Kaupapa Here Kuri ki Whakaoriori

Masterton Dog Policy





Ihirangi

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Policy number: MDC026

First adopted	2004
Latest version	2025 Draft for Consultation (TBC)
Adopted by	Masterton District Council
Review date	2030 (TBC)

Horopaki

Context

Masterton has over 6,000 registered dogs. Many people consider their dog(s) to be part of the whānau, and there are various health, social, and physical benefits of having a dog as a companion animal. It is also important to have a range of public places that are accessible to dogs and their owners for exercise and recreation.

Masterton District Council (MDC) recognises that the majority of dog owners in Masterton are responsible and that most interaction between dogs and the public is positive. However, we also need to acknowledge the reality that dogs can cause problems (such as barking), can cause injuries (such as bites, which can be particularly harmful and traumatic to children) and can even cause death (such as to protected wildlife or other animals).

Requirement to have a Dog Policy

The Masterton Dog Policy (the Policy) is a mandatory Policy. MDC must adopt a Dog Policy under Section 10 of the Dog Control Act 1996 (the Act).

Pūtake

Purpose

The purpose of this policy is to:

- minimise danger, distress, and nuisance to the community generally
- minimise 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
- enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs
- meet the exercise and recreational needs of dogs and their owners.

Whānuitanga

Scope

This Policy applies in respect of all dogs that reside in or visit the Masterton district.

What the Policy must cover

Under section 10(3) of the Act, the Policy must:

- explain which dog control bylaws are in place (or will be made) under section 20 of the Act
- identify all the public places and areas:
 - where dogs are prohibited, either at all times or just at certain times
 - where dogs (except working dogs) must be on a leash
 - where dogs are allowed off-leash
- identify any places in those leash-control areas where dogs are allowed to run freely (exercise areas) without a leash
- state if dogs that the Council has classified as menacing (under section 33A or 33C) must be neutered. The policy must also state if the neutering requirement applies to all dogs, and if not, what matters the Council considers in requiring a particular dog to be neutered
- state if dogs that another council has classified as menacing (under section 33A or 33C) must be neutered when they register with MDC. The policy must also state if the neutering requirement applies to all dogs, and if not, what matters the Council considers in requiring a particular dog to be neutered
- include any other details the Council thinks are important. This may include:
 - registration fees or proposed fees
 - owner education programmes
 - dog obedience courses
 - how owners are classified
 - when owners can be disqualified
 - when infringement notices (fines) can be issued.

Whai wāhi ki ngā whaitua tūmatanui

Access to public places

MDC recognises the importance of meeting the recreational and exercise needs of dogs and their owners, and aims to provide opportunities for dogs and their owners to access public places throughout the Masterton district. However, dogs' access to public areas within the Masterton district will be restricted where it is considered necessary in order to minimise danger, distress and nuisance to the community, and to protect children and wildlife.

MDC designates areas throughout the district as on-leash, off-leash or prohibited. Dog owners are responsible for ensuring that their dogs abide by dog access rules.

In areas designated as off-leash, dogs can be exercised in these areas as long as they remain under control.

Masterton also has a designated dog exercise area on Colombo Road (known as Barkley Park) that is fully fenced with dog play equipment available. Dogs must be kept under control in this area at all times.

Prohibited area rules do not apply to disability assist dogs or other working dogs that are working.

Refer to the Schedules of the Control of Dogs Bylaw for maps of areas designated as on-leash, off-leash, and prohibited.

Classification of areas under other legislation

Access of dogs to specified areas not under the control of MDC may be controlled under other legislation, including the Conservation Act 1987 and Reserves Act 1977. Refer to www.doc.govt.nz for areas in the Masterton district.

No using motor vehicles to exercise dogs

A dog must not be allowed to run or walk behind, beside or in front of a moving motor vehicle travelling in a public place as the dog owner cannot ensure the dog is under direct control. This does not apply to working dogs.

Rēhita

Registration

Registration fees

Dog registration fees are set by Council resolution in accordance with the Revenue and Financing Policy. Fees will be reviewed and any proposed changes will be consulted on via the Annual or Long-Term Plan.

A discounted dog registration fee is available for:

- neutered dogs;
- rural dogs; and
- owners who hold Responsible Dog Owner status.

No registration fee is applied for disability assist dogs.

Responsible Dog Owner status

MDC encourages responsible dog ownership by providing a discounted registration fee to owners that meet the following criteria:

- All dog registration fees have been paid by 31 July for the previous two years (or, if newly registered in Masterton, able to provide evidence that registration was paid on time to the previous territorial authority). If a person who holds Responsible Dog Owner (RDO) status with MDC acquires a new dog, the RDO status will be maintained provided all other criteria are met.
- All dogs owned have been neutered (an exception may be made for certified breeders or if a veterinarian certificate is presented certifying that for reasons specified, the dog will not be in a fit condition to be neutered).
- All dogs owned are microchipped (if the dog was registered for the first time after 1 July 2006). This does not apply to working dogs.
- All dogs owned are kept securely on the owner's property. Access to at least one door of the dwelling must be available without encountering the dog.
- Dog shelters on the property must comply with the requirements of the MDC Control of Dogs Bylaw.
- The owner has not been the subject of a substantiated complaint or received an infringement or convicted of an offence under the Act in the previous two years in respect of the dogs owned.
- The owner has not had any dogs impounded in the previous two years.

Owners of dogs that are classified as menacing by deed or are dangerous dogs are not eligible for RDO status.

RDO status is only available to dog owners residing within the urban area of Masterton.

Applications for RDO status will be accepted any time during the year but any application received after 31 March will not receive a discount until the following registration year (e.g. an application received on 1 April 2023 will not receive a discount until the 2024/25 registration year). A one-off application fee will be payable.

If a dog owner moves within the Masterton District, it is the owner's responsibility to notify MDC of their updated address. An inspection will be completed to satisfy requirements for RDO status on their new property.

If a dog owner moves to the Masterton district, and is able to provide evidence that they currently hold RDO status (or equivalent) with another territorial authority, this will be recognised by MDC and no further application fee will be payable.

RDO status may be revoked if any criteria are not maintained.

Whakatō mōtete tāhiko

Microchipping

All dogs (except working dogs) registered after 1 July 2006 must be microchipped. If the dog is not microchipped by MDC, a microchip certificate is to be provided to MDC within 30 days of registration.

All impounded dogs will be microchipped before being released.

Te here ki te nama o ngā kurī e whakaaetia ana

Limitation on the number of dogs allowed

In accordance with the MDC Control of Dogs Bylaw, the number of dogs allowed is limited as follows:

No occupier of any property in an urban area, must allow or cause to remain or keep on such premises, three or more dogs, over the age of three months (whether or not such dogs are registered) unless such occupier is the holder of a permit for such purpose from the Council.

Such permit may be issued upon or subject to such terms, conditions, restrictions as the Council may consider necessary and any breach of such terms, conditions or restrictions is a breach of this bylaw.

Any person wishing to keep three or more dogs on any premises as provided in the bylaw must make written application to the Council in such form as may be required by the Council for a permit and must give to the Council such information in respect of the application as the Council may require.

The Council may decide by resolution that a fee must be paid before a permit is granted.

The permit fee must be payable in addition to and separate from the dog control fees payable under the Dog Control Act 1996.

Mātauranga

Education

MDC encourages dog owners to understand their responsibilities and be responsible owners. MDC acknowledges the importance and effectiveness of education for dog owners and the wider community as a method of achieving responsible dog ownership and in minimising dog-related issues.

MDC will support education through training programmes, providing and promoting educational material, and undertaking educational visits to schools and other groups when requested.

Kurī whakahakahaka

Menacing dogs

MDC will classify a dog as menacing by breed, type, or deed, in accordance with section 33A of the Act.

Notice of classification

Once a dog is classified as menacing, the owner of a menacing dog will be notified in writing of the classification. Notification must include the classification's effect and the owner's right to object.

If a dog has been classified as menacing by another territorial authority, the dog will continue to be classified as menacing when it registers with MDC and the requirements below will apply.

Neutering of menacing dogs

Within one month of the menacing classification notice being issued, the dog owner must, at their expense, provide a certificate issued by a veterinarian that the dog:

- has been neutered; or
- is unfit to be neutered by the specified date.

If the appropriate certificate is not provided within one month, the dog will be impounded and will only be released to the veterinarian appointment to be neutered, as arranged by the owner.

Menacing dogs in public

In accordance with section 33E of the Act, a dog classified as menacing must be muzzled when in public places and when on private ways (unless confined within a cage or vehicle).

Removal of menacing dog classification

If a dog has been classified under section 33A of the Act as menacing by deed, the owner may request the classification be reviewed for removal after a 24-month period if the owner:

- provides evidence of an MDC-approved dog behavioural assessment report, at the owner's expense
- has not obtained any infringements or committed an offence under the Act in relation to the dog within the preceding 24-month period
- has complied with all obligations under the menacing dog classification.

Kurī mōrearea

Dangerous dogs

MDC will classify a dog as dangerous in accordance with section 31 of the Act. The owner of a dog classified as dangerous must:

- neuter the dog
- ensure the dog is muzzled and controlled on a leash in public places and private ways (except when confined in a vehicle or cage)
- ensure the dog is kept securely fenced on the owner's property. Access to at least one door of the dwelling must be available without encountering the dog
- not sell or give the dog to any other person without the written consent of the Council in whose district the dog is to be kept.

MDC may seize a dangerous dog if any of the requirements above are not met. The dog may be impounded until there are reasonable grounds to believe that the dog's owner has demonstrated a willingness to meet their obligations. Costs associated with impounding of the dog will be charged to the owner.

Where any dog is classified as a dangerous dog, MDC must immediately give notice in the prescribed form under the Act of that classification to the owner.

Where any dog is classified as a dangerous dog, the owner may, within 14 days of the receipt of notice of that classification, object to the classification in writing to MDC, and will be entitled to be heard in support of his or her objection.

Whakaūnga

Enforcement

Barking Dogs

All complaints received about barking dogs will be investigated. Where a dog is assessed as creating a nuisance through persistent and loud barking or howling, MDC may issue the owner a notice requiring them to take reasonable steps to mitigate the nuisance. This may include removing the dog from the property.

If, following monitoring and investigation by MDC, the dog's barking is determined not to meet the threshold for nuisance, the complaint will not proceed further. The complainant will be advised that the barking does not meet the legal threshold for nuisance and provided with an explanation of the assessment.

Roaming Dogs

Any dog found that is not under control in a public place or on a private property without the consent of the property owner may be impounded.

Impounding

If a dog is impounded, MDC will attempt to identify and contact the owner. MDC will keep the dog for seven days. All registration and impounding fees must be paid before the dog is released.

If a dog is not claimed after this period, all reasonable steps will be taken to rehome the dog (unless the dog's temperament is assessed as not suitable for rehoming or the dog is menacing by deed or breed).

Impounded dogs will be microchipped and registered before being released.

If the dog cannot be rehomed after reasonable attempts to do so, it may be euthanised.

Dogs should only be surrendered to the pound as a last resort. Surrendered dogs will only be accepted at MDC's discretion and fees will apply. Fees may be waived in exceptional circumstances at MDC's discretion.

In the event a dog is euthanised as a result of its surrender to MDC, the owner may not claim a refund of their dog registration fee.

Issuing of infringement notices and prosecution

Any person who commits an infringement offence under the section 65 of the Act may be issued with an infringement notice. Infringement fees are applied as per Schedule 1 of the Act.

Where any person is alleged to have committed an infringement offence, that person may either be proceeded against by filing a charging document under section 14 of the Criminal Procedure Act 2011 or be served with an infringement notice as provided in section 66 of the Act.

Disqualification of owners

Any person convicted of an offence under the Act (or other Acts specified in section 25 of the Act) or who commits three infringement offences (not related to a single incident) within a 24 month period will be immediately disqualified from owning a dog. It is not necessary for an owner to be classified as a probationary owner before being disqualified.

A disqualified owner must dispose of any dogs they own in a manner that does not constitute an offence against the Act or any other legislation. Disqualified owners cannot own any more dogs for a period specified by MDC not exceeding five years.

A disqualified owner has the right under section 26 of the Act to object to the disqualification and have their objection heard by Council.

Disqualification does not apply if MDC is satisfied that the circumstances of the offence or offences are such that:

- disqualification is not warranted; or
- MDC will instead classify the person as a probationary owner under section 21.

Probationary owners

Any person convicted of an offence under the Act (or other Acts specified in section 21 of the Act) or who commits three infringement offences (not related to a single incident) within a 24 month period may be classified as a probationary owner instead of disqualified at MDC's discretion.

The probation period is 24 months. A probationary owner:

- is not allowed to own any dogs other than those that were owned at the time the classification was made
- must dispose of any unregistered dogs in a manner that does not constitute an offence against the Act or any other legislation
- is liable for 150 per cent of the usual dog registration fee.

MDC may also require a probationary owner to undertake, at the owner's expense, a dog owner education programme and/or dog obedience course.

A probationary owner has the right to object to the classification and have their objection heard by the Council.

Te āhua, te kōkiri hoki o ngā ture ā-rohe

Nature and application of bylaws

In accordance with the Act, MDC has a bylaw that gives effect to this Policy. The Control of Dogs Bylaw specifies MDC's requirements under section 20 of the Act.

Kuputaka

Definitions

Dangerous Dog

MDC must classify a dog as a dangerous dog if:

- the owner of the dog has been convicted of an offence in relation to the dog under section 57A(2) of the Act
- MDC has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on 1 or more occasions, reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife
- the owner of the dog admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

Neutered Dog

A dog that has been spayed or castrated but does not include a dog that has been vasectomised. May be colloquially referred to as "desexed" or "fixed".

Disability Assist Dog

means a dog certified by one of the organisations listed in Schedule 5 of the Act as being a dog that has been trained (or is being trained) to assist a person with a disability.

Menacing Dog by Breed:

A dog considered to pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any characteristics typically associated with the dog's breed or type. Under section 33C of the Act, MDC must classify a dog as menacing if there are reasonable grounds to believe the dog belongs wholly or predominantly to one or more breeds or types set out in Schedule 4 of the Act.

Menacing Dog by Deed

A dog considered to pose a threat to any person, stock, poultry, domestic animal or protected wildlife due to observed or reported behaviour of the dog.

Motor Vehicle

Has the meaning given by section 2 of the Land Transport Act 1998 meaning, a vehicle drawn or propelled by mechanical power, and includes a trailer but does not include:

- a vehicle running on rails
- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force
- a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres
- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles
- a pedestrian-controlled machine
- a vehicle that the Agency has declared under section 168A of the Land Transport Act 1998 is not a motor vehicle
- a mobility device.

Nuisance

May include barking, fouling or roaming.

Working Dog

A disability assist dog or any dog set out in section 2 of the Act as a Working Dog.

Urban Area

Any area zoned residential, commercial or industrial in the Wairarapa Combined District Plan, unless otherwise stated.

Owner

in relation to any dog, means every person who:

- a. owns the dog
- b. has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner
- c. the parent or guardian of a person under the age of 16 years who:
 - i. is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition
 - ii. is a member of the parent or guardian's household living with and dependent on the parent or guardian

but does not include any person who has seized or taken custody of the dog under the Dog Control Act 1996 or any other Act.

Arotake Kaupapa Here

Review of Policy

This Policy will be reviewed every five years.

Ngā tohutoro

References

Conservation Act 1987

Dog Control Act 1996

Reserves Act 1977

Local Government Act 2002

Tuhinga hāngai

Related documents

Masterton District Council Control of Dogs Bylaw 2025

Whakahaere kōnae

Version control

Version	Date	Summary of amendments	Approved by
1	2004	New policy	Masterton District Council
2	28/3/2018	Full review of policy including amendments to designated areas and the addition of responsible dog owner status.	Masterton District Council
3	x/x/2025	TBC	

Whakahaere Ture ā-Rohe mō ngā Kuri

Control of Dogs Bylaw





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Tīmatanga

Commencement

The Control of Dogs Bylaw came into force throughout the Masterton District on [...]

Whāngai

Adoption

Date	Summary of amendments	Adopted by
14 August 2013	Part 7: Control of Dogs first adopted	Masterton District Council
28 March 2018	Schedules updated as part of the Dog Policy Review	Masterton District Council
26 June 2019	Removed from the Consolidated Bylaw 2012 and continued as a standalone bylaw. Minor amendments.	Masterton District Council
X 2025	Masterton District Council Control of Dogs Bylaw amends the Masterton District Council Control of Dogs Bylaw 2019	

Rārangi hōtaka

List of schedules

Schedule A – Areas where dogs are prohibited

Schedule B – Areas where dogs are permitted only if on a hand held leash

Schedule C – Areas where dogs are permitted off leash

Tuhinga pāhekoheko

Referenced documents

Reference is made in this document to the following Legislation:

- Dog Control Act 1996
- Local Government Act 2002
- Code of Welfare for Dogs 2018

Kupu takamua

Foreword

This bylaw is made under section 20 of the Dog Control Act 1996 (the Act) and section 145 of the Local Government Act 2002 (LGA).

1. Taitara me te tīmatanga

1. Title and commencement

- 1.1. The title of this bylaw is Masterton District Council Control of Dogs Bylaw.
- 1.2. Amendments to this bylaw shall come into force throughout the Masterton District on 1 June 2025.

2. Aronga me te pūtake

2. Scope and purpose

- 2.1. This Bylaw applies to the district of Masterton.
- 2.2. Masterton District Council may, in accordance with the Dog Control Act 1996, make dog control bylaws for all or any of the following purposes:
 - a. prohibiting dogs, whether under control or not, from specified public places
 - b. requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district
 - c. regulating and controlling dogs in any other public place
 - d. designating specified areas as dog exercise areas
 - e. prescribing minimum standards for the accommodation of dogs
 - f. limiting the number of dogs that may be kept on any land or premises
 - g. requiring dogs to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise
 - h. requiring a dog owner to immediately remove the faeces of their dog that defecates in a public place or on land or premises other than that occupied by the owner
 - i. requiring any bitch to be confined but adequately exercised while in season
 - j. providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act

- k. requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against section 53)
- l. any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.

3. Kuputaka

3. Definitions

The following definitions are applicable to this Bylaw:

Disability assist dog

A dog certified by one of the organisations listed in Schedule 5 of the Dog Control Act 1996 as being a dog that has been trained (or is being trained) to assist a person with a disability.

Dog control officer

A dog control officer appointed under section 11 of the Act, and includes a warranted officer exercising powers under section 17.

Motor vehicle

Has the meaning given by section 2 of the Land Transport Act 1998 meaning, a vehicle drawn or propelled by mechanical power, and includes a trailer but does not include:

- a vehicle running on rails
- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force
- a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres
- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles
- a pedestrian-controlled machine
- a vehicle that the Agency has declared under section 168A of the Land Transport Act 1998 is not a motor vehicle
- a mobility device.

Owner

In relation to any dog, means every person who:

- a.** owns the dog; or
- b.** has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or
- c.** the parent or guardian of a person under the age of 16 years who:
 - i. is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and
 - ii. is a member of the parent or guardian's household living with and dependent on the parent or guardian;but does not include any person who has seized or taken custody of the dog under the Dog Control Act 1996 or any other Act.

Public place

- 1.** A place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and
- 2.** Includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

Premises

Any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands and associated additions, buildings, and places adjoining each other and occupied together are deemed to be the same premises.

Private way

Any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district.

Working dog

A disability assist dog or any dog set out in section 2 of the Act as a Working Dog.

Urban area

Any area zoned residential, commercial or industrial in the Wairarapa Combined District Plan, unless otherwise stated.

4. Mātua whakahaere i ngā kurī i ngā wā kātoa

4. Dogs to be under control at all times

- 4.1. Dogs must be under control at all times.
- 4.2. Having a dog under control means it is securely tied, effectively confined or under the direct control of the dog owner or person in charge of the dog.
- 4.3. Direct control means the person can see it, is aware of what it is doing and can prevent the dog causing a nuisance to other animals and members of the public or damage to property.

5. Wharau

5. Shelter

- 5.1. A dog owner must ensure that the dog is provided with a clean and sanitary shelter compliant with s13 of the Animal Welfare (Care and Procedures) Regulations 2018 and that no suffering is caused to the dog by the manner of the shelter.
- 5.2. A dog owner must not keep their dog overnight beneath the floor of any residential building, or in the case of a residential building which has more than one floor, in the under-floor area i.e. beneath the bottom or ground floor of that residential building.
- 5.3. A dog owner must not keep their dog on any premises in an urban area in a shelter standing or being nearer than three metres to the boundary of those premises.

6. Wāhi rāhui ki ngā kurī, me mau here rānei

6. Areas where dogs are prohibited and where dogs must be kept on a leash

- 6.1. A dog owner must ensure their dog does not enter any public place specified in Schedule A, unless their dog is in or carried by a motor vehicle.
- 6.2. A dog owner must ensure their dog is on a leash in any public place specified in Schedule B, unless their dog is in or carried by a motor vehicle.
- 6.3. A dog owner may allow their dog to be exercised off leash in an off-leash area specified in Schedule C. The dog must be kept under control at all times.
- 6.4. A Dog Control officer may require the owner of any dog that is being carried in or by a motor vehicle in a prohibited area to remove the dog from the area if the officer considers the dog to be a nuisance due to reasons of noise or aggressive behaviour.

7. [Te Reo]

7. No using motor vehicles to exercise dogs

- 7.1. A dog must not run or walk behind, beside or in front of a moving motor vehicle travelling in a public place as the dog owner cannot ensure the dog is under direct control. This does not apply to working dogs.

8. Whakahaere Kuri Hāereere Pērā ki ngā Papanoho Tūmataiti

8. Control of dogs wandering including on private property

- 8.1. Any dog owner commits an offence against this bylaw if they fail to keep their dog under control.
- 8.2. Any dog found that is not under control in a public place or on a private property without the consent of the property owner may be seized and detained by a Dog Control Officer.
- 8.3. Any dog that is caught in a Council trap is impounded. It is an offence for any person (except a Dog Control Officer), including the dog owner, to interfere with or attempt to release the dog from the trap.

9. Te Hauora o ngā Kuri

9. Health of dogs

- 9.1. Every dog owner or person in possession of the dog at the time commits an offence who allows their dog to enter or be in a public place when it is infected with an infectious disease.
- 9.2. The owner of any bitch in season must not allow that dog in any public place or on any property other than that occupied by the owner, except:
- a. where the dog is taken to another property with the consent of the occupier
 - b. where the dog is taken to a registered veterinary clinic for treatment, provided that the dog is transported in a way that avoids, as far as possible, contact with other dogs.
- 9.3. Except during planned mating, the owner of a bitch in season must ensure that the dog is controlled to prevent contact with other dogs and that the dog is adequately exercised

10. Kuri e pōrearea haere ana, e mōrearea ana rānei ki tana hauora

10. Dogs becoming a nuisance or injurious to health

- 10.1. A dog owner or person in charge of a dog must take adequate precautions to prevent the dog or dogs from becoming a nuisance or injurious to health.
- 10.2. If, in the opinion of a Dog Control Officer, a dog or the way dogs are kept on a property may or has become a nuisance or injurious to health, the Dog Control Officer may issue a written notice to the owner or occupier of the property. The notice will specify a timeframe for the owner to take one or more of the following actions:
 - a. reduce the number of dogs kept on the premises
 - b. construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain such dog or dogs
 - c. require dog or dogs to be tied up or otherwise confined during specified periods
 - d. require dog or dogs to be confined at all times by way of additional fencing controlling access within a property
 - e. to clean and keep clean the dog kennel and associated area
 - f. take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health.
- 10.3. Any person given notice under Clause 10.2 who fails to comply within the required time, will commit an offence against this bylaw.

11. Te ārahi kia heke rawa te whakahaeretia o ngā kuri

11. Causing dogs to become unmanageable

- 11.1. Any person who behaves in a manner that causes any dog in any public place, land, or private way to become restive or unmanageable in the opinion of a Dog Control Officer commits an offence against this bylaw.

12. Herenga kia pokaia te kuri taikaha

12. Requirement to neuter an uncontrolled dog

- 12.1. The Council may, by written notice, require the owner of a dog to have that dog neutered if:
 - a. the owner has received an infringement notice relating to a breach of a requirement to keep the dog under control
 - b. the owner has failed to keep the dog under control on more than two occasions within a 12-month period.

- 12.2. The owner of a dog that receives a notice issued under clause 12.1 must, within one month of receipt of the notice, produce to Council a certificate issued by a veterinary surgeon certifying:
- a. that the dog has been neutered, or
 - b. that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate.
- 12.3. If a certificate under section 12.2(b) is produced to the Council, the owner of the dog must produce to Council, no later than 1 month after the date specified in that certificate, a further certificate under section 12.2.

13. Te here ki te nama o ngā kurī e whakaaetia ana

13. Limitation on the number of dogs allowed

- 13.1. The number of dogs allowed is limited as follows:
- a. Any person wishing to keep three or more dogs on any premises as provided in the bylaw must make written application to the Council in such form as may be required by the Council for a permit and must give to the Council such information in respect of the application as the Council may require
 - b. A permit may be issued upon or subject to such terms, conditions, or restrictions as the Council may consider necessary and any breach of such terms, conditions or restrictions is a breach of this bylaw.
 - c. A fee will apply and will be set every year by Council in the Annual or Long Term Plan.
 - d. The fee for such permit must be payable in addition to and separate from the dog control fees payable under the Dog Control Act 1996.

14. Ngā kurī e tiko, e mīia ana rānei ki ngā wāhi tūmatanui

14. Dogs fouling in public areas

- 14.1. Where any dog defecates in any public place or premises other than that occupied by the owner of the dog, that owner must remove the faeces immediately and dispose of it in a hygienic manner.

15. Ngā hara me ngā hāmene

15. Offences and penalties

- 15.1. Every person commits an offence under the Bylaw who fails, refuses or neglects to do anything required to be done, or does anything prohibited by the Bylaw and is liable to:
- a. the penalty provisions of section 242 of the Local Government Act 2002
 - b. any other penalty pursuant to the Dog Control Act 1996 or any other act
 - c. be served with an infringement notice, pursuant to section 66 of the Dog Control Act 1996. Refer to Appendix A for infringement fees as per Schedule 1 of the Act.

16. Mana ki te panoni mā te whakataunga

Power to amend by resolution

- 16.1. The Council may by resolution publicly notified:
- a. add schedules
 - b. make additions or deletions from the schedules
 - c. substitute new schedules.
- 16.2. Where Council intends to make a resolution under clause 16.1, consultation must be undertaken in accordance with the requirements of section 156 of the LGA.

Schedule A: Areas where dogs are prohibited

Areas where dogs are prohibited (except when in vehicle)	Map reference
<p>The central area of Masterton. That is:</p> <ul style="list-style-type: none"> • Queen Street, from Renall Street to King Street • Workshop Road between Queen Street and Dixon Street • Jackson Street • Perry Street between Queen Street and Chapel Street • Lincoln Road between Queen Street and Chapel Street • Bannister Street between Queen Street and Dixon Street • Church Street between Queen Street and Dixon Street 	<p>Masterton Dog Control Areas</p> <p>Dog Control Area Masterton CBD</p>
The aviary at Queen Elizabeth Park	Masterton Dog Control Areas
All children's play areas	Masterton Dog Control Areas
Castlepoint reef area	Castlepoint Dog Control Areas

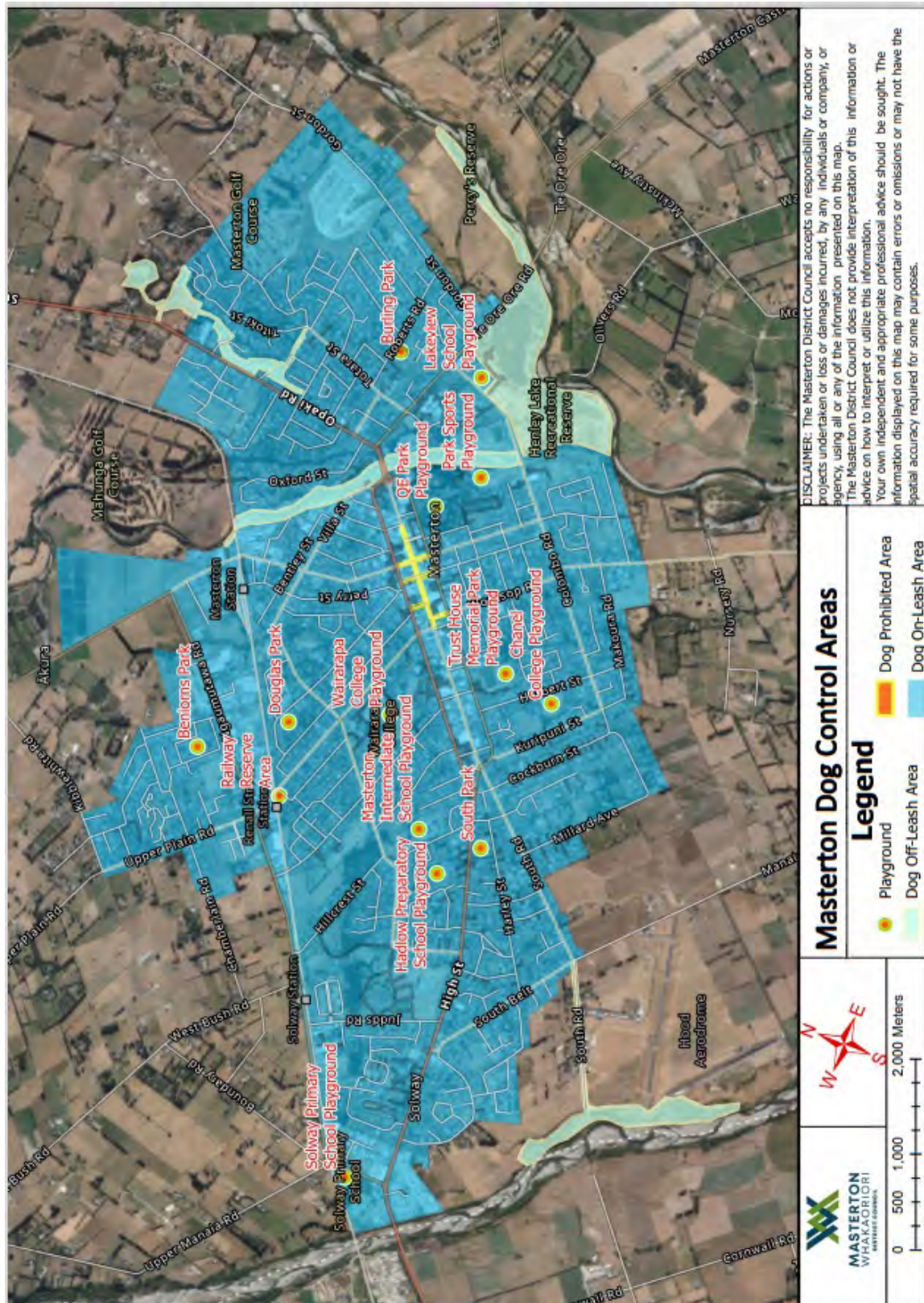
Schedule B: Areas where dogs are permitted on-leash

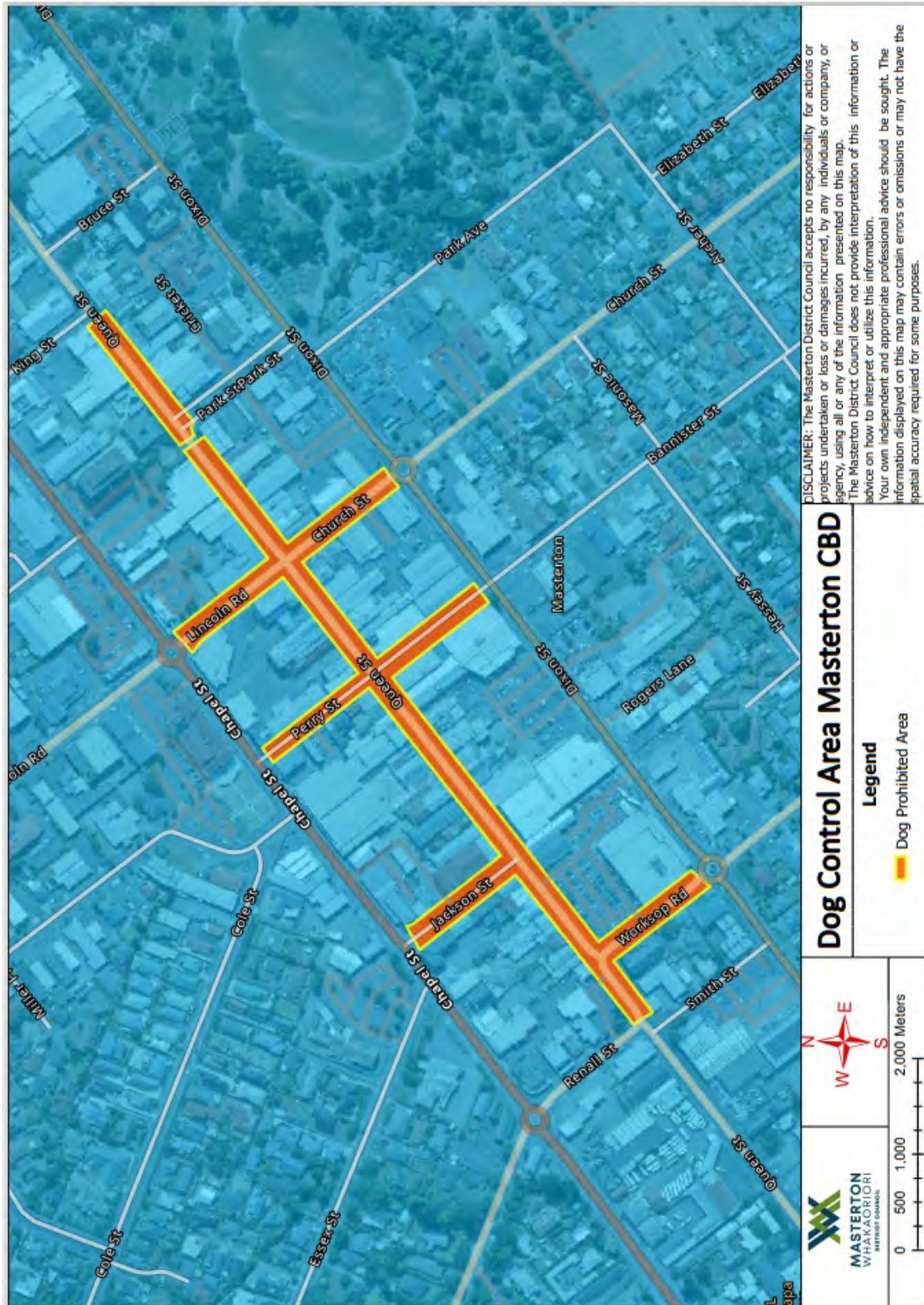
Areas where dogs are permitted on-leash (or in a vehicle)	Map reference
Areas zoned urban in the Wairarapa Combined District Plan, outside the dog prohibited area.	Masterton Dog Control Areas Dog Control Area Masterton CBD
Any area developed or marked out as a sports field during sporting events, or any outdoor court, skateboard park or cycle park	Masterton Dog Control Areas
Signposted areas of Henley Lake between 1 August and 30 November	Masterton Dog Control Areas
Castlepoint reef area	Castlepoint Dog Control Areas
The coastal settlement of Riversdale Beach and Castlepoint	Riversdale Beach Dog Control Areas Castlepoint Dog Control Areas
Northern end of Riversdale Beach beach (north of the estuary) including Motuwaireka Stream mouth	Riversdale Beach Dog Control Areas
Riversdale Beach and Castlepoint beach-fronts between 20 December and 31 January	Riversdale Beach Dog Control Areas Castlepoint Dog Control Areas

Schedule C: Areas where dogs are permitted off-leash

Areas where dogs are permitted off leash	Map reference
Henley Lake – all areas controlled by the Henley Lake Management Plan with the exception of leash restrictions imposed between 1 August and 30 November in signposted areas to protect breeding birds	Masterton Dog Control Areas
Lansdowne Recreation Trail (including Ngāti te Korou Reserve)	Lansdowne Recreation Trail
Waipoua River banks up to and including top of the stop bank	Masterton Dog Control Areas
Waingawa Northern River Bank and South Road from the intersection with Manaia Road South	Masterton Dog Control Areas
Ruamāhunga River bank, town side north of Te Ore Ore Road bridge, including Percy's Reserve	Masterton Dog Control Areas
Renall Street Railway reserve	Masterton Dog Control Areas
Taranaki Street Park (Kuripuni)	Masterton Dog Control Areas
Castlepoint beach-front north of DOC reserve (also known as the Basin), excluding the far end of the reef where birds breed (by the area known as 'the gap') and the period between 20 December and 31 January*	Castlepoint Dog Control Areas
Riversdale Beach beach-front (excluding the northern end and Southern Reserve where birds breed) except between 20 December and 31 January*	Riversdale Beach Dog Control Areas

* This period is excluded due to increased population over the holiday period.











Appendix A: Infringement fees

Infringement Fees are applied as per Schedule 1 of the Dog Control Act 1996.

Appendix A may be amended or updated at any time to reflect updates made to Schedule 1 of the Dog Control Act 1996.

Section	Brief description of offence	Infringement fee (\$)
18	Wilful obstruction of dog control officer or ranger	\$750.00
19(2)	Failure or refusal to supply information or wilfully providing false particulars	\$750.00
19A(2)	Failure to supply information or wilfully providing false particulars about dog	\$750.00
20(5)	Failure to comply with any bylaw authorised by the section	\$300.00
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	\$300.00
24	Failure to comply with obligations of probationary owner	\$750.00
28(5)	Failure to comply with effects of disqualification	\$750.00
32(2)	Failure to comply with effects of classification of dog as dangerous dog	\$300.00
32(4)	Fraudulent sale or transfer of dangerous dog	\$500.00
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	\$300.00
33F(3)	Failure to advise person of muzzle and leashing requirements	\$100.00
36A(6)	Failure to implant microchip transponder in dog	\$300.00
41	False statement relating to dog registration	\$750.00
41A	Falsely notifying death of dog	\$750.00
42	Failure to register dog	\$300.00
46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	\$500.00
48(3)	Failure to advise change of dog ownership	\$100.00

Section	Brief description of offence	Infringement fee (\$)
49(4)	Failure to advise change of address	\$100.00
51(1)	Removal, swapping, or counterfeiting of registration label or disc	\$500.00
52A	Failure to keep dog controlled or confined	\$200.00
53(1)	Failure to keep dog under control	\$200.00
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	\$300.00
54A	Failure to carry leash in public	\$100.00
55(7)	Failure to comply with barking dog abatement notice	\$200.00
62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	\$300.00
62(5)	Failure to advise of muzzle and leashing requirements	\$100.00
72(2)	Releasing dog from custody	\$750.00



Phone

06 370 6300 - 8am to 5pm except Tuesdays 9am to 5pm

06 378 7752 after hours

Email

mdc@mstn.govt.nz

Call into

Masterton District Council
161 Queen Street, Masterton
9am - 4pm

Write to

Masterton District Council
PO Box 444, Masterton 5840
www.mstn.govt.nz



Dog Policy and Control of Dogs Bylaw Hearing Schedule

PLEASE NOTE THAT THIS SCHEDULE MAY BE SUBJECT TO CHANGE

WEDNESDAY 9 APRIL 2025

Time	Sub #	Name	Page
9:05am	#39	Jaime Falloon	97
9:15am	#31	Roger Drower (Teams)	101
9:25am	#60	HUHA Trust - Carolyn Press-McKenzie (Teams)	119
9:35am	#90	New Zealand Post Limited - Darren McGregor	130
9:45am	#105	RNZSPCA - Arnja Dale (Teams)	134
9.55am		End	

Submission Form Masterton Dog Policy and Control of Dogs Bylaw

#39

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, February 22, 2025 7:15:31 AM
Last Modified: Saturday, February 22, 2025 7:25:00 AM
Time Spent: 00:09:29
IP Address: [REDACTED]

Page 1: Puka Tāpae o Te Kaupapa Here Kuri ki Whakaoriori me te Whakahaere Ture ā-

Q1

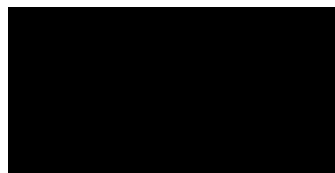
Your Details

First name (required) jamie
Surname (required) falloon

Q2

Optional information

Postal address
Email
Phone



Q3

Respondent skipped this question

Are you giving feedback on behalf of an organisation?

Q4

Organisation Name

Whangaehu Bideford Catchment Group

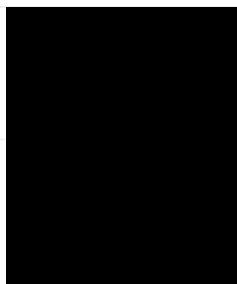
Q5

Yes (in person)

Would you like to present your views at the hearing? If yes, please make sure your contact details in the previous section are correct so we can get in touch.

Q6

What is your age range?



Q7

Which ethnic group do you belong to? Select all that apply to you.

Submission Form: Masterton Dog Policy and Control of Dogs Bylaw

Q8

What is your gender?

Q9

Do you live with impairments/long-term health conditions or do you identify as tāngata whaikaha/disabled?

Q10

Do you currently own a dog?

Page 2: Ō Whakaaro | Your Thoughts

Q11

Which is your preferred option for the Dog Policy and Control of Dogs Bylaw

Option 2 – Make other changes to Policy and Bylaw – suggest changes that are not included in our proposal outlined on page 6 - 12 of Statement of Proposal. Please describe your desired changes below.

Q12

Is there anything else you would like to note as part of your feedback on the policy and bylaw?

The dog on leash area should be extended to include the CBD area. Wellington City allows dogs on leash in city center and garden areas and the town belt. Masterton needs to encourage people to the cbd areas and having a dog on a leash shouldnt be a hindrance

Page 3: Ngā paponi matua kua tūtohua | Key proposed changes

Q13

I support this proposed change

Proposed Change 1: Taranaki Street Park Off-Leash
We are proposing to designate Taranaki Street Park as off-leash. This is due to feedback we have received that this area is already informally used off-leash without issues, an increased demand for more off-leash areas spread out in Masterton, and the park's suitability for off-leash (no playgrounds, sports, etc.)

Q14

Respondent skipped this question

Proposed Change 2: Castlepoint Beach Reef Area Prohibited
We are proposing to designate the reef area of Castlepoint Beach as prohibited as it has been identified in the Greater Wellington Regional Council's Natural Resource Plan as a significant habitat for indigenous birds.

Submission Form: Masterton Dog Policy and Control of Dogs Bylaw

Q15

I oppose this proposed change

Proposed Change 3: Motuwaireka Stream Mouth at Riversdale Beach On-Leash
We are proposing to designate the northern end and Motuwaireka Stream mouth at Riversdale Beach as on-leash as it has also been identified as a significant habitat for indigenous birds in Greater Wellington Regional Council's Natural Resource Plan.

Q16

I do not have a view on this or am unsure about this proposal

Proposed Change 4: Requirement to Neuter an Uncontrolled Dog
We are proposing to introduce a requirement to neuter an uncontrolled dog. Masterton's most common dog incident is roaming, and unneutered dogs are more likely to roam.

Q17

I oppose this proposed change

Proposed Change 5: Exercising Dogs Alongside Moving Vehicles Clarification
We are proposing to add a section clarifying that exercising dogs alongside a moving vehicle means the owner is not in control of their dog. This would not apply to working dogs.

Q18

I support this proposed change

Proposed Change 6: Process for Removing Menacing Dog Classification
We are proposing to implement a process for removing a menacing dog classification. If a menacing dog owner has taken sufficient steps to demonstrate responsible dog ownership, they may apply to have the classification removed. This will incentivise positive behavioural change.

Q19

I support this proposed change

Proposed Change 7: Discretion for Council to Waive Surrendering Fees
We are proposing to provide discretion for Council to waive surrendering fees in exceptional circumstances. This covers exceptionally rare cases, where a person may choose to abandon or dispose of a dog inappropriately rather than surrender it to Council.

Q20

I oppose this proposed change

Proposed Change 8: Responsible Dog Owner Status Clarity and Exemptions for Neutering
We are proposing to improve clarity around Responsible Dog Owner status for multiple dog ownership and moving house, and provide exemptions from the neutering requirement for dog owners who are responsible but have a dog that is unfit for neutering due to potential health risks.

Submission from Masterton Dog Policy and Control of Dogs Bylaw

Q21

Is there anything else you would like to note on the proposed changes?

Being a RDO and having to have a neutered dog is a conflicting position. Because a dog is not neutered does not mean that the owner cannot be an RDO. Being an RDO should be about the ability of the owner rather than the status of the dogs ability to breed. The same goes for exercising a dog from a moving vehicle. For example riversdale beach. If you have a dog that needs exercise and you have suffered an injury or cannot move easily then running your dogs alongside a quad or sxs is fine. My dogs like running along the beach, this rule states that i need to have them on a lead, it doesnt make sense.

I oppose the change to the north end of Riversdale beach. This is overkill with regard to dogs. There is a fenced off bird nesting area and the regional plan doesnt have any rules or control over dogs. Changing this area makes it far harder for owners to exercise their dogs off leash

#31


 Outlook

Re: Masterton District Council Dog Policy and Bylaw Consultation

From [REDACTED]

Date Mon 10/03/2025 1:08 PM

To Submissions Sub <submissions@mstn.govt.nz>

 1 attachment (2 MB)

Dog Control Bylaw March 25 8 Disability Assist dogs names and photos 2025.pdf;

Hi good afternoon.

Thank you for your email on the Dog control bylaw 2025.

Here is our submission on the dog control bylaw 2025.

Zoom call yes if we can do?

Hope all staff and Councillors read this act and understands this act before making any bylaws.

Some people do not look at the part of this Act first. We Council can do XYZ it is a good idare, but then comes a problem, Domestic Pet dog **do not** have the same rights as us, they are not under the dog control act **2 Interpretation 8** organisations listed in [Schedule 5](#) as being a dog that has been trained (or is being trained) to assist a person with a disability.

MSTN said "background research on dog-related complaints and service requests, and community feedback on dog access to certain public spaces."

If there is Complaints should be put under the right Class not under all dog all in one class, as some council are doing.

As Assist/Service dogs same as **specified agency**—

(a) means—

under the Act are in another class, EG dog attacks rushed at or been refused entry.

This is **8 Organisations currently listed in section two of the Act that are authorised to certify dogs as disability assist dogs are:**

We have this small part off this Act/s and this is clear for Assist/Service Dogs Only, This NOT for **Domestic** pet dog

2 Interpretation

In this Act, unless the context otherwise requires,—

disability assist dog means a dog certified by one of the organisations listed in [Schedule 5](#) as being a dog that has been trained (or is being trained) to assist a person with a disability

public place—

(a)

means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and

(b)

includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward

register, as a noun, means a dogs register kept by a territorial authority under [section 34](#)

75 Disability assist dogs

(1) Any disability assist dog accompanying and assisting a person with a disability, or accompanying a person genuinely engaged in the dog's training, may enter and remain—

(a) in any premises registered under regulations made under [section 120](#) of the Health Act 1956; or

(b) in any public place.

This is also covered in the Health Act 1956 and the Human Rights Act 1993 – recently updated section 21.

https://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304475.html?search=sw_096be8ed81c5ac50_dog_25_se&p=1&sr=1

21 Prohibited grounds of discrimination

(1) For the purposes of this Act, the **prohibited grounds of discrimination** are—

(vi) reliance on a disability assist dog, wheelchair, or other remedial means:

We have a small part in the Acts to cove and to Protect us. DIA said this is council jurisdiction and responsibility, to enforce the law to act on as well, protect all Assist/Service Dogs within NZ.

I know this is a lot to take in, I/We would like you to understand where we are coming from. Our safety come first.

Please email if you like me to help.

Many thanks be safe.

Roger Drower

Volunteer

Disability assist dog Advocate

The information contained in this email is confidential to the intended recipient and may be legally privileged. You may not copy or disclose this email to anyone without the written permission of the sender. If you have received this email in error, please notify the sender immediately and delete this message.

Disability Assist Dogs Advocate NZ Copyright 2023

██████████ We take refusal for Disability Assist Dogs and their owners seriously and will follow up as soon as we are notified.

My name is Roger Drower As an Advocate for Disability Assist/Service Dogs, I would like to share some relevant information with you. As I am the spokesperson for Civil Defence Emergency Management groups (CDEM) throughout New Zealand, advocating for Disability Assist/Service Dogs and their owners and what will be needed in a CD emergency.

Disability affects over 1.1 million (24%) of the New Zealand population. Many of those with disabilities have 'disability aides' and these can include a specially trained Disability Assist Dog.

The Dog Control Act 1996 (schedule 5) lists the 8 organisations that can certify a Disability Assist/Service Dog.

Dog in New Zealand. The Dog Control Act 1996 (s75) states that any disability assist dog accompanying & assisting a person with a disability may enter and remain – in any public place.

While the Humans Rights Act 1993 s21 states that the prohibited grounds of discrimination include reliance on a disability assist dog. This means that if you deny a person accompanied by a qualified

Disability Assist Dog access and/or service is an illegal act of discrimination, which can be punishable by a fine from Human Rights Commission.

Disability Assist dogs, are trained (or in training) to assist a person with a disability and may legally enter any public place and can be easily recognised by the jacket they wear.

When Disability Assist Dogs are working, please remember:

Disability Assist Dog identification tag

The Disability Assist Dog identification tag is a unique tag worn by a certified dog to provide easy identification of disability assist dog status. The Disability Assist Dog identification tag is mandatory.

However, the tag will provide easy recognition of a disability assist dog, allowing access to civil defence centres in an emergency, and will also support rapid reunification if the dog and owner/handler become separated.



[Just letting you know by Law](#) we can bring Assist/Service dog into any public place, including buses, trains and other public transport, and places owned by private businesses like supermarkets, restaurants and other food outlets, shopping malls, cinemas, Schools, Hospital, Council buildings, GOVT Buildings, camping grounds, motels or hotels, Rentals, and Club's ETC. If you refuse any Assist/Service dog you can be fined [NZ serious offence by Law](#). **Interpretation Dog Control Act 1996 and Humans Rights Act 1993 Health Act 1956 Bill of Rights Act 1990.**

In this Act, unless the context otherwise requires,— **disability assist dog** means a dog certified by one of the organisations listed in [Schedule 5](#) as being a dog that has been trained (or is being trained) to assist a person with a disability. Please Note Assist dogs are not Pet dogs.

Under GOVT Dog Control Act 1996, Humans Right Act 1993, Health Act 1956, Bill of rights Act 1990 All Disability/ Assist/ Service Dogs are been put at risk with pet/family dogs in the **CBD**, without fear of attack or intimidation by Pet family dogs. The DUTY of CARE for our service dog where is it? **This is a privilege to have a Assist/Service Dog**

8 Organisations that certify Disability Assist Dogs (as of December 2023)

These dogs, which are trained (or in training) to assist a person with a disability, may legally enter any public place.

Disability Assist Dogs can be recognised by the jacket they wear.

When Disability Assist Dogs are working, please remember

- Do not pat or talk to the dogs, as they are at work.
- Disability assist dogs **never** wear a muzzle.
- Disability assist dogs and their handlers have **access to priority seating areas on bus, rail, and ferry.**
- Assist dogs currently active under a certifying organisation are required to wear a uniform vest **or** harness for that organisation.
- If you have a question, talk to the dog's handler. The handler will hold organisational identification that can be presented if required. The ID may be in the form of a photo ID card or app on their phone.



Assistance Dogs New Zealand (ADNZT)

[Assistance Dogs New Zealand Trust \(ADNZT\)](#) is a registered charitable trust, providing trained dogs to clients with a range of disabilities. "72% of our clients are children and young adults under 20 years old, and 50% of our clients live with autism and often multiple disorders".



Blind and Low Vision NZ (Royal New Zealand Foundation of the Blind Incorporated)

For Blind Low Vision NZ guide dogs, approximately 120 puppies are bred each year, of which about one-third go on to become [working guide dogs](#). It takes 2 years of rigorous training for the puppies to become guide dogs, involving an incredible team of skilled people.

While in training to become an assist dog, Blind and Low Vision guide puppies wear a vest like the one shown here. (Left)

Once fully trained and working, Blind and Low Vision assist dogs wear a harness like the one shown here. (Right)





Hearing Dogs for Deaf People New Zealand

[Hearing Dogs](#) National Charity exists to enhance the independence and wellbeing of deaf and severely hearing-impaired New Zealanders through the provision of specially-trained Hearing Dogs, to internationally recognised standards.



K9 Medical Detection New Zealand

[K9 Medical Detection N.Z.](#) mission is to improve the health of all kiwis by using genetically selected dogs working in a controlled clinical environment to assist in the early detection of cancer and other diseases.



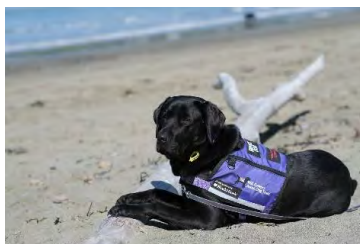
K9 Search Medical Detection

[K9 Search Medical detection](#) assistance dogs help a range of people in so many different ways, they can be our eyes and ears, or be able to detect the slightest change in the human body and allowing them to alert the handler to take proper actions to avoid a serious medical event.



Mobility Assistance Dogs Trust

The [Mobility Assistance Dogs Trust](#) trains mobility dogs to offer practical support, companionship and security. They transform the lives of people living with disabilities, and your support can make an incredible difference.



New Zealand Epilepsy Assist Dogs Trust

The [NZ Epilepsy Assist Dogs Trust](#) is a charitable trust registered in 2007 for the purpose of training dogs in New Zealand.



Perfect Partners Assistance Dogs Trust (PPADT)

[Perfect Partners Assistance Dogs Trust](#) oversees the training and certification of disability assist dogs to enable people with disabilities to enhance their quality of life using the human animal bond. The relationship between disability assist dog and owner helps to overcome physical, emotional and social challenges.

References

The [Dog Control Act 1996 No 13 \(as at 30 November 2022\)](#), [Public Act – New Zealand Legislation](#) provides for the authorisation of organisations to certify disability assist dogs.

8 Organisations currently listed in section two of the Act that are authorised to certify dogs as disability assist dogs are:

- Assistance Dogs New Zealand Trust
- Blind and Low Vision NZ (Royal New Zealand Foundation of the Blind Incorporated)
- Hearing Dogs for Deaf People New Zealand
- K9 Medical Detention New Zealand
- K9 Search Medical Detection
- Mobility Assistance Dogs Trust
- New Zealand Epilepsy Assist Dogs Trust
- Perfect Partners Assistance Dogs Trust

[Guidelines for authorisation to certify disability assist dogs](#)

[Disability assist dogs and rights of access](#)

Fact Sheet: Recognising Disability Assist Dogs in emergencies

specified agency—

- (a) means—
- (b) the Aviation Security Service established under [section 72B\(2\)\(ca\)](#) of the Civil Aviation Act 1990:
- (c) (ii) the Department of Conservation:
- (d) (iii) the Department of Corrections:
- (e) (iv) the Ministry of Agriculture and Forestry:
- (f) (v) the Ministry of Defence:
- (g) (vi) the Ministry of Fisheries:
- (h) (vii) the New Zealand Customs Service:
- (i) (viii) the New Zealand Defence Force:
- (j) (ix) the New Zealand Police; and
- (k) (b) includes the Director of Civil Defence Emergency Management

Why we are saying NO to Domestic pet dogs in the CBD this is for our safety.

For my experience, I have been rushed, attacked, threaten, and been refused entry. Fake service dog also rushed and attacked me.



This Disability Assist/Service dog was attacked at Taupo CBD on the 15/01/2021



Assist/Service dog Attacked in Auckland 2018 Lucky to be alive.



8/6/2022 dog rushed at (Assist/service dog) at home. By the Same dog twice.

Assist/Service Dog are trained to go to the toilet before we go out in public.

This is what we now so far and this has been reported to us at Disability Assist Dog Advocate (DADA)

Pet dog are going to the toilet in the CBD. And people stands in the poo like you in the dog poo walks inside an shop, and the shop owner smells the poo, next comes a Assist/Service Dog without the person knowing with a Assist/Service dog gets the blame first and been told to get out of the shop is high within NZ, then you could have complaints to Council, Minster of Disability and Humans Rights.

Attacks on Assist/Service Dog in the CBD and in public is high in NZ 47 only been reported to council.

Assaults on Assist/Service Dog is high in NZ 118 only 9 been reported to Council

Public Transport where they allowed pet dogs on the public transport where pet dog are rushing at Assist/Service dog. Who got asked to leave first on the bus, it was an Assist/Service dog, left on the road it was the last bus for the day and the taxi wouldn't pick them up, to take them home. Now that is sad.

Public transport in NZ 176

Did you Know in 2023 the first Assist/Service dog been verbal trespassed on a public transport and been removed by Police. This had to be dropped by Public Transport.

Within NZ so many People with Assist/Service Dogs are scared to report it to council or to business, for example, **1** you report it we go back to your organisation and your dog will be taken of you the council or business will not believe you. **2** Some of us gets threaten and abuse if we make any complaints to XYZ. **3** We know where you live. **4**. People make barking sounds, or other sounds and following us around. **5**. The community don't want you around. **6**. I'll kick your dog now get out. This is what some of us put up with on a daily basis.

When the dog control law was drawn up it was for to **protect Assist/Service Dog** to go in the CBD and all public places, Transport, Taxi, boats. Now our safety is been put at risk, Why people do not understand what we go through on a daily bases.

Around NZ in the CBD alone numbers of Assist/Service Dog been Rushed or Attacked well over 47 per year, One is too many, what this does to the person/s meatal health and most of all to the Assist/Service Dog. The cost to train an Assist/Service dog is High to train an Assist/Service dog, this starts from \$30,000.00 Hearing Dog, Assistance Dog \$75,000.00 to \$175,000.00 this is Low vision Guide Dogs NZ. Assist/Service Dogs being Attacked, Rushed and assaulted at this put the training at risk.

This is why we are saying **NO to Domestic Pet dogs** in the **CBD** this is for our safety. Domestic Pet dog **do not** have the same rights as us, they are not under the dog control act **2 Interpretation 8** organisations listed in [Schedule 5](#) as being a dog that has been trained (or is being trained) to assist a person with a disability **public place— (a)**
s75 Disability Assist Dog and the **health Act s120** and **The Bill Of rights Act 1990**
The Act are below on page 10-12 for you to see

This is why we are saying NO to pets in the CBD and Public transport. Why? For example. Pet dog doing poo as you were walking to go into the shop without you knowing that you stepped on doggy poo, then an Assist/Service dog walks behind you into the shop and the shop keeper tells us to get out as there because there is dog poo inside their shop. Pet dog are going to the toilet in the gardens on footpaths. WE are getting the blame for this. You will see the report on page 8 This act cover us Assist/Service dog not domestic Pets dog.

Areas Where Dogs are Prohibited

All the **8** organisations listed in [Schedule 5](#) are exempt on your list.

CBD, Shops, Malls, Cafe, Food outlets, Restaurants, Council buildings, pools, Sports grounds, Cemetery, Hotels Motels, Camping grounds, Beaches, Parks, Churches, Public Transport, Events and more.

Private Property

All the **8** organisations listed in [Schedule 5](#) are exempt on your list.
 Rentals, owner of a property and more.

Muzzle and leashing

All the **8** organisations listed in [Schedule 5](#) are exempt on your list.

Footpaths

Damage footpaths or Vehicles this is a hazard for Assist/Service dog, Low vision, Mobility ETC and you This is what Aucklanders are working on to help people with Disability, Here is a good link to have a look at how a lady has low vison with a Service Dog this will help you to understand what they come across on daily bases on footpaths, signs, cars and trip hazards. Can you please shear this to you members. This is health and safety as well. Have a look at the links. Can we make it a better place?

Guide Dog Sienna [sonotedSpragtuul93506im81011at7i uc5a8uy2Mm4ftc4t70254i148cf](#) · What we found while we were walking back from the park. Cars on footpath and road signs.

Here is a good link to have a look at how a lady has low vision with a Service Dog this will help you to understand what they come across.

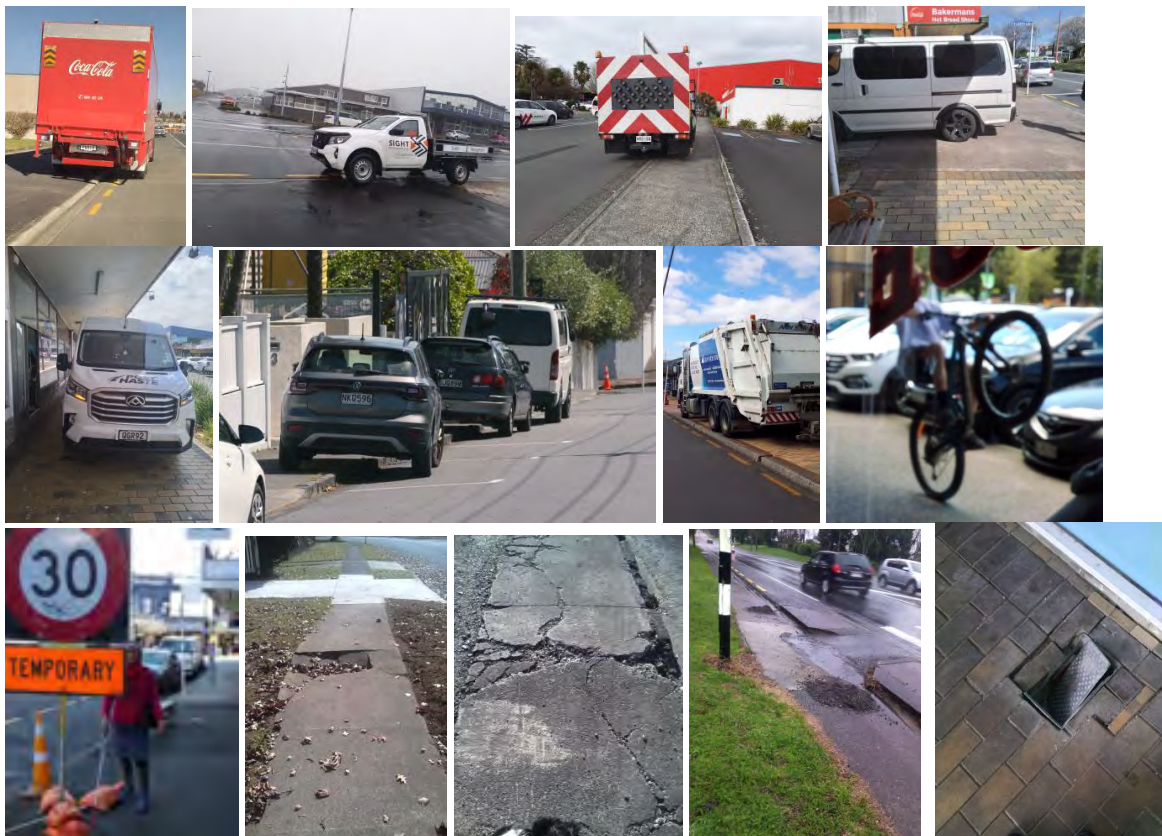
[#dog #GuideDog #SuperDog #Labradorretriever #ServiceDog #Walk #Obstacles #ForYouPage #fyp](#)

Guide Dog Sienna

[toeorpdsSn10 00022t24euu 9445urmtbmiD:7 ca50mmea55216e 9m561007](#) ·

Well, today's grocery run turned into an episode of Wipeout. Dodging wheelie bins, playing mechanic with the bonnet-up car, and doing some off-roading around the hatchbacks. But hey, we made it to the prize - Christmas goodies!

What would've made our trip easier was if these obstacles weren't blocking the footpath - have some consideration and respect people.



This is Health and safety issue

<https://www.rnz.co.nz/national/programmes/checkpoint/audio/2018865387/footpath-parking-claimed-by-cars-problem-for-pedestrians>

Parking on the footpath is illegal anywhere in New Zealand, but councils across the country are taking different approaches to enforcing the rules.

When it comes to Aucklanders' parking habits, there's a tension between what's legal and what's practical.

On some of the city's slimmest streets, drivers are faced with a choice between parking partially on the footpath to allow traffic through, or parking on the road to allow pedestrian access.

But while some residents say it's just part of living in a city, for the disability community, it can pose problems of accessibility.

The New Zealand Road Code stated that people could not park in the way of other people using the road, including pedestrians.

It clarified that meant no parking on any footpath.

CCS Disability Action educator Vivian Naylor said that was the way it should be.

"Pedestrians have to be the foundation on which everything else is built, and if they're not taken into the equation, then we're never going to get a decent environment for them to operate in safely."

Naylor said people parking on footpaths needed to have more consideration for the disability community.

<https://www.nzherald.co.nz/nz/disabled-community-ask-for-safer-detours-when-aucklands-footpaths-are-blocked/OAG4VGJOYQOBMD4B6RM66HM/>

A blind woman in Auckland says her life is at risk because of construction work blocking footpaths and accessibility advocates are calling on Auckland Transport to enforce stricter guidelines for its contractors.

Rhonda Comins told the Herald she was walking down a path in Newmarket when she suddenly met an



unexpected obstacle.

E-Scooter dangerous for disability People and their Assist/Service dog.

<https://www.rnz.co.nz/news/national/527752/disabled-community-shut-out-after-arjo-e-scooter-remote-reparking-feature-turned-off>

<https://www.ccsdisabilityaction.org.nz/news/reinstate-arjo-remote-reparking>

BJ Clark from CCS Disability Action was disappointed.

He said scooters on footpaths are at best annoying, and at worse dangerous.

"It just it just bars the way on footpaths, et cetera. If you're in a wheelchair, it's not necessarily possible for you to shift it and if you have a sight impairment, then you're going to strike the obstacle.

"For too long, people with impairments have had to fight every inch of the way to get better access to the community, a right that many of us take for granted.

"Maybe someone just needs to say we have a problem here, let's get it fixed and get it done."

In the meantime, Arjo is employing more people to go out and move the scooters to stop them being a hazard.

<https://blindlowvision.org.nz/news/e-scooters/>

"An e-scooter came very fast along the pavement on Grafton Bridge and the handlebar smacked into me, knocked me over and left me in considerable pain."

Alix, a PhD student at the University of Auckland who has low vision, recounted this experience. Unfortunately, it's not anomaly.

Last week we contacted Kiwis who are blind or have low vision and living in cities where e-scooter hire programmes are currently on trial, to get a sense of what you think about them being used on our footpaths.

Our Access and Awareness Advisor, Chris Orr, said: “As a person who is blind myself, I believe we should all be able to feel safe and confident using footpaths to get to where we need to.”

Vocalising the Blind Foundation’s position, he shared that because e-scooters are almost silent, and travel at speeds of up to 27km/hr, they can pose a hazard for pedestrians who are blind and low vision.

Alix’s incident happened on her regular walk from Newmarket to the university campus in Grafton, Auckland. She should have confidence in taking this route as a pedestrian, but she says now that the footpaths are too cluttered, her commute is slower and she has recently started using a white cane as a mobility aid.

“Low vision pedestrians are virtually indistinguishable from sighted pedestrians if they do not use a cane or guide dog, so e-scooters are very dangerous as the drivers assume that if they speed along footpaths people will move out of their way,” she explains.

It’s not only moving e-scooters that are a hazard. The introduction of rent and leave schemes, bringing hundreds of e-scooters to city streets, means those not in use are a danger.

“They are parked all over the footpaths and are a serious hazard. I now use a white cane and the scooters are still a hazard because the handle bars have whacked me in the upper body when the cane has detected nothing on the footpath but the handles are overhanging,” shares Alix.

The Blind Foundation recognises the benefits of sustainable micro-transport options in helping people get where they need to quickly and easily. However, we take the view that footpaths are for pedestrians and not e-scooters.

Chris explains: “We believe there is a solution that will work for all of us. E-scooters should be a welcome part of our cities but on the cycle paths and roads, not on the footpaths.”

What’s next?

Our survey was sent to people who are blind or have low vision living in Auckland, Lower Hutt, Christchurch and Dunedin. If you received this survey, you have until Sunday 31 March to share your thoughts. Once we have further information about what will be happening in Wellington, we plan to reach out to people in this area too.

Meanwhile the Blind Foundation has begun to lobby central and local government to keep footpaths safe for all pedestrians, including those who are blind or have low vision. We are doing this alongside like-minded organisations including Living Streets Aotearoa Blind Citizens NZ, and CCS Disability Action.

The media are also following this issue closely, with the latest headline today reading [“NZTA faces pressure to regulate e-scooter use”](#), and including our spokesperson, Chris Orr.

We look forward to keeping you updated as our efforts to see e-scooters kept off the footpaths progress.

Do you have a story you would like to share about an experience with an e-scooter?

Email: communications@blindfoundation.org.nz

Public Transport

We with Assist/service dogs are been refuse and we/some of us have to pay for taking our Assist/Service dogs onboard. Members of the public has a go at us for taking our Assist/service dog on board so do the drivers. As you can see in this report Public Transport 176 Assist/Service dogs has been refused within NZ. Some driver in NZ are asking money for us to take our Assist/Service dog onboard if we don't pay get off the bus. Showing our ID we still get turned away.

Domestic PET Dog get a free ride and we have to pay this is not right.

Registered Assist/Service dog

All the **8 organisations** listed in [Schedule 5](#) Been Attacked or rushed at or been assaulted or been refuse entry, Council or Police, **MUST** be record and take action. DIA said this is council jurisdiction and responsibility, to enforce the law to act on as well, protect all Assist/Service Dogs within NZ.

Related information Working dogs include disability assist dogs, dogs kept by state departments such as police dogs and customs dogs, pest control dogs and dogs kept solely or principally as stock or herding dogs. A full list can be found in section 2 of the Act. Working dogs are excluded from the requirement to comply with clause of the Act. Disability assist dogs are those dogs certified as disability assist dogs by the organisations listed in Schedule 5 of the Act. Disability assist dogs are not required to comply with clauses of this Bylaw under section 75 of the Act. Section 54A of the Act requires all dog owners to carry a leash at all times regardless of the provisions of this Bylaw. This section does not apply to the owner of a working dog in relation to the working dog. No Council cannot override a Government Law.

Doing OIA in 2024 on Council's most of them are not keeping records or if they are they are putting Assist/Service as **Domestic Pet dogs** not in the right class as Registered Assist/Service dog. Some of these reply's back from councils.

1. This isn't something we record so Council would have no idea how many dogs in our system are service dogs.
2. Council don't collect the type of information you are requesting. We apologise, but unfortunately we are unable to help.
3. Council does not hold this Information. Incidents such as the ones you've requested may have been reported. Council is not required to hold this, nor does it have these kinds of incidents as a category for service requests.
4. Therefore, we are refusing your request under section 17(e) of the Act, as the Information requested does not exist. We have put service dog under domestic dog!
5. When investigating incidents involving dogs, such as attacks or rushing, we do not record whether the victim dog is a registered disability assistance or other working dog type, as this does not affect the seriousness of the offence or the way the investigation is conducted.
6. We have reviewed our records and 1 service dog has been rushed in the last 10years (March 2024). The outcome of that incident was a warning issued to the owner of the rushing dog.
7. There are two incidents recorded relating to assist/service dogs. Of the incidents are attacks or rushing. For completeness, these are the details:
8. Thank you for your information request relating to discrimination on assist/service dogs, received on 8 October 2024. We will keep more upto date records on assist/service dog. I am shocked to read what is happening in New Zealand.
9. The Council received one complaint of a service dog being rushed in the area on 23 February 2024 while it was under training. We have no information recorded as to the organisation this particular service dog belonged to.
10. The Council received one complaint from a third party relating to a Service Dog (guide dog) being refused entry to a Café on 13 April 2022.
11. [Thanks for this information about fake service dogs](#), I have seen these myself but there is nothing we can do about them, sorry not our problem. Attacked or rushed at dog is a dog, as a service dog is a dog under one class sorry no help.

Fake service dog are attacking or rushing at Registered Assist/Service dog. This is bruising the system, to take their pet dog into places. They are misleading people. This is not ok.

40 Proof of class of dog

(1)

Where the territorial authority fixes a fee for the registration of a working dog that is lower than that fixed for a dog that is not a working dog, any person claiming to register any dog as a working dog shall, if so required by the territorial authority, make a written statement that the dog is a working dog of a specified class.

41 Penalty for false statement relating to application for registration

Every person commits an offence and is liable on conviction to a fine not exceeding \$3,000 who, in making an application for the registration of a dog, makes any written statement knowing that statement to be false.

Every person commits an offence and is liable on conviction to a fine not exceeding \$3,000. **IF you are selling this listed below you can be fined NZ serious offence by Law.**

Dog owners using fake assistant dog labels on the rise

<https://www.newshub.co.nz/home/new-zealand/2018/08/dog-owners-using-fake-assistant-dog-labels-on-the-rise.html>

The Very Real Danger of Fake Service Dogs and Misleading.

Fake service dog certification on line Do more to help to Stop this with in NZ Protect our Service Dog. Council, Police and Govt needs to work Keeping fake service dogs out. Under GOVT Dog Control Act 1996 (2 Interpretation service dog, (a) specified agency, warranted officer, (40) proof of class of dog, (41) Penalty for false statement relating to application for registration. Council, Government and DIA are going to get a lot harder on business are selling this Fake label's on the harness we will take action. You have fake service dog in your area sold from shops.

The Very Real Danger of Fake Service Dogs

By [Jason Bottlinger](#) on January 16, 2018



Service dogs provide an amazing and crucial service for people living with disabilities. Unfortunately, some people have used these dogs' recent popularity as an opportunity to break the rules. Fake service dogs, which are really just pets in fancy vests, do not provide critical services or help save lives. These animals present a danger to actual service dogs, as well as to children, since they are not trained the way service dogs are. And if you're bitten, it still hurts.

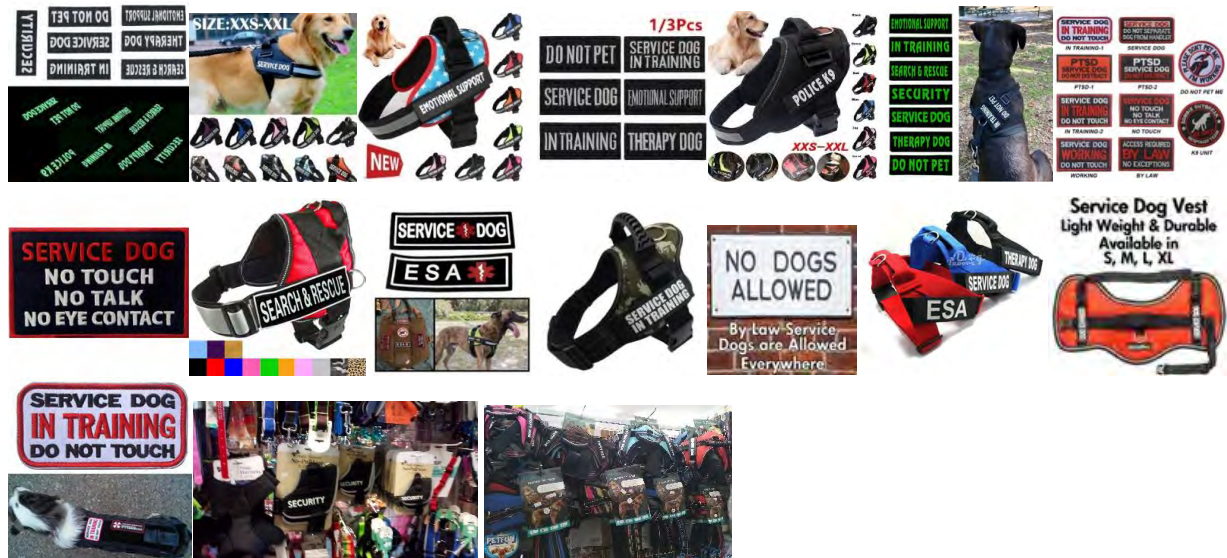
New Zealand with (**label signs** Service Dog, POLICE, Search & Rescue, In Training, Security, Emotional support, Therapy Dog) on it was **sold illegally** as it is not legal to sell them in NZ. You need to tell all your suppliers. Reflective Service Dog Vest Harness Adjustable Chest Plate Collar. People can NOT use the name POLICE, Search & Rescue, In Training, Security, Emotional support, Therapy Dog and Service Dog on and pet/family dog this also come under the **NZ serious offence by law** this is the same as Service Dog we are all under the NZ GOVT Act. They, you are Misleading people has bought the harness and **label sign** saying "Service Dog" from a shop Coin save, Two Dollar and more stores or tredeme or wish and on Face book. People is making up this sign Service Dog to go on pet/family dog is not right, they are breaking the NZ GOVT law. This has gone to NZ Police & GOVT. Please remove the **label signs** from you site. Or shops :) this is all Velcro Labels.

Under GOVT Dog Control Act 1996 (2 **Interpretation service dog**, (a) specified agency, warranted officer, (40) **proof of class of dog**, (41) Penalty for false statement relating to application for registration. They are Registered under DC GOVT) work safe Act 2015, Humans Right Act 1993, Health Act 1956, Bill of rights Act 1990 All Disability/Service

11

Dogs and GOVT Dogs are been put at risk with pet/family dogs this label on their pets are NOT Registered this is breaking the law.

Do more to help to Stop this within NZ Protect our Service Dog.



They are sold on Trade Me, wish, Facebook ETC on internet, in shops around NZ. If you see this report to Council, Police and to us.

Under GOVT Dog Control Act 1996 (2 Interpretation service dog, (a), (40) proof of class of dog, use this Act when you are reporting this with photos and if you can get their Name/s Address ETC.

Please let you supplier know that you could get find. So can your supplier could be find as well.

Disability Assist Dog Discrimination TOTALS

R = Refusal / AD= allowed after discussion. L = Lawyer / Police = POL / Trespassed = TP / DIA / Council = COU

HRC Outcome: M= Mediation / E= educate / C= court / F = fine / New Zealand Transport Authority = NZTA

Sector	R	AD	L	COU	POL	TP	DIA	GOVT	TEN	NZTA	DHB	HRC	Human Rights Commission outcome					Notes:
													M	E	C	F	\$	
Automotive	28	22	0	1	0	0	1	1	0	1	0	1	0	0	0	0	0	
Education	2	0	1	3	0	0	1	1	0	0	3	0	0	1	1	0	0	
DHB & Doctor Surgery	2	7									7	1						
Council	3	2	1	9	0	0	2	2	0	0	0	2	0	0	0	0	0	
WINZ	5	2	0	1	0	0	1	1	1	0	0	2	0	0	0	0	0	
Hospitality	36	5	3	15	2	0	9	11	1	0	3	14	1	2	0	2	11500	
Events	6	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	
Church & Marae	1																	

Real Estate	7	1	0	0	0	0	5	3	3	1	0	5	1	1	0	2	12000	
Recreation	1	2	1	1	0	0	2	0	0	0	0	0	0	0	0	0	0	
Retail	11	4	0	5	0	0	6	6	0	0	0	3	0	0	0	0	0	
Transport	176	10	0	29	2	1	5	5	0	5	0	8	0	0	0	0	0	
Sub-total	278	55	6	66	4	1	32	30	5	7	13	36	2	4	1	4	23500	
Attacks/Rushed A/S Dog	1	5	1	47	3	0	8	8	0	0	4	1	0	0	1	1	0	
False Service Dogs	0	0	0	11	9	0	269	12	0	0	0	1	0	0	0	0	0	
Assaults on A/S dogs	120	0	0	9	1	0	7	5	0	0	0	5	0	0	0	0	0	
TOTAL	399	60	7	133	17	1	316	55	5	7	17	43	2	4	2	5	23500	
First Assist/service dog trespassed on Public Transport in August 2023. This was removed by Public transport																		

DIA said this is council jurisdiction and responsibility, to enforce the law to act on as well, protect all Assist/Service Dogs within NZ.

This document is what we know so far, what is going on around NZ

Here is same link for you to look at. This will surprise you.

<https://www.1news.co.nz/2023/09/05/its-against-the-law-so-why-are-kiwis-with-service-dogs-turned-away/#:~:text=The%20most%20recent%20involved%20an,the%20police%20to%20remove%20her.&text=Zheng%20stood%20her%20ground%20knowing,no%20other%20passengers%20backed%20her.>

<https://www.stuff.co.nz/business/property/110100849/landlords-must-pay-blind-woman-4000-after-breaching-human-rights-act>
<https://www.stuff.co.nz/life-style/homed/renting/300781212/family-with-assistance-dog-illegally-discriminated-against-in-search-for-rental>

<https://www.stuff.co.nz/national/health/93262694/nz-bus-apologises-after-assistance-dog-moose-is-challenged-by-driver>

<https://www.1news.co.nz/2020/11/19/blind-wellington-man-kicked-off-bus-for-his-poodle-guide-dog/>

<https://www.nzherald.co.nz/nz/wellington-student-with-service-dog-abused-refused-uber-ride/7373HUVET7KDX3GY6TXAD3DIE/>

<https://www.stuff.co.nz/business/130543015/uber-to-educate-drivers-who-cancel-jobs-with-service-dogs>

<https://thespinoff.co.nz/society/09-11-2021/hounded-out-how-bans-on-dogs-hurt-disabled-people-like-me>

<https://www.stuff.co.nz/national/health/114939509/hamilton-shopping-centre-forces-out-deaf-man-and-disability-dog>

<https://www.stuff.co.nz/taranaki-daily-news/news/97288221/strategy-highlights-42-priorities-to-make-new-plymouth-age-friendly?rm=a>

<https://www.localmatters.co.nz/hibiscus-news/beach-walks-continuously-end-in-confrontation/>

2024

<https://www.rnz.co.nz/news/national/531931/taxis-rideshares-discriminating-against-blind-people-with-guide-dogs-advocate>

https://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Resource-material-Dog-Control-Guidelines-for-authorisation-to-certify-disability-assist-dogs?OpenDocument

https://www.legislation.govt.nz/act/public/1996/0013/latest/DLM375466.html?search=ad_act_assistance+dog_25_ac%40bn%40rn%40dn%40apub%40aloc%40apri%40apro%40aimp%40bgov%40bloc%40bpri%40bmem%40rpub%40rimp_ac%40ainf%40anif%40bcun%40rinf%40rnif_h_aw_se&p=1

<https://at.govt.nz/bus-train-ferry/whaikaha-accessible-travel/disability-assist-dogs-on-public-transport>

We have this small part off this Act/s and this is clear for Assist/Service Dogs Only, This NOT for **Domestic** pet dog
2 Interpretation

In this Act, unless the context otherwise requires,—

disability assist dog means a dog certified by one of the organisations listed in [Schedule 5](#) as being a dog that has been trained (or is being trained) to assist a person with a disability

public place—

(a)

means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and

(b)

includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward

register, as a noun, means a dogs register kept by a territorial authority under [section 34](#)

75 Disability assist dogs

(1) Any disability assist **dog** accompanying and assisting a person with a disability, or accompanying a person genuinely engaged in the **dog's** training, may enter and remain—

(a) in any premises registered under regulations made under [section 120](#) of the Health Act 1956; or

(b) in any public place.

This is also covered in the Health Act 1956 and the Human Rights Act 1993 – recently updated section 21.

https://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304475.html?search=sw_096be8ed81c5ac50_dog_25_se&p=1&sr=1

21 Prohibited grounds of discrimination

(1) For the purposes of this Act, the **prohibited grounds of discrimination** are—

(a) sex, which includes pregnancy and childbirth:

(b) marital status, which means being—

(i) single; or

(ii) married, in a civil union, or in a de facto relationship; or

(iii) the surviving spouse of a marriage or the surviving partner of a civil union or de facto relationship; or

(iv) separated from a spouse or civil union partner; or

(v) a party to a marriage or civil union that is now dissolved, or to a de facto relationship that is now ended:

(c) religious belief:

(d) ethical belief, which means the lack of a religious belief, whether in respect of a particular religion or religions or all religions:

(e) colour:

(f) race:

(g) ethnic or national origins, which includes nationality or citizenship:

(h) disability, which means—

(i) physical disability or impairment:

(ii) physical illness:

(iii) psychiatric illness:

(iv) intellectual or psychological disability or impairment:

(v) any other loss or abnormality of psychological, physiological, or anatomical structure or function:

(vi) reliance on a disability assist dog, wheelchair, or other remedial means:

(vii) the presence in the body of organisms capable of causing illness:

If a business is discriminating against you the best channel to get assistance is via the Human Rights Commission. It is important to lodge complaints here so these issues can be addressed with the businesses and they can be educated on the rights of people that own a disability assist dog. This is a breach of section 21 of the Human Rights Act 1993:

Contact details for the HRC can be found below. For more information I would head to this Citizens Advice Bureau webpage: <https://www.cab.org.nz/article/KB00000983>

The section is section 120 of the Health Act and I would look at the following (part 2) of the section this is linked to the Dog Control Act in Section 75. Disability assist dogs can enter any public place and the listed places (A-G) that are registered with territorial (local/councils) authorities as mentioned in the Health Act.

The Dog Control Act refers to this section of the health act:

57A Dogs rushing at persons, animals, or vehicles

(1) This section applies to a dog in a public place that—

(a) rushes at, or startles, any person or animal in a manner that causes—

(i) any person to be killed, injured, or endangered; or

(ii) any property to be damaged or endangered; or

(b) rushes at any vehicle in a manner that causes, or is likely to cause, an accident.

(2) If this section applies,—

(a) the owner of the dog commits an offence and is liable on conviction to a fine not exceeding \$3,000 in addition to any liability that he or she may incur for any damage caused by the dog; and

(b) the court may make an order for the destruction of the dog.

(3) A dog control officer or dog ranger who has reasonable grounds to believe that an offence has been committed under subsection (2)(a) may, at any time before a decision of the court under that subsection, seize or take custody of the dog and may enter any land or premises (except a dwelling house) to do so.

Bill of rights Act 1990.**14 Freedom of expression**

Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.

17 Freedom of association

Everyone has the right to freedom of association.

19 Freedom from discrimination

(1) Everyone has the right to freedom from discrimination on the grounds of discrimination in the [Human Rights Act 1993](#).

(2) Measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination that is unlawful by virtue of [Part 2](#) of the Human Rights Act 1993 do not constitute discrimination.

We have a small part in the Acts to cove and to Protect us. DIA said this is council jurisdiction and responsibility, to enforce the law to act on as well, protect all Assist/Service Dogs within NZ.

Thank you for your understanding and reading this submission. We looking forward to your feedback.

██████████ we take refusal for Disability Assist/Service Dogs and their owners seriously and will follow up as soon as we are notified.

The information contained in this document is confidential to the intended recipient and may be legally privileged. You may not copy or disclose this email to anyone without the written permission of the sender. It is not necessarily the view nor an official communication of the Spokesperson For Disability Assist/Service Dogs Within NZ and Our Rights Under New Zealand Law. If you have received this email in error, please notify the sender immediately and delete this message. Please notify the sender immediately by e-mail if you received this e-mail by mistake and delete this from your system. If you are not the intended recipient, you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

#60



Submission To Masterton District Council on The Dog Policy and Control of Dogs Bylaw Review - March 2025



Introduction

HUHA - Helping You Help Animals Trust is New Zealand's leading independent animal welfare organisation, settled on 157 acres, Moonshine Valley, Wellington. We aim to teach, share our knowledge, connect with and empower individuals and communities across the motu, with the understanding and tools they need to help animals enjoy the care and consideration they deserve. We shelter unwanted and displaced animals, provide support during emergencies and also have an in house vet team who support communities with low cost desexing drives and compassionate care assistance.

We are grateful for the opportunity to present our insights on the proposed modifications to the Dog Policy and Control of Dogs Bylaw. We recognise the intent behind these changes, which focus on tackling the issues related to nuisance dogs in the Masterton community. Dogs are beloved companions, and their welfare is closely tied to the health and happiness of their human caretakers. It is, therefore, essential that any new policies and bylaws consider the practical and financial implications for pet owners and the wider community as well as the well-being of the pet.

Unable to comment on:

Although we provide animal welfare support to the Masterton community, we feel we are unable to comment on the proposed change 1-3 as they are community resident specific.

- **Proposed change 1:** Designate Taranaki Street Park as off-leash.
 - **Proposed change 2:** Designate the Castlepoint reef area as prohibited.
 - **Proposed change 3:** Motuwaireka Stream mouth at Riversdale Beach on-leash
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Support for proposed changes

We fully support:

- **Proposed change 5:** Exercising dogs alongside moving vehicles clarification.
- **Proposed change 6:** Process for removing menacing dog classification by deed, and commend you for taking a case by case approach.
- **Proposed change 7:** Discretion for the Council to waive surrendering fees. We would also like to commend this change. It will play a crucial role in protecting the mental health of struggling owners as well as the safety of the animal they can no longer care for.
- **Proposed change 8:** Responsible Dog Owner status clarity and exemptions for neutering.

We see these changes benefit community pet owners and ensure that both animals and community members can coexist peacefully.

Support with additional notes:**1. Proposed change 4: Requirement to neuter an uncontrolled dog**

The proposed Bylaw sets out a process to deliver a written notice to owners requiring their dog to be neutered if they have failed to keep their dog under control on more than two occasions within a 12-month period.

- a. There are often welfare issues and socio-economic factors at play when a dog is repeatedly roaming or otherwise uncontrolled. Therefore, whilst we support the proposed changes we identify this as a crucial opportunity to provide wrap around support to owners to ensure that they are able to meet the desexing obligations proposed.
- b. Our concerns are that if owners are unable to afford the desexing procedure they will either leave their dog impounded and may acquire a new dog whereupon the cycle is likely to start again, or they may subject the dog to prolonged confinement or tethering i.e. life chaining to avoid a third infringement and subsequent notice to neuter.
- c. Community education and ownership support is needed for the intention of this proposal to be effective.
- d. We recognise that this requirement will be an important tool for Animal Control Officers (ACO's), and whilst some repeat offenders will improve and may even thrive as a result of education, direction and support around desexing, there are many owners who are not interested in adhering to dog ownership responsibilities. This results in many dogs and puppies being kept in situations of normalised neglect.
- e. In these cases there is a need for ACO's to be encouraged and empowered by Council to view repeated breaches with a welfare lens. Escalating enforcement so that any person convicted of an offence under the Act (or other Acts specified in section 25 of the Act) or who commits three infringement offences (not related to a single incident) within a 24 month period can be put on probation or immediately disqualified from owning a dog.
- f. In short, if an owner is unlikely to comply, or continues to re-offend, and if a dog is likely to be subjected to continued inappropriate living conditions including repeated roaming and pregnancies. The full strength of the local governments power must be

applied. If not, nuisance, danger and harm to the community, and community pets including those causing the damage will continue.

Additional and serious consideration required

Animals across Aotearoa are in desperate need. As New Zealand's leading independent animal welfare shelter we see the widespread suffering first-hand, all day, every day. Although we have over 500 animals in our care at any given time that doesn't even come close to meeting the need that exists in our communities, we're always at capacity and we always have waitlists.

Every day we see animals, owners and shelters at breaking point. The current cost of living crisis has exacerbated an already dire situation. We increasingly receive litters of puppies and kittens who have simply been dumped, we receive animals who are suffering from congenital illnesses and disabilities which can often be attributed to indiscriminate backyard breeding and we treat animals who are critically ill with highly contagious conditions such as parvovirus. We have an after-hours phone service for animal welfare related emergencies and that phone rings most nights, usually multiple times a night.

Each year, HUHA invests hundreds of thousands of dollars addressing the aftermath of unwanted puppies, many of whom have genetic conditions, severe illnesses and social issues. We have serious concerns that if not addressed, the indiscriminate breeding of puppies in the community, which is already untenable, will cause continued financial and emotional devastation to the community, animal charities, vets and animal services, and the continued loss of animal lives.

Key problem areas that lead to widespread suffering and need urgent attention

Problem 1: There is no limit to dog numbers on rural properties leading to nuisance breeding and behaviour.

1. A clear lack of enforceable rules around dog ownership on rural properties needs to be considered as a serious contributing factor to an overpopulation of dogs causing danger, distress, and nuisance to the community generally.
2. Not all rural dogs are working dogs and furthermore, not all dogs owned by farmers are working dogs. Therefore, we suggest that the rural discount be removed and with the

exception of genuine working dogs, all other rural dog owners should be subject to the same limitations and conditions around the number of dogs as the rest of the community. We believe the distinction between working dogs and dogs who simply reside in rural areas could be made very easily through site visits similar to those that are required to confirm preferred dog owner status, including incentive for neutering.

3. Through our welfare work HUHA is faced with a reoccurring challenge of poorly kept and cared for dogs. We believe that this distressing burden is derived from uncontrolled and indiscriminate breeding in the community. To state it plainly, there are too many puppies being born and not enough appropriate homes.
 4. The high volume of indiscriminate breeding that occurs on rural properties is contributing to increased danger, distress, and nuisance to the community generally.
 5. Every year we are faced with "cleaning up" devastating situations where high volumes of animals are being kept in terrible and unmanageable conditions. The recurring theme we see is that people who fall into this category of high volume substandard care and neglect position themselves on rural properties where the rules do not apply to them. Unless the SPCA are alerted to a welfare concern, these property owners can register a high number of undesexed dogs and continue unethical and extremely substandard ownership. Making intervention and regulation of their activities near impossible
- **Unethical breeders** - There are too many unethical breeders tucked away in rural locations. Even if they register their breeding stock, there is no accountability for the constant cycle of puppies being born and sold from the property, pet stores or online. They often hide their endeavors by having an additional "mask" property to sell from, while in reality they are confining animals in sheds or at the back of their properties, out of sight. The high volume of puppies cycling through go undetected, and the Council Animal Services have no control as these puppies leave them before the required 12 week registration. We are seeking to have the required age of registration lowered from 12 weeks to 4 weeks (still legally required to be with the breeder). We are pushing for this change to bring about transparency and enforceable regulations. Making the unethical breeders accountable, whilst giving the authorities a tool to stop inappropriate practices.
 - **Hoarders** - We are often called upon to help destock in situations where the owner has bred several litters whilst neglecting the welfare of the animals in their care. Frequently, we find these animals confined without enrichment and being kept in inadequate conditions. Some of these for breeding purposes. We note that there are often mental health struggles associated with this type of hoarding. We work with human support agencies, but without a bylaw

change to cap the number of dogs allowed on the property, it can be an impossible situation to manage.

- **Farmers** - We have repeatedly taken in litters of unwanted puppies and dogs from farmers. We took in 120 puppies and dogs from just one Wellington farm. Although all working breeds, only the adults were kept kenneled with his working stock. Four week to 12 month old puppies were kept undesexed and shut in dark stables, where the older siblings continued inbreeding. We took into our care, deaf, blind and immunosuppressed pups and dogs as well as many with joint disease and some severely deformed. This rescue cost HUHA \$160k and the farmer is still legally allowed as many dogs as he likes on his rural property. We are also currently working with a farmer down south who has got registered dogs, with most not desexed and the puppies under 12 weeks not counted. And another Farmer in Dargaville in a similar situation. A few weeks ago we took an unwanted litter of pups from a Masterton Farm. The farmer was going to drown them, but his wife intervened. Thanks to the old fashioned theory that working dogs work harder if not desexed and the unlimited number of dogs allowed on a farm, this work is ongoing, time consuming and extremely expensive for HUHA. Simply being a farmer does not mean that all dogs owned by that person are working dogs and therefore there needs to be some way to regulate registrations in these contexts. Farmers should also be encouraged to desex all dogs not intended for breeding.
- **Pig Hunters** - In our experience there seems to be zero care and responsibility here. The volume of unwanted pups that comes from the pig hunting enthusiasts is untenable. The constant breeding to find the perfect hunting dogs, means that the hundreds of surplus puppies are banged on the head, drowned, dumped or passed on to ill equipped community members. This is extremely irresponsible and inappropriate. With no enforceable accountability for the number of litters bred, or the number of dogs kept (often in confinement) this is a hot mess of prey driven animals being indiscriminately bred on rural properties is an issue for the Masterton community as well as already overflowing shelters like HUHA and the SPCA.
- **Dog fighting** - There are rural areas in Masterton suspected to be holding dogs for the purpose of dog fighting. A limitation on dogs registered to such rural properties will give ACO's more tools in their enforcement tool kit.
- **Extreme Weather Events** - Over the past 13 years HUHA has responded to 22 extreme weather events, we have spent more that \$500K supporting local animals during and after these events, we are considered leaders in this field. On several occasions we have

responded to dangerous situations where owners of high numbers of animals have put themselves at risk, and in turn out the rescuers at risk. We highly recommend using this opportunity to discourage inappropriate numbers of dogs in rural areas though the limitation on the number of dogs allowed be extended to rural areas.

Suggestion 1: Limitation on the number of dogs allowed be extended to rural areas

We propose that dog owners in rural areas should be subject to the same conditions and limitations to the number of dogs who are able to be registered. We also suggest that rural dogs do not receive discounted registration unless neutered.



Problem 2: The Significance of Auditing Breeders

Currently the RDO policy states that an exemption around neutering dogs may applied to certified breeders

With regard to a full exemption for registered breeders, we have serious concerns.

1. We understand the need for breeding stock to remain entire,
2. Certified breeders must also be held accountable for their part in perpetuating over-breeding, nuisance and disease among dogs in the community.
3. We propose capping the number of entire animals that a breeder is allowed to keep and breed from, as well as a limit to the number of litters they may have per year, and in the animals' lifetime.
4. We propose that breeders be required to microchip and desex any puppies, as well as ex breeding stock prior to selling or rehoming them.
5. Breeders should not be allowed to on-sell or rehome, entire, unmicrochipped or unvaccinated animals as doing so would evade their responsibility to the animal and the community.

6. We recommend that breeders should be subject to annual audits to ensure their facilities, disease control measures, and processes comply with the bylaws and Cats Code of Welfare.

It is our experience that many breeders can easily slip into hoarding situations. We recommend audits to transparently document the number of dogs on a breeder's property, the number of litters born, and their outcomes—whether retained, rehomed (including pet store or online sales), or deceased—on an annual basis. This process should also include evidence of proper veterinary care, desexing, and microchipping. This process would allow unethical registered dog breeders to be identified and investigated. One last observation to consider is that breeders, whether registered or not, earn significant profits from selling each puppy, often ranging from hundreds to even thousands of dollars. However, in our experience, it is not unusual for some of them to neglect to report their earnings for tax purposes.

Suggestion 2: We strongly advocate only a partial neutering exemption for registered breeders. We also suggest that a breeder auditing and accountability process be introduced by the MDC.

Problem 3: the sale of live animals through pet shops, feeds a demand for inappropriate breeding which is costly to the emotional and financial well being of community members as well as the lives of the animals.

1. With over 39 years experience in the animal welfare sector in New Zealand we've seen massive behavioural change among Kiwis, as the public have shifted away from buying live animals from pet shops and instead choosing to adopt from shelters or purchase directly from reputable breeders. Though as long as Pet stores are allowed to sell live animals such as puppies, the naive or spontaneous buyer is still at risk.
2. It is our direct experience that puppies and kittens sold through pet shops are often taken from their mothers at a very young age and miss out on important social engagement. Furthermore, the pet shop setting is inherently stressful for animals as they're confined and exposed to constant over stimulation whilst on display in a retail setting. The public are also increasingly wary of what might be going on behind the scenes.
3. It is also important to note that good breeders are registered with Dogs NZ, and they do not on-sell their litters to a third party such as a pet store to sell. An ethical breeder takes full responsibility as they nurture, socialise and carefully rehome their puppies. They are driven by pride and a passion for their chosen breed, and take care to breed healthy lines, giving new owners the best chance and advice to succeed.

4. Many pet store owners actively breed these animals themselves, or acquire stock from unregulated and unethical puppy mills and backyard breeders. Puppies sold through pet stores are often unneutered, un-microchipped, not fully vaccinated and in our vast experience sometimes underage and unwell. It is also our first hand experience that some of these puppies fade and die of hyperglycemia as they are taken from their mother and put in a commercial environment, before they are fully weaned.
5. Unethical breeders are known to keep the parents of the shop stock in substandard conditions for the entirety of their breeding lives, often confined with little socialisation. Giving these types of breeders a platform to sell these animals allows them to keep exploiting them for profit. We are also aware that many of the pet store stock come from unethical breeders who do not declare or pay their taxes.
6. The great news is that throughout the world the pet store model is changing, often led by Local and Central Government intervention. In NZ, Animates have made the decision not to sell live animals except for fish and many other smaller independent pet stores have followed suit. For example, The Natural Pet Shop in Upper Hutt, Wellington is a small independently owned store that was sold to a new owner who made the decision to no longer sell live animals. It is now one of the most loved and visited stores in Upper Hutt. People shop with their pets to get good advice and great products. This new pet shop business model based on good service, great products and professional advice, is proving to be successful, as well as appreciated by communities.

Suggestion 3: We propose that a new bylaw restrict any new and established pet store businesses in Masterton from selling live animals entirely. If that is not achievable, at the very least, they should be required to desex, microchip and vaccinate puppies prior to selling through their brick and mortar business and/or online.



Problem 4: Backyard breeding.

Even if community members complied and only kept two registered dogs on their property. The potential to cause a negative impact and nuisance is still great,

- a. If a registered owner had two entire bitches, There is the potential for each bitch to have 10 puppies, twice a year.
- b. This means that the owners of two registered (undesexed) bitches could reproduce as many as 40 puppies per year.
- c. We see many owners passing these puppies (often underage) on to friends and family who also neglect to provide for the basic needs, nor desex their puppies, and the cycle continues.
- d. This is the catalyst for poorly socialised puppies with social anxieties leading to potential displaced aggression. It can also be associated with disease spread, and the ongoing breeding of hundreds of poorly cared for, including life chained dogs.
- e. Backyard breeding is incredibly harmful to communities, shelters and of course the animals.

Suggestion 4: Cleaning up urban backyard breeding and disease spread, through supportive measures for community dog owners.

Current Costs of desexing, microchipping and vaccinating dogs in Masterton

Desexing: Female dog under 25kg \$600, Male dog \$350

Considering that many homes have multiple dogs, these costs can be quite prohibitive.

To successfully implement these requirements, adopting a supportive and proactive approach is crucial. Many pet owners in our communities may find the associated costs of desexing and microchipping their dog/s challenging. Therefore, we agree with the following supportive measures to assist pet owners:

- **Community Education Campaigns:** Raising awareness about the benefits of desexing and vaccinating, as well as microchipping can motivate the hesitant pet owners to take responsible actions. This could include workshops, informational brochures, and community events.

- **Partnerships with Veterinary Clinics and Animal Organisations:** Establishing continued financial assistance via grants to local veterinary practices and organisations like SPCA or HUHA. This would allow such practices and organisations to offer subsidised community desexing clinics, thus significantly easing the burden on pet owners and encouraging compliance with bylaws.
- **Planning for the Safe Outcomes of stray domestic dogs:** It is crucial to develop a thoughtful strategy for ceased, unowned, abandoned, or stray domestic dogs. While removing these animals from situations of uncontrolled breeding and nuisance behaviour is important, their safety and well-being should also be prioritised. Establishing partnerships with responsible dog rescues and larger organisations like the SPCA and HUHA is vital for ensuring the welfare of these animals and aligning with the objectives of the bylaw.

Conclusion

The proposed policy and bylaws are a positive step toward ensuring a healthier community for both humans and animals.

By implementing a limit to dog numbers on rural properties, closing the door on live animal sales in pet stores and funding supportive measures around desexing for the community, Masterton District Council can ensure that all pet owners have the opportunity and means to comply with the bylaw, thereby reducing the number of stray and nuisance dogs in Masterton.

We look forward to seeing these changes benefit the community and enhance the human-animal bond that is so vital to our collective well-being.

Thank you for your time and effort on these important issues.

Ngā mihi

Carolyn Press-McKenzie

CEO/Founder,

And the team at

HUHA - Helping You Help Animals Trust

Submission Form Masterton Dog Policy and Control of Dogs Bylaw

#90

COMPLETE

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Page 1: Puka Tāpae o Te Kaupapa Here Kuri ki Whakaoriori me te Whakahaere Ture ā-

Q1

Your Details

First name (required) **Darren**
Surname (required) **McGregor**

Q2

Optional information

Postal address

Email

Phone

[REDACTED]

Q3

Yes

Are you giving feedback on behalf of an organisation?

Q4

Organisation Name

New Zealand Post Limited

Q5

Yes (in person)

Would you like to present your views at the hearing? If yes, please make sure your contact details in the previous section are correct so we can get in touch.

Q6

What is your age range?

[REDACTED]

Q7

Which ethnic group do you belong to? Select all that apply to you.

[REDACTED]

Submission Form Masterton Dog Policy and Control of Dogs Bylaw

Q8

What is your gender?

Q9

Do you live with impairments/long-term health conditions or do you identify as tāngata whaikaha/disabled?

Q10

Do you currently own a dog?

Page 2: Ō Whakaaro | Your Thoughts

Q11

Which is your preferred option for the Dog Policy and Control of Dogs Bylaw

Option 2 – Make other changes to Policy and Bylaw – suggest changes that are not included in our proposal outlined on page 6 - 12 of Statement of Proposal. Please describe your desired changes below.

Q12

Is there anything else you would like to note as part of your feedback on the policy and bylaw?

On behalf of New Zealand Post we would like to ask that the following criteria be changed from a requirement for "Responsible Owners" status to a mandatory requirement for ALL dog owners:

"All dogs owned are kept securely on the owner's property. Access to at least one door of the dwelling must be available without encountering the dog."

This is to allow our delivery employees and contractors to safely deliver parcels and mail to customers in Masterton.

Page 3: Ngā paponi matua kua tūtohua | Key proposed changes

Q13

Proposed Change 1: Taranaki Street Park Off-Leash We are proposing to designate Taranaki Street Park as off-leash. This is due to feedback we have received that this area is already informally used off-leash without issues, an increased demand for more off-leash areas spread out in Masterton, and the park's suitability for off-leash (no playgrounds, sports, etc.)

I do not have a view on this or am unsure about this proposal

Q14

Proposed Change 2: Castlepoint Beach Reef Area Prohibited We are proposing to designate the reef area of Castlepoint Beach as prohibited as it has been identified in the Greater Wellington Regional Council's Natural Resource Plan as a significant habitat for indigenous birds.

I do not have a view on this or am unsure about this proposal

Submission Form: Masterton Dog Policy and Control of Dogs Bylaw

Q15

Proposed Change 3: Motuwaireka Stream Mouth at Riversdale Beach On-Leash
We are proposing to designate the northern end and Motuwaireka Stream mouth at Riversdale Beach as on-leash as it has also been identified as a significant habitat for indigenous birds in Greater Wellington Regional Council's Natural Resource Plan.

I do not have a view on this or am unsure about this proposal

Q16

Proposed Change 4: Requirement to Neuter an Uncontrolled Dog
We are proposing to introduce a requirement to neuter an uncontrolled dog. Masterton's most common dog incident is roaming, and unneutered dogs are more likely to roam.

I support this proposed change

Q17

Proposed Change 5: Exercising Dogs Alongside Moving Vehicles Clarification
We are proposing to add a section clarifying that exercising dogs alongside a moving vehicle means the owner is not in control of their dog. This would not apply to working dogs.

I do not have a view on this or am unsure about this proposal

Q18

Proposed Change 6: Process for Removing Menacing Dog Classification
We are proposing to implement a process for removing a menacing dog classification. If a menacing dog owner has taken sufficient steps to demonstrate responsible dog ownership, they may apply to have the classification removed. This will incentivise positive behavioural change.

I do not have a view on this or am unsure about this proposal

Q19

Proposed Change 7: Discretion for Council to Waive Surrendering Fees
We are proposing to provide discretion for Council to waive surrendering fees in exceptional circumstances. This covers exceptionally rare cases, where a person may choose to abandon or dispose of a dog inappropriately rather than surrender it to Council.

I do not have a view on this or am unsure about this proposal

Q20

Proposed Change 8: Responsible Dog Owner Status Clarity and Exemptions for Neutering
We are proposing to improve clarity around Responsible Dog Owner status for multiple dog ownership and moving house, and provide exemptions from the neutering requirement for dog owners who are responsible but have a dog that is unfit for neutering due to potential health risks.

I do not have a view on this or am unsure about this proposal

Submission from Masterton Dog Policy and Control of Dogs Bylaw

Q21

Is there anything else you would like to note on the proposed changes?

As I am making my submission on behalf of NZ Post I have answered most of the questions as "I do not have a view" where NZ Post does not have a position on those proposals. NZ Post's sole focus is on the Health and Safety of its employees and contractors with reference to dogs.

NZ Post in Masterton has 31 recorded dog incidents involving our staff or contractors within the Masterton District Council area in the last 5 years. We welcome any steps that the MDC takes with reference to dogs that would make our employees and contractors safer when delivering to customers within its area.

Puka Tāpae o te Kaupapa Here Kuri ki Whakaoriori me te Whakahaere Ture Ā-rohe mō ngā Kuri

Dog Policy and Control of Dogs Bylaw Review Submission Form

#105

For admin use only

Privacy Statement

All submissions will be made available to the public via the Masterton District Council website. Your name, organisation (if applicable) and feedback will be included in public documents. All other personal details will remain private. If you have extenuating circumstances, please contact us prior to the submission closure date to request that your name be withheld.

The Privacy Act 2020 applies when we collect personal details. Further information is available by searching "privacy policy" on our website: www.mstn.govt.nz

Submission Policy

Information on our submissions process and minimum requirements for submissions content can be found by searching "policies" on our website: www.mstn.govt.nz

Your details

First name (required) Arnja

Surname (required) Dale

Postal address PO Box 15349, New Lynn, Auckland 0640

Phone

Email

Are you giving feedback on behalf of an organisation?



Yes



No

Organisation name RNZSPCA

Hearings

A hearing will be held on Wednesday 9 April 2025 for those wanting to present their views. You will have 5-10 minutes to present your feedback to elected members.

Would you like to present your views at the hearing?



Yes (in person)



Yes (via Microsoft Teams)



No

If yes, please make sure your contact details in the previous section are correct so we can get in touch.

About you (optional)

These questions help us understand which sectors of the community are providing feedback so we can improve our engagement approach. Your responses will not be made public with your submission. Only collated data will be reported to the Council.

What is your age range?

☐ Under 20 ☐ 20-29 ☐ 30-39 ☐ 40-49 ☐ 50-59 ☐ 60-69 ☐ 70+

Which ethnic group do you belong to? Select all that apply to you.

☐ NZ European ☐ Māori ☐ Pacific Peoples ☐ Asian

☐ Other: please state:

What is your gender?

☐ Male ☐ Female ☐ Another gender: please state:

Do you live with impairments/long-term health conditions or do you identify as tāngata whaikaha/disabled?

☐ Yes ☐ No ☐ Prefer not to answer

Do you currently own a dog?

☐ Yes ☐ No

Your thoughts

Which is your preferred option for the Dog Policy and Control of Dogs Bylaw?

- ☒ **Option 1: Make proposed changes to the Policy and Bylaw** – updates the Policy and Bylaw to respond to current needs, protect wildlife, reduce roaming, provide flexibility, and improve clarity. This includes our proposed changes outlined on page 6-10. **This is the Council's preferred option.**
- ☐ **Option 2: Make other changes to the Policy and Bylaw** – suggest changes that are not included in our proposal outlined on pages 6-10. Please describe your desired changes below.
- ☐ **Option 3: Leave the Policy and Bylaw as is** – this does not address dog exercise needs, wildlife protection, or persistent roaming. It also misses opportunities for improvement.

Is there anything else you would like to note as part of your feedback on the policy and bylaw?

Key proposed changes

This next section asks you about the eight key proposed changes to the Dog Policy and Bylaw outlined in the Statement of Proposal. Please tick your preferred option for each proposed change.

Proposed change 1: Taranaki Street Park off-leash

We are proposing to designate Taranaki Street Park as off-leash. This is due to feedback we have received that this area is already informally used off-leash without issues, an increased demand for more off-leash areas spread out in urban Masterton, and the park's suitability for off-leash (no playgrounds, sports, etc.)

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 2: Castlepoint beach reef area prohibited

We are proposing to designate the reef area of Castlepoint beach as prohibited as it has been identified in the Greater Wellington Regional Council's Natural Resource Plan as a significant habitat for indigenous birds.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 3: Motuwaireka Stream mouth at Riversdale Beach on-leash

We are proposing to designate the northern end and Motuwaireka Stream mouth at Riversdale Beach as on-leash as it has also been identified as a significant habitat for indigenous birds in Greater Wellington Regional Council's Natural Resource Plan.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 4: Requirement to neuter an uncontrolled dog

Masterton's most common dog incident is roaming, and unneutered dogs are more likely to roam.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 5: Exercising dogs alongside moving vehicles clarification

We are proposing to add a section clarifying that exercising dogs alongside a moving motor vehicle means the owner is not in control of their dog. This would not apply to working dogs.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 6: Process for removing menacing dog classification

We are proposing to implement a process for removing a menacing dog classification. If a menacing dog owner has taken sufficient steps to demonstrate responsible dog ownership, they may apply to have the classification removed. This will incentivise positive behavioural change. Proposed requirements can be found on page 9 of the Statement of Proposal.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 7: Discretion for the Council to waive surrendering fees

We are proposing to provide discretion for the Council to waive surrendering fees in exceptional circumstances. This covers exceptionally rare cases, where a person may choose to abandon or dispose of a dog inappropriately rather than surrender it to the Council.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Proposed change 8: Responsible Dog Owner status clarity and exemptions for neutering

We are proposing to improve clarity around Responsible Dog Owner status for multiple dog ownership and moving house, and provide exemptions from the neutering requirement for dog owners who are responsible but have a dog that is not fit for neutering due to potential health risks.

- ☒ I support this proposed change
- ☐ I oppose this proposed change
- ☐ I do not have a view on this or am unsure about this proposal

Is there anything else you would like to note on the proposed changes?

SPCA appreciates the opportunity to participate in both the early engagement process and the current consultation. We commend Masterton District Council's proposed common-sense updates to the Dog Control Policy and Bylaw, in particular;

- The addition of a new designated off leash area to compensate for the restrictions to protect sensitive wildlife at Castlepoint beach reef area and Motuwaireka Stream mouth at Riversdale Beach. Balancing removal or restriction of dog access to areas with creation of new off leash areas facilitates dog owners obligations to meet the physical, health and behavioural needs of their animals. We also support clarification of dog access rules.
- The proposed requirement to neuter dogs repeatedly found roaming. Desexing of roaming dogs is an important component of population control and has welfare benefits for the desexed animal. SPCA has helpful posters to promote the benefits of desexing on our website:
<https://desexing.sPCA.nz/resources>
- The proposal to prohibit using motor vehicles to exercise dogs (with the exception of working dogs). Allow a dog to run along with a moving motor vehicle does not allow sufficient control of the dog and puts the dog at risk of accidental injury.
- The proposal to provide a review pathway for dogs classified as 'menacing by behaviour', provided owners take specific steps to demonstrate responsible dog ownership. This approach has been successfully adopted by other territorial authorities and incentivises human behaviour change and adoption of responsible dog ownership practices.
- The proposal to give discretion for the Council to waive surrendering fees in exceptional circumstances to protect dog welfare.
- The proposal to clarify Responsible Dog Owner status and exemptions for neutering for registered breeders or based on veterinary advice. This removes unnecessary barriers to achieving Responsible Dog Owner status.

SPCA appreciates the opportunity to contribute to the Masterton District Council Dog Control Policy and Bylaw. Our organisation is happy to discuss this matter if further information is required.

06 370 6300
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submissions@mstn.govt.nz

**MASTERTON**
WHAKAORIORI
DISTRICT COUNCIL



**Masterton District Council Hearing Procedure: Dog Policy and Control of Dogs
Bylaw, and Dangerous, Affected and Insanitary Buildings Policy**
Wednesday 9 April 2025

The Hearings Committee will hear all submissions:

Councillor Craig Bowyer (Chairperson)
Mayor Gary Caffell
Councillor Tom Hullena
Councillor David Holmes

Iwi Representatives Robin Potangaroa
(Ngāti Kahungunu ki Wairarapa) and
Jo Hayes, (Rangitāne o Wairarapa)

- The hearings give you an opportunity to expand on the submission you made and/or to focus on your key points. You can assume that the elected members have read your submission.
- Each submission will be limited to an address period of 7 minutes with 3 minutes for responding to questions from the elected members. A bell will be rung at 6 minutes and again at 10 minutes.
- The Chairperson has the right, with or without the agreement of the other members, to terminate a submission in progress or to extend the time allowed for any submission.
- The Chairperson, or any member through the Chairperson, may ask questions relevant to the matter being heard. The Chairperson may wish to clarify or correct any matter raised.
- Hearings will be taking place in person at Masterton District Council, Waiata House, 27 Lincoln Road, Masterton on 9 April 2025. We will also have a Microsoft Teams option available. This hearing will also be livestreamed.
- Please arrive at the venue or join the meeting 10 minutes prior to your allocated speaking time. Please also allow additional time as individual submissions may run longer than scheduled and your speaking time may be delayed.
- If you want to use a PowerPoint, please advise Harriet Kennedy on 370 6300 and either email your presentation in advance of the hearing to harrietk@mstn.govt.nz (the preferred option), or bring a flash drive on the day 10 minutes prior to your allotted time.
- If your circumstances change and you are unable to make your allocated time, please ring Claire Jordan on 06 370 6300 or 027 444 2357 as soon as possible.
- If for any reason you are unable to attend, the Council will still consider your written submission.
- The Council will not normally indicate whether or not they support your submission.
- At the conclusion of hearing all the submissions the meeting will close.
- At a meeting on Wednesday 30 April the Committee will deliberate and make recommendations to Council on the matters raised in the consultation.