



**Ture ā-Rohe mō Te Whakahaere Kurī 2010 (i
whakahounga i 2026) | Dog Control Bylaw 2010
(Amended 201626)**

DRAFT – FOR CONSULTATION



1. Introduction

1.1 ~~Scope Purpose~~

The purpose of ~~this~~ Bylaw is to:

- a) promote responsible dog ownership and protect the community's safety and enjoyment of Public Places. It aims to balance the benefits of dog ownership ~~needs of dogs and their Owners~~ against the need to ensure that the danger, distress and *Nuisance* of dogs and dog behaviour to the community is minimised and;
- b) give effect to the *Council's Policy on Dogs* adopted under section 10 of the *Act*.

~~1.2 This bylaw gives effect to the Council's Policy on Dogs, the objective of which is to:~~

- ~~a) To minimise danger, distress and nuisance caused by dogs to the community.~~
- ~~b) To minimise the nuisance created by dogs fouling in public places.~~
- ~~c) To provide opportunities to fulfil the exercise and recreational needs of dogs and their owners.~~
- ~~d) To promote and enhance community awareness of dog control issues and owner responsibility.~~
- ~~e) To fund the cost of dog control activities from fees and charges levied on dog owners in accordance with Council's funding policy.~~

~~This Bylaw shall apply to the entire Matamata-Piako District unless specified otherwise in this Bylaw.~~

~~1.2 — Enabling Enactments~~

~~This Bylaw is made pursuant and subject to the Local Government Act 2002, the Dog Control Act 1996 (and its amendments).~~

~~1.3 — Title of this Bylaw~~

~~This Bylaw shall be cited and referred to as the Matamata-Piako District Council Dog Control Bylaw 2010 and shall come into operation on 28 November 2016. For expediency this Bylaw may be referred to as the Dog Control Bylaw.~~

2. Title and Commencement

2.1 This Bylaw is the Matamata-Piako District Council Dog Control Bylaw 2010 (Amended 2026).

2.1 This *Bylaw* comes into force on **1 July 2026**.

3. Review and Revocation

3.1 This *Bylaw* is a review and amendment of the Dog Control Bylaw 2010 (Amended 2016), which formed part of the Matamata-Piako District Council Consolidated Bylaw 2008.

3.2 On commencement, this *Bylaw* revokes the Dog Control Bylaw 2010 (Amended 2016).

3.3 *Council* will review this *Bylaw* in accordance with applicable legislation.

4. Scope

4.1 This *Bylaw* applies to:

- a) all dogs in the *District* (whether registered or unregistered), their *Owners*, and any *Person in Charge* of a dog; and
 - b) all *Public Places* and *Private Ways* within the *District* unless otherwise stated.
- 4.2 This *Bylaw* applies alongside other rules that may govern dog access, including:
- a) Public conservation land administered by the Department of Conservation, which may have separate requirements; and
 - b) areas of cultural significance to Māori, including wāhi tapu where tikanga (customs) and access protocols may apply; and
 - c) Privately-owned land, where other applicable rules or permissions may govern access.

Explanatory notes:

Council's District Plan identifies certain wāhi tapu and other culturally significant sites; however, there may also be additional areas of cultural significance identified by mana whenua or the administering authority.

The Owner or any Person in Charge of any dog is expected to respect tikanga and access protocols, follow posted signs or directions from authorised personnel, and avoid taking dogs into wāhi tapu or other culturally significant areas unless expressly permitted by the relevant mana whenua or administering authority.

5. Enabling Enactments

- 5.1 This *Bylaw* is made pursuant and subject to the Local Government Act 2002, the Dog Control Act 1996 and the Reserves Act 1977 as applicable.
- 5.2 Nothing in this *Bylaw* detracts from any provision of, or the necessity for, compliance with, all applicable Acts, regulations, *Bylaws*, or the Matamata-Piako District Plan.
- 5.3 For the avoidance of doubt, nothing in this *Bylaw* limits the *Council's* powers under the *Act* or any other applicable enactment.

6. List of Schedules

- 6.1 The following schedules are adopted and form part of this *Bylaw*:

Schedule 1	Prohibited Areas
Schedule 2	Leash Control Areas
Schedule 3	Dog Exercise Areas
Schedule 4	Maps

7. Explanatory Notes

- 7.1 Text headed 'Explanatory notes' in this *Bylaw* are for information purposes only, and:
 - a) They do not form part of this *Bylaw*; and
 - b) cannot be considered in the interpretation or application of a provision of this *Bylaw*; and
 - c) may be inserted, amended or removed without any formality.

8. Definitions ~~and Interpretation~~

~~2.1 The provisions of the Matamata-Piako District Council Introductory Bylaw 2008 shall apply to this Bylaw. Words which refer to the singular include the plural and the plural includes the singular.~~

8.1 For the purposes of this *Bylaw* ~~the following definitions shall apply~~, unless the context otherwise requires, ~~the following definitions shall apply~~:

Act means the Dog Control Act 1996.

Animal Control Officer has the same meaning as dog control officer, or dog ranger in the Act.

At Large means a dog that is free, or at liberty in a *Public Place*, without any physical restraint by a *Person*. ~~but it shall~~ does not include a dog that is *Under Control* ~~the oral and visual command~~ of a *Person* ~~exercising the dog~~ in a designated *Dog Exercise Area*.

Bylaw means the Matamata-Piako District Council Dog Control Bylaw 2010 (Amended 2026) (this document).

~~Companion Dog has the same meaning as in the Dog Control Act 1996.~~

Confined/Confinement means ~~enclosed securely~~ keeping a dog within a building or enclosed area on a property, or by another method that prevents the dog from leaving that property. ~~, tied securely to an immovable fixture on a Premises, or within an enclosure from which the dog cannot escape.~~

Note that tethering may be used only in accordance with the Animal Welfare Act 1999 and associated regulations, and must not be used as the primary or long-term means of confinement.

~~Control means a dog physically restricted so that it is not At Large and includes any dog inside any enclosure, or a dog under the oral and visual command of a Person exercising the dog in a designated dog exercise area or on any private property.~~

Council means the governing body of the Matamata-Piako District Council and includes any *Person* delegated to act on its behalf.

Dangerous Dog means any dog classified as Dangerous under the *Act*.

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.

District means the *District* within the jurisdiction and under the control of the *Council*.

~~Dog Control Officer and Dog Ranger mean a dog control officer and dog ranger appointed by the Matamata-Piako District Council under sections 11 and 12 of the Dog Control Act 1996.~~

Dog Exercise Area means a designated¹ area identified by *Council* where dogs may be exercised off-*Leash*, provided that the *Owner* or the *Person in Charge* remains present and the dog is kept *Under Control* at all times.

~~Foul means the deposit of any faeces.~~

~~Guide Dog has the same meaning as in the Dog Control Act 1996.~~

~~Hearing Ear Dog has the same meaning as in the Dog Control Act 1996.~~

Leash means a length of cord, chain, or other material that ~~at one end~~ can be ~~secured attached~~ to a dog ~~at one end~~ and ~~the other end~~ securely held by a *Person* ~~at the other end~~, and includes retractable *Leashes*.

Leash Control Area means an area identified by *Council* where dogs must be kept on a *Leash* at all times.

Menacing Dog means any dog classified as *Menacing* under the *Act*.

Neuter/Neutered ~~means to spay or castrate a dog, but does not include vasectomising a dog; means the same as in section 2 of the Act.~~

Nuisance means any unreasonable interference with a *Person* or property, and includes a statutory *Nuisance* as defined in section 29 of the Health Act 1956.

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;~~
- ~~d) — is the Owner of the dog pursuant to paragraph (a) or (b) of this definition; and~~

¹ For clarity, designate means to formally identify an area via a bylaw as a dog exercise area in which dogs may be exercised at large, in accordance with the Act. Designation under this Bylaw relates solely to the management of dog access and is separate from designations under the Resource Management Act 1991.

~~e) — 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, the Animal Welfare Act 1999, the National Parks Act 1980, the Conservation Act 1987 or any order made under the Dog Control Act 1996 or the Animal Welfare Act 1999.~~
means the same as in section 2 of the Act.

Park means ~~any land acquired or used~~ owned or controlled by the Council that is acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes ~~that is not held as a Reserve under regardless of whether or not that land is also gazetted as a Reserve in terms of the Reserves Act 1977.~~

Person means a natural Person and includes a corporation sole, a body corporate, and an unincorporated body.

Person in Charge means a Person (other than the Owner) who has possession, custody, or control of a dog at the relevant time.

Play area means an outdoor area intended for play activities that includes play equipment or surfaces intended for play, such as playgrounds, skate parks, obstacle courses and the like.

Private Way has the same meaning as defined in section 315(1) of the Local Government Act 1974.

Prohibited Area means an area where dogs are not permitted as specified in this Bylaw.

Public Place ~~has the same meaning as defined in~~ means the same as in section 2 of the ~~Dog Control Act 1996.~~

Reserve means the same as in section 2(1) of the Reserves Act 1977.

~~The Act refers to the Dog Control Act 1996.~~

Under Control means that the dog is not causing a Nuisance, distress, danger, injury, to any Person, domestic animal, stock, poultry or protected wildlife, or causing any property damage and; the Owner or Person in Charge of a dog has the dog under continuous surveillance and is able to obtain an immediate and desired response from the dog by use of a Leash, voice commands, hand signals, whistles, or other effective means.

Urban Area includes:
a) all areas zoned as Residential or Business, under the Matamata-Piako District Plan; and
b) ~~all the Rural settlements within the Matamata-Piako District including Waitoa, Waihou, Waharoa, Rukumoana, Tahuna,~~

- ~~Hinuera and Te Poi~~ all areas zoned as settlements under the Matamata-Piako District Plan; and
- c) any area where five or more dwellings are constructed within a 250 metre radius.

Note:

- If the naming or classification of these zones changes in the District Plan, this definition will apply to the equivalent new zones;
- includes any subsequent amendments to, or replacement of, the operative District Plan.

Working Dog

~~has the same~~ meaning the same as in section 2 of the ~~Dog Control Act 1996~~.

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Part 2 Te Whakahaere me te waeture o ngā Kuri | Regulation and Control of Dogs

Section A: Control Requirements

9. Confinement and General Control

~~3. CONTROL OF DOGS IN PUBLIC PLACES~~

9.1

No *Owner* or *Person in Charge* of a dog shall ~~be kept~~ keep, or allow the dog to be kept, unless appropriate effective means are provided and used to ensure that the dog is Confined the dog to its ~~Owner's~~ the property on which it is lawfully kept, so that and to prevent the dog is ~~unable to gain~~ from having uncontrolled access to any other property, *Public Place* or *Private Way*.

9.2

~~Except as stated in Schedule 1 (prohibited areas) and Schedule 3 (exercise areas) of this Bylaw~~ The *Owner* or any *Person in Charge* of any dog, must ensure that the dog is kept *Under Control* at all times in any *Public Places* or *Private Way*.

~~3.3~~

~~Clauses 4 and 5 shall not apply to a Guide Dog, Hearing Ear Dog, Companion Dog or to any Working Dog while the dog is working.~~

9.3 The *Owner* or any *Person in Charge* of any dog must ensure that the dog is on a *Leash* at all times in the *Urban Area* and in any *Leash Control Area*.

9.4 Even in areas where off-*Leash* dogs are permitted, the *Owner* or *Person in Charge* of any dog must place the dog on a *Leash* immediately if they cannot maintain the requirements of being *Under Control* as defined in this *Bylaw*.

Explanatory notes:

Dogs must be kept contained on their property, and Under Control in all Public Places. In Urban Areas and Leash Control Areas, dogs must be on a Leash at all times.

Even in locations where Leash requirements do not apply, a dog must still be Leashed if the Owner or any Person in Charge of the dog cannot maintain effective control of the dog.

For example, a dog should be on-Leash if:

- It does not reliably respond to recall commands.*
- It is easily distracted or prone to running up to other people or animals.*
- It becomes excited, nervous, or reactive around wildlife, children, cyclists, or other dogs.*

10. Fouling in Public Places

10.1 The *Owner* or any *Person in Charge* of any dog that defecates in any *Public Place*, *Private Way*, or land or premises other than that occupied by the *Owner* must immediately remove the faeces deposited by that dog and dispose of it in an appropriate and hygienic manner.

Section B: Access Requirements

11. Prohibited Areas

~~4. AREAS PROHIBITED TO DOGS~~

11.1

~~The Council may designate by resolution any Public Place to be an area prohibited to dogs and added to schedule 1 of this Bylaw. Prohibited areas may also be deleted from schedule 1 by an ordinary resolution of Council which is Publicly Notified. Dogs are prohibited from entering or remaining in any *Public Place* listed in Schedule 1 of this *Bylaw*.~~

~~4.2~~

~~The Owner of a dog shall not permit that dog to enter or remain in a prohibited area at any time or during such periods as specified in the resolution or this Bylaw, unless the Council is satisfied that the Owner has permitted a dog to enter or remain in a prohibited area for the purpose of attending a veterinary clinic, in which case that dog must be under the control of the Owner.~~

12. Leash Control Areas

12.1

~~The Council may designate by resolution any Public Place to be a leash control area for dogs and added to schedule 2 of this Bylaw. Leash control areas may also be deleted from schedule 2 by an ordinary resolution of Council which is Publicly Notified. Dogs must be kept on a Leash at all times in a Leash Control Area listed in Schedule 2 of this Bylaw.~~

12.2

~~The *Owner* or any *Person in Charge* of a dog shall not take that dog into any designated Leash control area unless the dog is controlled on a Leash by a Person must be physically capable of physically restraining the dog.~~

~~5.3~~

~~Nothing in clause 5 or Schedule 2 of this Bylaw authorises the Owner of any dog to permit that dog to enter or remain in a prohibited area at any time or during such periods as specified in a resolution pursuant to clause 4 or this Bylaw.~~

12.3 The *Owner* or any *Person in Charge* of any dog must ensure that the dog is kept *Under Control* at all times in a *Leash Control Area*.

12.4 Dogs may accompany their *Owner* or any *Person in Charge* in outdoor dining areas within a *Leash Control Area*, provided that:

- a) the dog does not create a *Nuisance* or pose a risk to people, animals, or property; and
- b) the operator of the premises permits dogs in the relevant outdoor dining area.

13. Dog Exercise Areas

13.1

~~The Council may designate by resolution any Public Place to be a dog exercise area and added to schedule 3 of this Bylaw. Dog exercise areas may also be deleted from schedule 3 by an ordinary resolution of Council which is Publicly Notified. Dogs may be exercised off-Leash in any designated Dog Exercise Area listed in Schedule 3 of this Bylaw, provided they remain under the supervision of a Person who can physically restrain the dog and the dog is Under Control at all times.~~

~~6.2~~

~~Any dog may be exercised at large in a designated dog exercise area provided that it is under the control of a Person capable of physically restraining the dog and of exercising oral and visual control over the dog.~~

Explanatory notes:

- *Dogs are not allowed in any Public Place listed as a prohibited area in Schedule 1.*
- *In Leash Control Areas (Schedule 2), dogs may enter only if they are on a Leash and controlled by someone who can physically restrain them. These areas do not override Prohibited Areas - dogs cannot enter Prohibited Areas at any time.*
- *In designated Dog Exercise Areas (Schedule 3), dogs may be off-Leash, but they must be controlled by someone who can physically restrain them and remain Under Control. This means the dog is not causing Nuisance, distress, danger, injury, or damage, and the Owner or Person in Charge can constantly monitor the dog and ensure it responds immediately to their direction (whether by Leash, voice, hand signals, whistle, or other effective means).*

14. Signage

14.1 Where appropriate, Council will install signage to assist the public to identify areas where dogs are allowed, restricted, or prohibited.

14.2 The absence of signage does not limit, restrict, or otherwise affect the enforceability of this Bylaw.

Explanatory notes:

Signage is one of several tools Council may use to communicate dog access rules. Dog access areas may also be identified through maps, Council publications, digital platforms, or other appropriate communication methods. The absence, damage, or removal of signage does not alter the legal status of an area as set out in this Bylaw and its schedules.

Section C: Dog Management and Welfare Requirements

15. Duty to Avoid Nuisances

15.1

A No Person ~~must not shall~~ keep a dog on any land or premise if:

- a) the dog causes a demonstrable *Nuisance*; or
- b) the dog exposes a significant risk to the health or safety of others; or
- c) the dog rushes at ~~Persons~~ or intimidates ~~Persons~~ lawfully on public or private ~~land~~property.

15.2

No Person shall ~~cause or permit allow~~ a bitch in season to enter or remain in a *Public Place* or on any land or premises other than the land or premises of the *Owner* of the *bitch dog*, without the consent of the occupier or *Person* in charge of that land or premises. ~~The bitch shall be confined within a dog proof enclosure on the Owner's property for the duration of her oestrous cycle. The bitch shall be regularly exercised under control during this period of confinement.~~

15.3

No Person shall cause or permit a dog suffering from mange or other infections diseases to enter or remain in a *Public Place* or on any land or premises, other than the land or premises of the *Owner* of the dog or a registered veterinary clinic.

15.4

Every dog described under subclauses 15.2 and 15.3 shall be *Confined*, and provided with proper care and sufficient food, water and veterinary care, and adequately exercised during that period of *Confinement*.

~~If in the opinion of a Dog Control Officer or Dog Ranger, any dog or dogs or the keeping of any dogs is creating or likely to create a Nuisance or a breach of this Bylaw the Dog Control Officer or Dog Ranger may, by notice in Writing, require the Owner or Occupier of the Premises to take such steps as are required to remove the Nuisance or comply with this Bylaw.~~

10.4

~~Any Person who is given a notice under clause 11.3 of this Bylaw shall comply with the notice within the time specified in the notice.~~

16. Minimum Standards for Accommodation and Care

16.1

The *Owner* or any *Person in Charge* of any dog must ~~Every Person shall, in respect of every dog in the care of that Person~~ provide:

- a) Adequate kennelling or other housing ~~so~~ sited ~~as~~ to ensure adequate shade, warmth and dry conditions, and of a sufficient size to allow the dog to move freely, stretch out, stand up or recline.
 - i. ~~Such Any~~ kennel or means of *Confinement* shall be so situated as to ensure that the dog shall not, while in its kennel or otherwise *Confined*, be within ~~2~~ two metres of the boundary of the *Owner's* property.

- b) proper care and attention;
- c) sufficient food and water;
- d) adequate exercise; and
- e) ~~ensure the provision of~~ veterinary care when required.

Explanatory notes:

The Act allows councils to classify dog Owners as either probationary or disqualified when they have committed offences under the Act or other dog-related legislation. Disqualification generally applies where more serious or repeated offending has occurred, while probationary status may be used where the circumstances do not justify disqualification. These classifications apply for set periods unless exceptional circumstances exist.

Further detail on Council's approach to applying these classifications is provided in the Council's Policy on Dogs.

17. Limitation on the Number of Dogs to be Kept (Urban Area)

17.1

No occupier of a property within ~~an~~ the Urban Area shall keep or permit to be kept on each separate premises more than two dogs of a greater age than three months without obtaining a permit under this clause.

17.2

Every application for a permit shall be accompanied by any fee ~~prescribed~~ set by Council resolution and issued subject to such terms and conditions required to ensure that a Nuisance does not occur.

17.3

The applicant must seek the consent of the adjacent property owner(s) or occupier(s) most likely to be affected by the application. Such consent ~~could~~ may be withdrawn at any time if there is a valid reason for doing so.

17.4

Council may cancel a permit where the holder fails to comply with any of the terms or conditions.

~~8.5~~

~~This clause does not apply to a registered boarding kennel, veterinary clinic or Animal hospital, permitted on the site under the Matamata-Piako District Plan.~~

~~9. FOULING IN PUBLIC PLACES~~

9.1

~~The Owner of any dog shall not permit that dog to foul any Public Place or land not the property of or Occupied by that Owner.~~

9.2

~~In the event that a dog Fouls in a Public Place, no Offence against this Bylaw shall be committed provided that the Owner immediately removes the Foulings to a suitable place of disposal. Where a Litter receptacle with a plastic liner is available, the Owner may dispose of the Foulings there in.~~

18. Requirement to Neuter

18.1 If a dog has been found to be *At Large* on more than one occasion within a continuous period of 12 months, *Council* may require the *Owner* to have the dog *Neutered*.

18.2 Within one month of receiving the requirement, the *Owner* must produce a veterinary certificate confirming that the dog has been *Neutered* or is unfit until a specified date, followed by a further certificate confirming that *Neutering* has been undertaken.

18.3 The *Owner* may object in writing within 14 days and has the right to be heard. *Council* may uphold or rescind the requirement, following the consideration of evidence and relevant matters.

19. Impounding of Dogs

19.1

Any dog found *At Large* in any *Public Place* in breach of this *Bylaw* or on any other land or premises without the consent of the occupier, or *Person* in charge of that land or premise, may be seized by an *Animal Control Officer* and impounded. ~~-(whether or not it is wearing a collar with the proper registration tag attached):~~

- ~~a) in a Public Place or on any other land or premise without the consent of the Occupier in charge of that land or premise; or~~

19.2

~~in any Public Place in breach of this Bylaw, may be The owner, occupier or Person in charge of the land, premise or Public Place seized by a Dog Control Officer or Dog Ranger and impounded or the Occupier or Person in charge of the land, premise or Public Place may seize the dog and deliver it into the custody of an Dog Animal Control Officer or Dog Ranger for impounding.~~

19.3

Any dog impounded ~~under clause 12.4~~ in accordance with this *Bylaw* shall not be released until the impounding fees set by resolution of *Council* have been paid, ~~and including~~ the full registration fee if the dog is unregistered. ~~, have been paid.~~

19.4

If a dog, impounded in accordance with this *Bylaw* is not claimed and the fees payable have not been paid within seven days after the *Owner* has received written notice in accordance

with section 69 of the ~~Dog Control Act 1996~~, that dog may be destroyed, sold or otherwise disposed of by or on behalf of the *Council*.

19.5

If the *Owner* of a dog so impounded is not known and cannot be identified from the dog registration label or by any other means, the *Council* may, after the expiration of seven days after the date of seizure of the dog, destroy, sell or otherwise dispose of the dog.

Explanatory notes:

Under the Act, Council can classify a dog as either Dangerous or Menacing.

A dog may be classified as Dangerous if it has attacked or seriously threatened someone, or if the owner admits it poses a risk.

A dog may be classified as Menacing if it has shown aggressive behaviour or if it belongs to one of the breeds or types listed in the Act.

Once a dog is classified, the law requires the owner to follow stricter rules, such as keeping the dog muzzled and on a leash in public, ensuring it is Neutered and microchipped, and keeping it securely contained on their property.

More detail about how Council applies these classifications and what is expected of owners is explained in Council's Policy on Dogs.

Part 3 Te Whakahaere I te Ture ā-Rohe | Administration of Bylaw

20. Fees and Charges

20.1

The *Council* may, in accordance with ~~the Local Government Act 2002 and Dog Control Act 1996~~ applicable legislation, ~~prescribe set~~ fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by the *Council* under this *Bylaw*.

21. Serving of Notices and Orders

21.1

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

22. Offences and Penalties

22.1

Every *Person* who fails to comply with the requirements of this *Bylaw* commits an offence and is liable on summary conviction to a fine not exceeding \$20,000 or to an infringement fee prescribed under the Local Government Act 2002.

22.2

The *Council* may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a *Person* from committing a breach of this *Bylaw*.

22.3

Council retains all statutory powers under the *Act* and may issue warnings, infringement notices, seize and impound dogs, classify dogs as *Menacing* or *Dangerous*, classify *Owners* as probationary or disqualified, and prosecute for serious offences.

Explanatory notes:

Operational dog control powers - such as the seizing or impounding of dogs, issuing infringement notices, and enforcing classification requirements - are exercised under the Act. General bylaw enforcement powers are derived from the Local Government Act 2002.

~~13. GENERAL~~

~~13.1~~

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

~~14.2~~

~~The Council may prescribe fees or charges by resolution.~~

23. Enforcement

23.1 *Council* will apply a fair, proportionate, and risk-based enforcement approach consistent with its Enforcement Policy that prioritises education and voluntary compliance, escalating to formal enforcement where necessary to address serious or repeated breaches.

23.2 If, in the opinion of an *Animal Control Officer*, any dog or dogs or the keeping of any dogs is creating or likely to create a *Nuisance* or a breach of this *Bylaw*, the *Animal Control Officer* may issue a written notice requiring actions to remove the *Nuisance* or comply with this *Bylaw*.

23.4 Any *Person* who is issued with a written notice under subclause 23.2 of this *Bylaw* shall comply with the notice within the timeframe specified in the notice.

23.5 Without limiting subclauses 23.1 to 23.4, *Council* may take any enforcement action available under any relevant legislation.

24. Exemptions

24.1 Clauses 11 and 12 shall not apply to a *Disability Assist Dog* or to any *Working Dog* while the dog is working.

24.2 Clause 11 shall not apply where *Council* is satisfied that the *Owner* or any *Person in Charge* of any dog, has permitted that dog to enter or remain in a prohibited area for

the purpose of attending a veterinary clinic, in which case that dog must be *Under Control*.

- 24.3 Clause 17 shall not apply to any lawfully established boarding kennel, dog day care facility, veterinary clinic or animal hospital, provided the activity is permitted on the site under the Matamata-Piako District Council District Plan or authorised by a resource consent.

This *Bylaw* was made pursuant to a resolution passed by Matamata-Piako District Council on [TBC], resolution number [TBC].

25. Record of Bylaw Review and Amendments

Activity	Date
Full statutory review undertaken and <i>Bylaw</i> approved by <i>Council</i>	[TBC]
Next review required by:	[TBC]

DRAFT FOR CONSULTATION

SCHEDULE 1

Prohibited areas

~~The Owner of a dog shall not permit that dog to enter or remain in any of the prohibited areas listed below at any time or during such periods as are specified below unless the Council is satisfied that the Owner has permitted a dog to enter or remain in a prohibited area for the purpose of attending a veterinary clinic in which case that dog must be under the control of the Owner.~~

The Owner or any Person in Charge of any dog shall not permit that dog to enter or remain in any of the Prohibited Areas listed below except as provided for in clause 24 (Exemptions).

All parts of the District

Within 15 metres of any children's play area or individual item of play equipment.

Matamata

~~The central business area including associated service lanes and public parking areas, between the hours of 8.00am to 6.00pm namely:~~

- ~~a) Arawa Street — from Rawhiti Avenue to Tainui Street.~~
- ~~b) Broadway — from Hetana Street to Moura Street.~~
- ~~c) Rewa Street — all of the street.~~
- ~~d) Tainui Street — from Broadway to Arawa Street.~~
- ~~e) Tui Street — from Arawa Street to Moura Street.~~

Firth Tower Historical Reserve/Museum Site (All areas excluding the carpark and camping/campervan area).

Kowhai Street Reserve (Kowhai Street, south-western Matamata).

Morrinsville

~~The central business area including associated service lanes and public Parking areas, between the hours of 8.00am to 6.00pm namely:~~

- ~~a) The area bounded by, but not including Anderson Street, Canada Street, Allen Street and Lorne Street.~~

Thomas Park (Corner of Anderson Street and Moorhouse Street, central Morrinsville).

Te Aroha

~~The central business area including associated service lanes and public Parking areas, between the hours of 8.00am to 6.00pm namely:~~

- ~~a) Boundary Street — from Church Street to Rewi Street.~~
- ~~b) Kenrick Street — from Church Street to Rewi Street.~~
- ~~c) Rewi Street — from Rolleston Street to Lawrence Avenue.~~
- ~~d) Whitaker Street — from Rolleston Street to Burgess Street.~~

e) ~~Herries Memorial Park.~~

~~Section of Hauraki Rail Trail - The Hauraki Rail Trail defined as being the area between the fences on either side of the formed Hauraki Rail Trail track including any area between any fences on either side of the formed track, and includes any bridges, underpasses and farm access tracks. Dogs, excluding working dogs, are prohibited from the North Western most point where the Hauraki Rail Trail intersects with Farmer Street.~~

~~From Stirling Street (Te Aroha) to the Matamata-Piako District Council/Hauraki District Council boundary.~~

~~Note: this part of the trail is managed under a designation.~~

~~Kennedy Street Reserve (Kennedy Street, Te Aroha).~~

~~Farmer Street Reserve (Corner of Farmer Street and Shakespeare Street, Te Aroha)~~

Explanatory notes:

Dog access rules apply along the Hauraki Rail Trail within the Matamata-Piako District as follows:

- Stirling Street in Te Aroha to the Hauraki District Council boundary: this section is a Dog Prohibited Area (dogs are not permitted).*
- Stirling Street (Te Aroha) to Matamata: Dogs must be on-Leash.*

Part of the trail is managed under a designation (a designation is a planning tool that gives the organisation responsible for the trail the authority to use and manage the land for the trail's purposes). Because of this, our dog access rules align with and support the rules established under the designation. Outside the Matamata-Piako District, dog access rules are set by the relevant council.

Explanatory notes:

This Bylaw does not apply to land administered by the Department of Conservation (DOC). Dog access is governed under conservation legislation (including the Conservation Act 1987, National Parks Act 1980 and Wildlife Act 1953). Areas may be subject to restrictions, including any identified "controlled" or "open" dog areas. These restrictions are in place to protect sensitive environments and wildlife.

Owners are advised to consult with DOC before entering any DOC-administered land.

SCHEDULE 2

Leash control areas

The Owner or any *Person in Charge* of any dog shall not take that dog into any of the ~~designated~~ *Leash Control Areas* listed below unless the dog is controlled on a *Leash* by a *Person* capable of physically restraining the dog, **except as provided for in clause 24 (Exemptions)**.

These areas exclude *Prohibited Areas* (Schedule 1) and *Dog Exercise Areas* (Schedule 3).

District-wide

The Urban Area, ~~excluding those areas set out in schedule 3.~~ Including all CBD areas in Matamata, Morrinsville and Te Aroha.

~~Prohibited areas outside the period specified that dogs are prohibited from entering.~~

Cemeteries The Matamata, Maukoro, Old Morrinsville, Piako Lawn, Te Aroha and Waharoa Cemeteries.

All *Parks and Reserves* except those that have been listed ~~either~~ as either *Prohibited Areas* **under** (Schedule 1) or **as** *Dog Exercise Areas* **under** (Schedule 3).

All walking and cycling tracks managed by Council except those **that have been** listed **as** either ~~as~~ *Prohibited Areas* **under** (Schedule 1) or **as** *Dog Exercise Areas* **under** (Schedule 3).

Section of Hauraki Rail Trail

The Hauraki Rail Trail is defined as being the formed Hauraki Rail Trail track including any area between any fences on either side of the formed track and includes any bridges, underpasses and farm access tracks.

From Stirling Street (Te Aroha) to the intersection of Broadway and Tainui Street in Matamata.

Matamata Ward

All of the area known as and occupied by the Waharoa (Matamata) Aerodrome.

Centennial Drive From Tainui Street to Broadway, Matamata

Tom Grant Drive From Rawhiti Avenue to Tawari Street, Matamata

Morrinsville Ward

Te Miro Forest (Waterworks Road Reserve). Waterworks Road, between Kiwitahi and Te Miro.

Te Aroha Ward

The Te Aroha Domain and associated track network.
and managed tracks.

This includes Council controlled

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SCHEDULE 3

Dog exercise areas

A dog may be exercised ~~free of restraint off-Leash~~ in any of the following areas ~~dog exercise areas listed below~~, provided that it is *Under the Control of a* and the *Owner* or any *Person in Charge* is capable of physically restraining the dog. ~~and of exercising visual and oral control over the dog.~~

Matamata Ward

~~Centennial Drive from Tainui Street to Broadway.—~~

~~Tom Grant Drive from Rawhiti Avenue to Tawari Street.~~

Furness Reserve Off Everad Avenue, Matamata

Founders Park. Rawhiti Avenue, Matamata

Peria Road Reserve (Portion excluding memorial plantings and pathway).

Morrinsville Ward

Murray Oaks Reserve – State Highway 26.

~~The Morrinsville Recreation Grounds Polo Field area only at times when there is no Horse or Sports Activity. Former polo fields at the Avenue Road South end of the Park - only at times when there is no organised sports activity or community event in progress.~~

Holmwood Park (Lower portion near the Piako River).

Te Aroha Ward

Spur Street Esplanade (Portion near the Waihou River under the footbridge)

Reserve on Spur Street (Portion opposite netball club and bmx track)

In compliance with the provisions of the Local Government Act 2002 and the Bylaws Act 1910, this Part of the Bylaw is passed by the Matamata-Piako District Council on 23rd June 2010 and confirmed by the Council on 23rd July 2011.

The common seal of the Matamata-Piako District Council was affixed on this 23rd day of June 2010 in the presence of



Mayor



Chief Executive

Record of Bylaw Amendments (from 2016)

Approved by Council:	14 September 2016
Amendments:	Clause 8, Schedules 1, 2 and 3 and other minor amendments.
Date Amendment came into force:	28 November 2016
Review Date:	14 September 2026

Approved by Council:	3 November 2021
Amendments:	Schedule 3 — adding, expanding and removing of dog exercise areas
Date Amendment came into force:	1 December 2021
Review Date:	14 September 2026

Rārangi 4 - Ngā Mahere | Schedule 4 – Maps

To be added following consultation

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