

Whakahaere Ture ā-Rohe mō ngā Kurī

Control of Dogs Bylaw



MASTERTON
WHAKAORIORI
DISTRICT COUNCIL

Timatanga | 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 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	x

Masterton District Council Control of Dogs Bylaw

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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

DRAFT

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 Timatanga | 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 | 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 | Definitions

The following definitions are applicable to this Bylaw:

Disability Assist Dog: means 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: means 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; or
- 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: means

- 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 | 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 | 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 Kuri, me Mau Here Rānei | 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. Kava ngā waka pūkaha e whakamahi hei whakapakari kuri | 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 | 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 | 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; or
 - 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 | 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 | 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 Kurī Taikaha | 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; and
 - 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 Whakaetia ana | 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 Mīa ana rānei ki ngā Wāhi Tūmatanui | 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 | 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; or
- b) any other penalty pursuant to the Dog Control Act 1996 or any other act; or
- 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; or
- 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
The central area of Masterton. That is: <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	Masterton Dog Control Areas Dog Control Area Masterton CBD
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

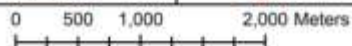
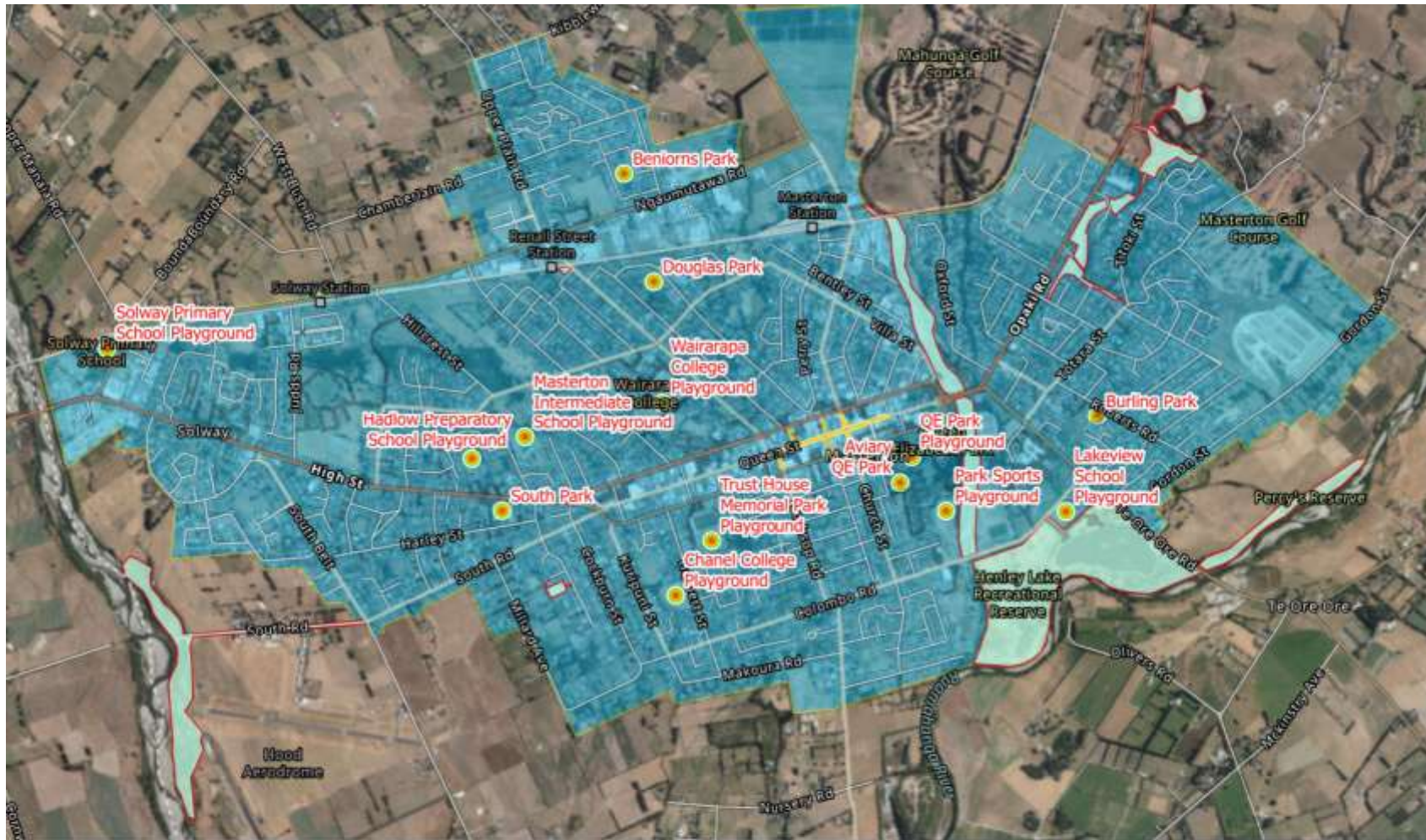
Schedule B: Areas where dogs are permitted on-leash

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.	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 and Castlepoint	Riversdale Dog Control Areas Castlepoint Dog Control Areas
Northern end of Riversdale Beach (north of the estuary) including Motuwaireka Stream mouth	Riversdale Dog Control Areas
Castlepoint Beach and Riversdale Beach-fronts between 20 December and 31 January	Riversdale 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 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 Dog Control Areas

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

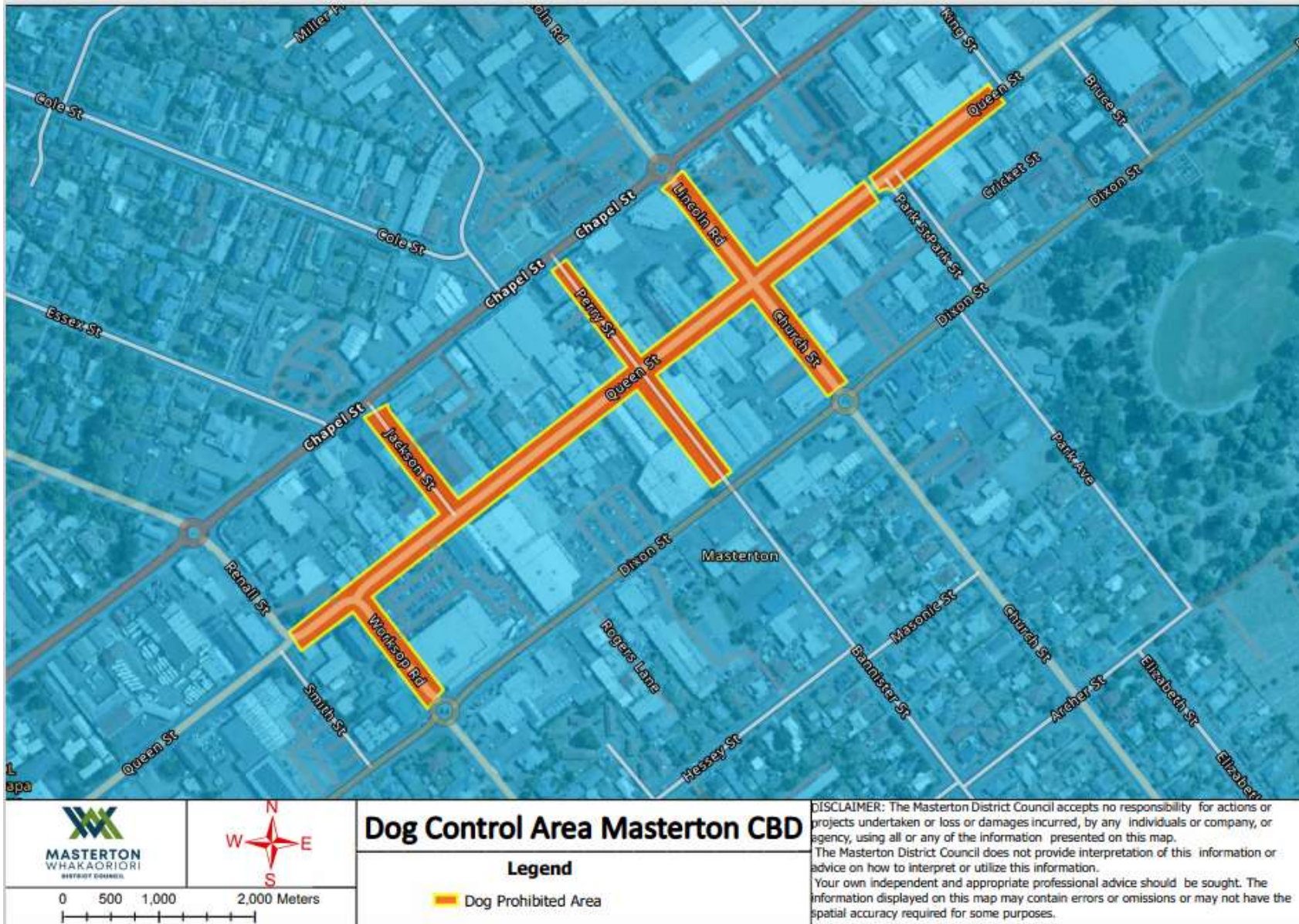


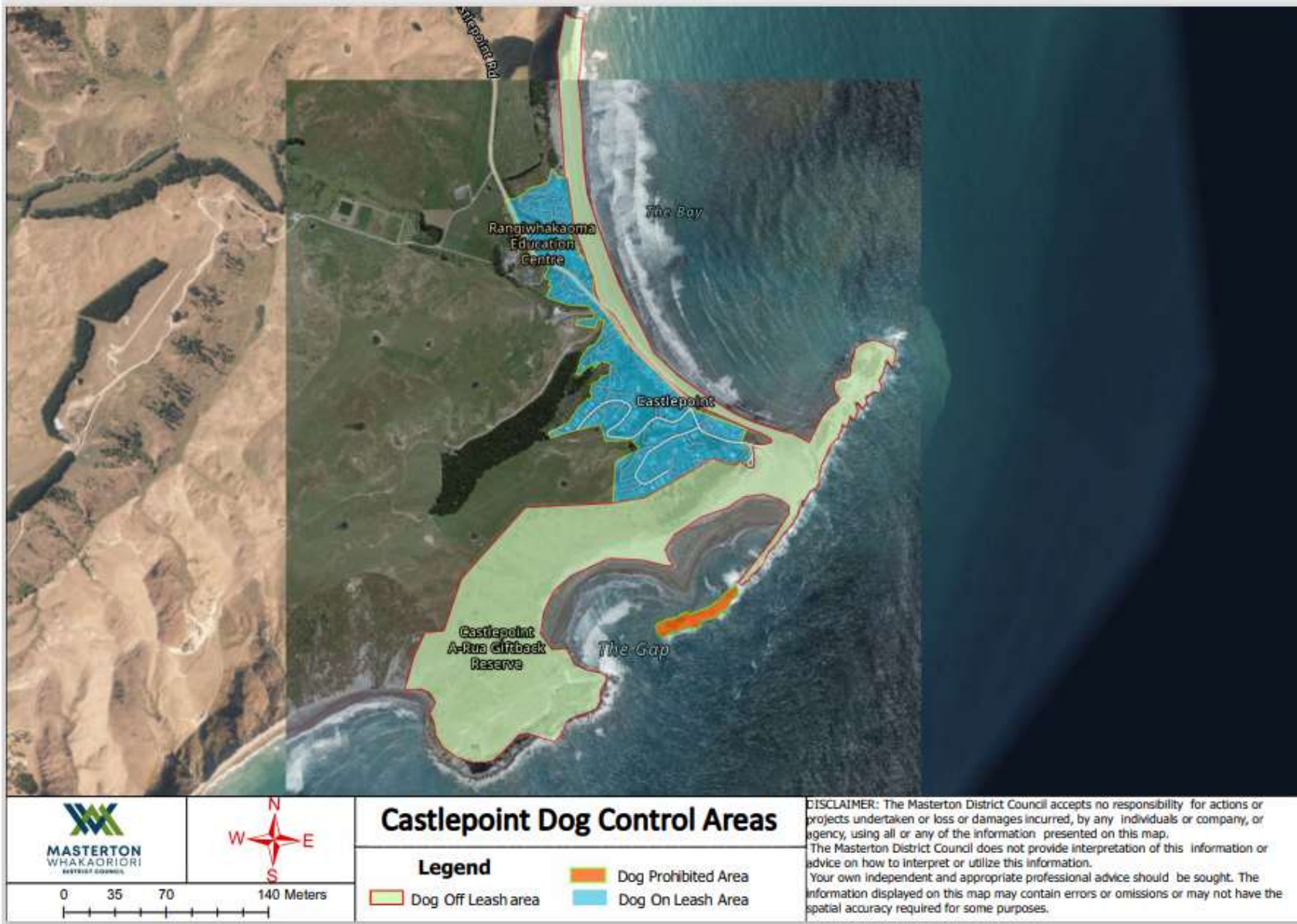
Masterton Dog Control Areas

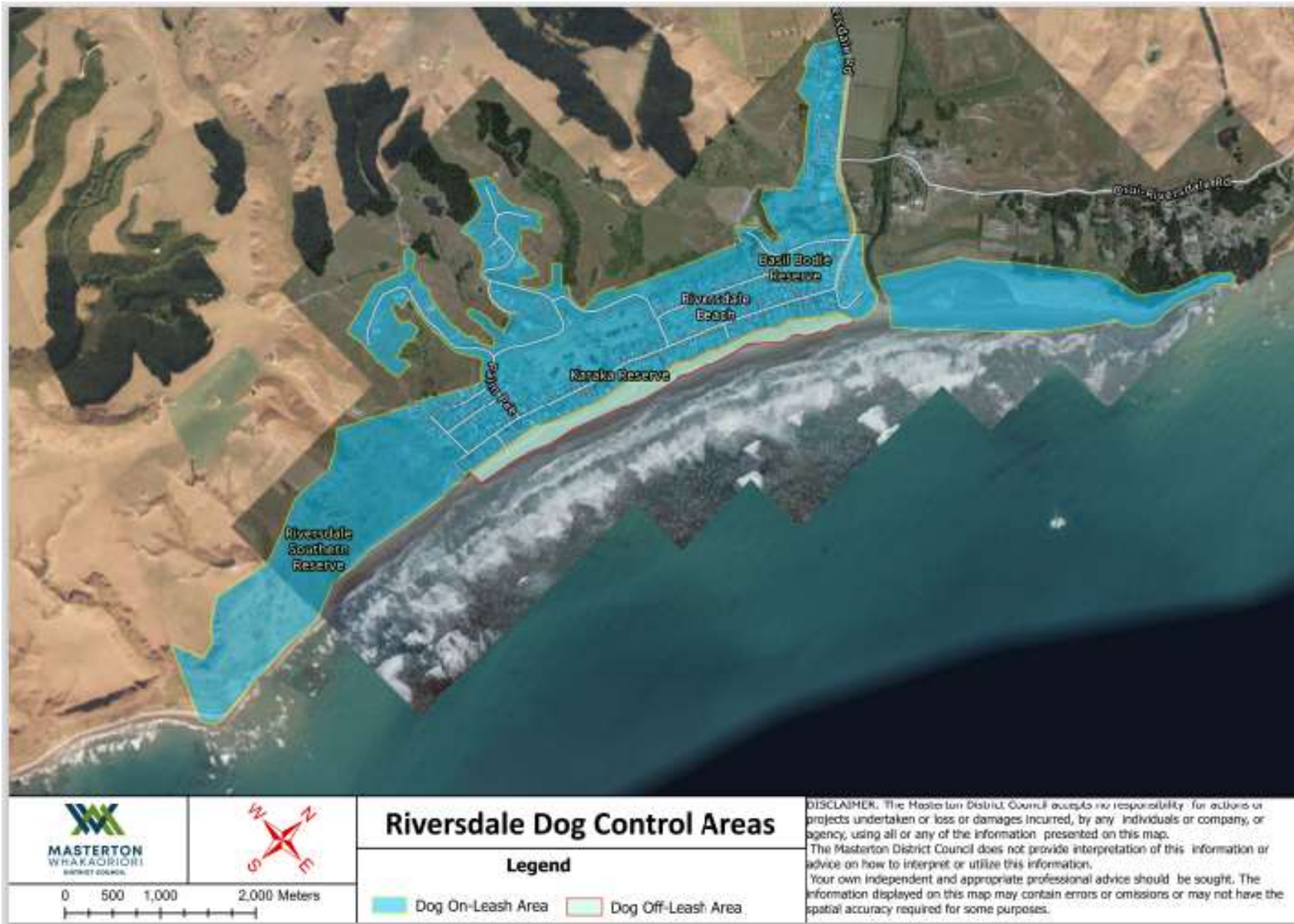
Legend

- Playground
- Dog On-Leash Area
- Dog Prohibited Area
- Dog Off-Leash Area

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0 500 1,000 2,000 Meters

Lansdowne Recreational Trail

Legend

- Recreational Trail Path
- Dog Off-leash Area

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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

Section	Brief description of offence	Infringement fee (\$)
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
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