



TE KAUNIHERA Ā-ROHE O  
**Whanganui**  
DISTRICT COUNCIL

# Statement of Proposal

## Dog Control Bylaw 2026

Consultation period: 31 March 2026 – 3 May 2026

Next review: 2031

## Summary of Information

The Dog Control Bylaw 2026 is the regulatory tool that gives effect to the Dog Control Policy 2026 and establishes enforceable rules for the control of dogs within the district.

The purpose of the Bylaw is to give effect to the Dog Control Policy by:

- regulating dogs to prevent nuisance;
- prohibiting dogs, whether under control or not, from specified public places;
- requiring dogs to be controlled on-leash in specified public places;
- regulating and controlling dogs in other public places;
- ensuring the number of dogs kept on a premise is appropriate; and
- requiring dog owners to immediately remove dog faeces from public places or land not occupied by the owner.

There are no significant changes proposed. The Dog Control Bylaw 2026 largely carries forward existing rules, with improvements to structure, clarity, and alignment with current legislation and Council practice.

Those affected by the Bylaw include:

- Dog owners and handlers
- Residents living near dog access areas
- Parents and caregivers of children
- People who regularly use public spaces (walkers, runners, cyclists).

## Introduction

Under the Dog Control Act 1996, all territorial authorities must have a dog control policy and an associated bylaw to give effect to that policy.

Section 10 of the Dog Control Act 1996 requires every territorial authority to adopt a dog control policy using the special consultative procedure set out in section 83 of the Local Government Act 2002.

In addition, the Local Government Act 2002 requires bylaws to be reviewed at least every five years. If a bylaw is not reviewed within two years of its scheduled review date, it automatically lapses.

The purpose of the Dog Control Act 1996 is to:

- make better provision for the control of dogs;
- make better provision in relation to damage caused by dogs; and
- repeal the Dog Control and Hydatids Act 1982 and its amendments.

The updated Dog Control Bylaw and Policy make the rules clearer and more complete by clearly covering dangerous and menacing dogs, dog attacks, and nuisance behaviour. This helps dog owners better understand what is expected of them and supports fair and consistent enforcement, while ensuring Council meets its legal responsibilities.

The review also uses simpler, clearer language so information is easier to understand and follow. The bylaw now clearly states Council’s legal authority, enforcement powers are more clearly set out, and dog access maps have been updated to keep information consistent across Council channels, including the addition of Maria Place, Castlecliff Golf Course, and Belmont Golf Course.

## Reasons for approval

Council considers that the existing Dog Control Bylaw is generally effective and continues to meet the needs of the Whanganui District. However, the review has identified opportunities to improve the bylaw by:

- Updating and clarifying definitions (including nuisance, menacing and dangerous dogs)
- Improving alignment with the Dog Control Act 1996 and current Council practice
- Simplifying language so rules are easier to understand and comply with
- Making enforcement provisions clearer and more transparent
- Ensuring consistency between the Dog Control Policy and the bylaw

The proposed bylaw does not represent a fundamental shift in approach. Instead, it strengthens the existing framework to ensure it remains legally robust, clear, and fit for purpose. Retaining the bylaw provides Council with a clear framework to manage dog-related issues.

To prevent the bylaw from lapsing, Council is proposing to largely retain the existing bylaw with minor improvements, ensuring continuity of dog control rules for the next five-year review period.

## Issues and Options

### Option 1: Approve Bylaw without any changes

The Council could decide to retain the existing Bylaw in its current form, without making any amendments.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• The Bylaw is generally working well, and no significant issues have been identified.</li> <li>• Retaining the Bylaw provides Council with an existing regulatory framework to respond to dog-related issues.</li> <li>• No implementation or transition costs would be required.</li> </ul>	<ul style="list-style-type: none"> <li>• The Bylaw would continue to lack a clear statutory authority statement.</li> <li>• Structural and wording issues that reduce clarity and usability would remain.</li> <li>• Opportunities to improve readability and accessibility for the public would be missed.</li> </ul>

## Option 2: Approve Bylaw with amendments

Advantages	Disadvantages
<ul style="list-style-type: none"><li>• Addresses minor drafting and structural issues identified through the review.</li><li>• Improves usability and readability for the public and enforcement staff.</li><li>• Clearly identifies the legislative authority under which the Bylaw is made.</li><li>• Retains Council's ability to respond to and enforce dog control issues.</li><li>• Does not introduce new regulatory requirements or policy changes.</li><li>• The Bylaw is generally working well and no significant issues have been identified.</li><li>• By keeping this Bylaw, we are meeting our obligations under the Dog Control Act</li><li>• Retaining the Bylaw provides Council with an existing regulatory framework to respond to animal-related issues and complaints.</li><li>• No implementation or transition costs would be required.</li></ul>	<ul style="list-style-type: none"><li>• Requires consultation under the special consultative procedure.</li><li>• Some administrative effort is required to update and adopt the amended Bylaw.</li></ul>

We have not included an option to let the Bylaw lapse as the Bylaw is a statutory requirement. If it is allowed to lapse we are not meeting our obligations under the Dog Control Act 1996.

### Consultation and Submissions

Consultation will run from 31 March 2026 – 3 May 2026. Submissions will be accepted both by email and by paper copy.

Hearings will be scheduled for 12 and 13 May 2026 and deliberations to be held early June.

### Determination of Appropriateness

In reviewing the Dog Control Bylaw, Council is required under sections 155 and 160 of the Local Government Act 2002 to determine whether the proposed bylaw is:

- the most appropriate method for addressing the perceived problem;
- the most appropriate form of bylaw; and
- not inconsistent with the New Zealand Bill of Rights Act 1990.

In addition, section 10 of the Dog Control Act 1996 requires Council to consult on any proposed dog control bylaw using the special consultative procedure set out in section 83 of the Local Government Act 2002, and to decide whether to retain, amend, or revoke the bylaw following consultation.

### **Appropriateness**

Before determining whether a bylaw is the most appropriate method, the problem must first be defined.

Dog-related matters in the district include managing nuisance behaviour, protecting public safety, ensuring responsible dog ownership, and managing access to public places in a way that balances the needs of dog owners with the wider community.

Council has determined that a bylaw remains the most appropriate way to address these issues. While non-regulatory measures such as education and advocacy play an important supporting role, they do not provide sufficient authority for Council to respond to complaints, manage risks as they arise, or meet its statutory obligations under the Dog Control Act 1996.

### **Form of the Bylaw**

The “form of the bylaw” refers to its overall structure, clarity, and the drafting of individual provisions.

Council has reviewed the existing Dog Control Bylaw and considers that it is generally effective and provides a workable regulatory framework. The proposed Dog Control Bylaw 2026 largely retains the existing approach, with minor amendments to improve clarity, usability, and legal transparency, while avoiding unnecessary or disproportionate regulation.

Council considers that retaining the bylaw with these minor amendments is the most appropriate form of bylaw to meet the district's ongoing dog control needs.

### **Consistency with the New Zealand Bill of Rights Act 1990**

The New Zealand Bill of Rights Act 1990 affirms a range of rights and freedoms, including freedom of movement, freedom from unreasonable search and seizure, and freedom from discrimination.

Council has considered the proposed Dog Control Bylaw for consistency with the New Zealand Bill of Rights Act 1990 and is satisfied that any limits imposed on individual behaviour are prescribed by law and are reasonable and justified. These limits are necessary to protect public safety, promote animal welfare, and support the shared use of public spaces.

Following consultation under the special consultative procedure, Council will consider any submissions received and confirm whether the final form of the bylaw raises any additional

New Zealand Bill of Rights Act 1990 implications.