

### Full Council

8 October 2026

#### Report for Agenda Item | Rīpoata moto e Rāraki take [6]

**Department:** Assurance, Finance & Risk

**Title | Taitara:** Dog Control Policy and Bylaw Review

#### Purpose of the Report | Te Take mō te Pūroko

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The purpose of this report is to present Queenstown Lakes District Council (QLDC) with proposed changes to the Dog Control Policy 2020 (the current Policy) and Dog Control Bylaw 2020 (the current Bylaw) and seek that Council endorse the draft Statement of Proposal for formal consultation, in accordance with the Special Consultative Procedure.

If Council endorses the draft Policy and Bylaw and adopts the Statement of Proposal for consultation, officers will undertake formal consultation in accordance with the special consultative procedure from 9.00am 12 October to 5:00pm on 9 November 2026.

#### Executive Summary | Whakarāpopototaka Matua

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This report presents the draft Statement of Proposal (Attachment A), draft Dog Control Policy 2027, Te Kaupapahere Whakahaere Kurī 2027 (draft Policy)(Attachment B) and draft Dog Control Bylaw 2027, Te Ture ā-rohe Whakahaere Kurī 2027 (draft Bylaw)(Attachment C) for Council's consideration. It seeks that Council make the required section 155 determinations, in accordance with the Local Government Act 2002 (LGA), and approval to commence formal consultation, in accordance with the Special Consultative Procedure (SCP), as required by sections 83 and 86 of the LGA.

The development of the draft Bylaw and Policy has been informed by early engagement that took place in October 2025. Community feedback generally indicated that the current Policy and Bylaw are working well to promote responsible dog ownership and keep communities safe. Feedback indicated areas of concern in relation to busy public spaces, shared-use trails, dogs not being under effective control, dog waste and compliance with existing rules.

Staff engaged with elected members throughout the process, via two workshops (28 April 2026 and 11 August 2026) on issues and options for the draft Bylaw and Policy. The feedback of elected members has informed proposed amendments to the draft Policy and draft Bylaw. Elected members expressed a preference for a balanced approach that focused on targeted, place-based amendments and supported consideration of additional controls in higher-risk locations.

The draft Statement of Proposal (SOP) includes targeted amendments intended to maintain the district's generally permissive approach to dog control while addressing identified risks. Proposed changes focus on enhancing public safety, safety of children and protecting wildlife in a growing district. The proposal includes:

- Clarifying effective control requirements;
- New controls for sports and play areas;
- New on-leash requirements in busy reserves;
- New leash requirements for busy recreational tracks;
- Additional controls for areas with protected wildlife; and
- Amended provisions for temporary changes to dog access rules.

The recommended option is to proceed with the statutory determinations and adopt the Statement of Proposal for consultation.

### Recommendation | Kā Tūtohuka

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That the Council:

1. **Note** the contents of this report;
2. **Note** that at the 25 June 2026 Council meeting it was determined that pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing dog control problems in the district;
3. **Determine** pursuant to 155(2)(a) of the Local Government Act 2002 that the draft Dog Control Bylaw 2027 Te Ture ā-rohe Whakahaere Kurī 2027 is the most appropriate form of bylaw;
4. **Determine** pursuant to sections 155(2)(b) of the Local Government Act 2002, that the draft Dog Control Bylaw 2027 Te Ture ā-rohe Whakahaere Kurī 2027 does not give rise to any implications under the New Zealand Bill of Rights Act 1990;
5. **Adopt** the draft Dog Control Policy 2027, Te Kaupapahere Whakahaere Kurī 2027 (Attachment B) and draft Dog Control Bylaw 2027, Te Ture ā-rohe Whakahaere Kurī 2027 (Attachment C) for consultation;
6. **Adopt** the Statement of Proposal (Attachment A) and Summary of Proposal (Attachment D) for consultation in accordance with the Special Consultative Procedure outlined in sections 83 and 86 of the Local Government Act 2002, from 9.00am 12 October 2026 to 5.00pm 9 November 2026;
7. **Appoint** four Councillors (Councillor Bartlett, Councillor Smith, Councillor White and Councillor Wong) of whom three are required to form a hearing panel to hear and consider the submissions on the proposal and make recommendations to the Council for the adoption of a draft Policy and Bylaw; and

8. **Authorise** officers to update the Statement of Proposal (including the draft Dog Control Policy 2027 and Dog Control Bylaw 2027) to reflect decisions made at this meeting, fix any errors and make any other updates or changes that do not affect the substance of the proposal, prior to consultation starting.

**Prepared by:**



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17 September 2026

**Reviewed and Authorised by:**



**Name:** Katherine Harbrow  
**Title:** General Manager, Finance, Assurance and Risk  
17 September 2026

### Context | Horopaki

#### Bylaw development process

1. Bylaws are made under the Local Government Act 2002 (LGA) for one (or more) of the following reasons:
  - a. protecting the public from nuisance;
  - b. protecting, promoting, and maintaining public health and safety; or
  - c. minimising the potential for offensive behaviour in public places.
2. The LGA sets out that a bylaw must be reviewed within five years of the date it is first made. If it is not reviewed within five years, a two-year grace period applies, during which a bylaw is still valid. After this grace period the bylaw is automatically revoked. The current Bylaw has passed the five-year review date (25 June 2025), therefore a replacement bylaw must be made before 25 June 2027 (before it is automatically revoked). Any review of the current Bylaw triggers the concurrent review of the current Policy.

**Figure 1** High-level overview of the steps involved in the bylaw development process.



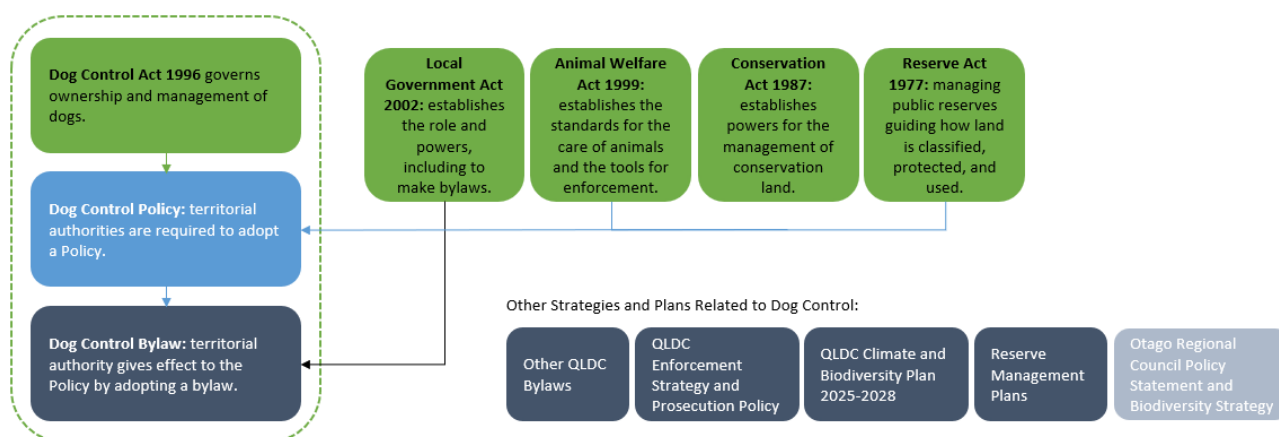
3. This report follows two Council workshop (28 April and 11 August 2026), where the key findings, issues and options were presented to elected members for consideration and discussion.
4. Council determined at its 25 June 2026 meeting, in accordance with s.155(1) of the LGA, that a bylaw remained the most appropriate mechanism to address perceived problems relating to dog control in the district<sup>1</sup>.
5. If the draft Policy and draft Bylaw is adopted for consultation, then next steps will follow:
  - a. public consultation between 12 October and 9 November 2026;
  - b. hearings and deliberations during the week of 7 December 2026; and
  - c. Council presented with a final draft Policy and draft Bylaw for adoption in early-2027.

<sup>1</sup> QLDC Dog Control Policy and Bylaw 2020: Findings and Options Council Report, 25 June 2026  
<https://www.qldc.govt.nz/media/iigatx3b/8-dog-control-bylaw-and-policy-options-report.pdf>

## Dog Control Policy and Bylaw Background

6. The Dog Control Act 1996 (the Act) is the primary legislation governing the ownership and regulation of dogs in Aotearoa, New Zealand. Its purpose is to promote responsible dog ownership and ensure public safety. The Act sets out obligations of owners, the functions, duties and powers of territorial authorities, dog control officers and establishes powers relating to disqualification of owners, dangerous dogs, menacing dogs, registration (and fees), microchipping, custody of dogs and infringements.
7. The Act requires all territorial authorities to adopt a dog control policy for the management and control dogs within its district. This policy must have regard to the matters listed in s.10(4) of the Act:
  - a. the need to minimise danger, distress, and nuisance to the community generally;
  - b. the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
  - c. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
  - d. the exercise and recreational needs of dogs and their owners.
8. Section 10(6) of the Act specifies that a territorial authority must give effect to their policy by making the necessary bylaws. Section 20 of the Act specifies the range of matters a bylaw may address. This legislative framework is shown in Figure 2.
9. The Act, Policy, and Bylaw apply to dogs in public places, which is defined broadly as any place that is open to or used by the public, whether publicly or privately owned. No dog control bylaw can have effect in respect of any land administered by the Department of Conservation.

**Figure 2: Regulatory framework for the Dog Control Policy and Bylaw**



10. The policy requirements focus on public perceptions about dogs or how people feel in public places (danger, distress, nuisance and fear of attack or intimidation) (s.10(4)) and a council may take a preventative approach to its dog control rules, as the legislation focuses on minimising harm. This cannot be ascertained from complaints or enforcement data alone, and is also informed by obtaining views of the community as a whole.
11. There is no legislative requirement for evidence of attacks and injuries for a council to propose regulating a dog control matter, nor is there a specific legal threshold for when regulation may be appropriate.
12. Councils may propose dog controls and then consult with the community to understand whether the controls are supported or not. For QLDC, pre-engagement feedback has shown that the current Bylaw controls are significant to the community, and that additional targeted controls are important for a number of people who provided feedback

### **Current Policy and Bylaw**

13. QLDC's current Policy provides the framework for dog control in the district and including structure for associated fees (it includes requirements set in the Act). The current Bylaw gives effect to the current Policy by prescribing enforceable rules for responsible dog ownership and the control of dogs in the district.
14. The current Bylaw identifies public places where a dog may be taken by its owner, and the required method of dog control in those places. It balances the exercise and recreational needs of dogs with the need to minimise the potential for any danger distress, harm or nuisance that may be caused by dogs. The current Bylaw establishes the following rules in relation to control of dogs in public places:
  - a. prohibits dogs from Queenstown Hill and Walkway and any schoolgrounds;
  - b. designates reserves to be dog exercise areas (dog off leash areas) with a list of eight excluded reserves;
  - c. requires dogs to be under effective control by voice or signal in dog exercise areas and if the dog causes a nuisance, it must be immediately leashed;
  - d. requires dogs to be on a leash in cemeteries, playgrounds, skateboarding facilities;
  - e. requires dogs to be on leash in all other public places, unless in the rural zone; and
  - f. exempts certain types of dogs from regulations in certain situations (i.e. disability assist dogs, working dogs).
15. The current Bylaw provides that an owner may not keep more than two dogs of registrable age on any premise unless the owner holds a multiple dog licence, as well as an enforcement and fee mechanism for the licence.

16. The current Bylaw requires that any owner of a dog, must carry a bag suitable for waste collection, immediately collect faeces and ensure faeces is suitably disposed of. It also requires that a diseased dog or female dog in season is confined, ensuring adequate exercise.

**Bylaw and Policy development process background**

17. Staff undertook early engagement in November 2025 to understand how the current Policy and current Bylaw are working and whether the existing settings remain fit for purpose. The community survey received 844 responses (89% of respondents were dog owners) and staff spoke to five stakeholders in two focus groups. Key areas identified through early engagement:

- a. Mixed views on dog access, with some respondents wanting more on-leash areas in busy public spaces, while others wish to retain or expand off-leash access.
- b. Safety concerns about interactions between off-leash dogs and cyclists on busy trails.
- c. High level of support for protections where there are sensitive environments (77% of respondents).
- d. Repeated issues raised about dogs not being under effective control, dog waste not being collected, dogs roaming, excessive barking, and non-compliance with existing rules.
- e. High demand for fenced dog parks.
- f. Calls for stronger enforcement, compliance monitoring and penalties. Also increased education and training opportunities to improve compliance.

18. These key issues and preliminary options for dog control were presented to elected members (Councillors and Wānaka-Upper Clutha Community Board members) at a Council workshop on 28 April 2026. Elected members were presented with a spectrum of options for how the issues could be addressed (from status quo, non-regulatory intervention, and a range of regulatory options through a bylaw). The following feedback was provided from elected members:

- a. that the current settings are working well, and effectively support dog exercise needs while maintaining public safety;
- b. support consideration of changes in higher risk areas (where there may be a greater risk of conflict between dogs, people, children and/or animals) and targeted amendments (e.g. pump tracks, sports fields during games or busy shared trails);
- c. that rules must be straight-forward for community understanding and enforcement;
- d. non-regulatory intervention and using enforcement tools available in the Act, remained most effective and appropriate to respond to dog waste, barking, roaming and general nuisance issues.

19. Staff sought further elected member input following further analysis at a workshop on 11 August 2026. Elected members were:

- a. supportive of the targeted proposals for shared trails and high-visitation reserves and supportive of the proposed direction to refine the options for additional controls where there are sensitive environments, based on evidence;
- b. comfortable with the off-leash setting for publicly accessible Land Information New Zealand (LINZ) administered land, unless there is an evidenced rationale for intervention; and,
- c. supportive of investigating options to achieve greater consistency across the identified high-use trails crossing Department of Conservation (DOC) and QLDC land.

20. Factors such as population growth, an increasing number of registered dogs, dog-related complaints and Council commitments to protecting biodiversity informed the development of the draft Bylaw and Policy alongside feedback from community engagement and elected members. Further detail on the evidence base, enforcement and complaints data, growth trends, and engagement findings is provided in the Findings and Options Report<sup>2</sup>.

#### Analysis and Advice | Tatāritaka me kā Tohutohu

21. The following section includes analysis of the key issues, options and changes included in the draft Policy and Bylaw. It sets out the substantive changes proposed, which include:

- a. Clarifying effective control requirements;
- b. New controls for sports and play areas;
- c. New on-leash requirements in busy reserves;
- d. New leash requirements for busy recreational tracks;
- e. Additional controls for areas with protected wildlife; and
- f. Provision for temporary changes to dog access rules.

22. These are followed by a description of the non-substantive changes that are proposed to improve the readability of the Policy and Bylaw and are in line with best practice.

23. Further detail on all proposed changes has been included in the draft SOP (Attachment A).

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<sup>2</sup> QLDC Dog Control Policy and Bylaw 2020: Findings and Options Council Report, 25 June 2026  
<https://www.qldc.govt.nz/media/iigatx3b/8-dog-control-bylaw-and-policy-options-report.pdf>

### **Clarifying effective control requirements**

24. Community survey respondents raised concerns about safety associated with dogs rushing or having poor recall. Respondents emphasised that off-leash access is only appropriate when dogs are under effective control. This was a strong theme through consultation with community and stakeholders.
25. Clause 4(4) of the current Bylaw specifies that *“where an owner is not required to keep a dog under control on a leash the owner must – (a) keep that dog under effective control by voice, or signal while that dog is in any public place; and (b) immediately leash and bring the dog under control if the dog causes a nuisance to any person or animal”*.
26. A spectrum of options was discussed at the council workshop on 28 April 2026 from status quo, non-regulatory (signage, education, training) and amending the current Bylaw. Clarifying the provision in the current Bylaw was considered the most effective option.
27. The following amendment is proposed in the draft Bylaw:
- a. Clause 5.1. *“Where an Owner is not required to keep a dog under control on a leash the Owner must- (a) pay active attention to be aware of where the dog is and what it is doing; ensure the dog is responsive to commands, with prompt recall; (b) be close enough to the dog to quickly prevent any issues; and (c) ensure the dog is not creating a nuisance to any other person, or to any stock, poultry, domestic animal, or protected wildlife.”*
  - b. Clause 5.2. *“Every Owner in a public place must keep their dog leashed if they cannot meet the effective control requirements in clause 5.1.”*
28. This requires owners to be aware, pay active attention, ensure their dog is responsive to commands, prompt recall and be close enough to quickly prevent issues. Additionally, the amendments require owners to leash the dog if they cannot meet these requirements. This rule will apply to all off-leash spaces across the district.

### **New controls for sports and play areas**

29. Clause 4(2) of the current Bylaw states *“an owner must keep their dog under control on a leash in – (a) all cemeteries; and (b) playgrounds, skateboarding facilities”*. Survey respondents expressed a desire for busy areas, including sportsgrounds, to have on leash requirements. This was discussed at the Council workshop on 28 April 2026, and elected members supported the addition of controls on sports grounds while organised games are being played. There was also support for additional controls on the increased number of pump tracks across the district.
30. Options to respond to these issues include status quo (rely on the default rule of effective control), non-regulatory intervention (signage and education) or amendments through the draft Bylaw. The draft Bylaw proposes the following wording to introduce enforceable rules for these high-risk areas:

- a. Schedule 1 of the draft Policy states: *“dogs must be on a leash in the following areas - (a) all cemeteries; and (b) all playgrounds, skateboarding facilities, pump tracks and council managed tennis courts; and (c) all sports fields during organised games and practice sessions.”*

31. The proposed provision would apply across the district to all locations/facilities identified in the clause to ensure the safety of all users, especially children. Dog owners would be able to exercise their dogs off leash on sportsgrounds when organised games or practices are not being played. Whilst there is no substantive evidence of public safety issues or attacks in these areas, as discussed earlier in the report, changes to dog control rules may be proposed as preventative measures in order to respond to the growing and changing district;

#### **Additional on-leash requirements in busy reserves**

32. The most significant issue raised during early engagement was regarding the balancing of dog access rules across the district. There was strong overall support for existing off-leash access, particularly in reserves and on trails (with 81–83% of respondents supporting current settings). However, non-dog owners were considerably less supportive of these settings, with only 38–41% in favour, expressing concerns about safety on shared trails or in busy public spaces.

33. Alongside this feedback, the district is experiencing significant growth. The resident population reached 53,800 in 2025, an increase of 1.7% from the previous year and up from 47,100 at the time of the last bylaw review. Correspondingly, the number of registered dogs in the district has increased by 14%, from 5,388 in 2019, when the current Bylaw and Policy were last reviewed, to 6,160 in July 2026. With both resident and visitor numbers projected to continue growing, this will result in busier public spaces with more people and more dogs. As such, there is a sound basis to reconsider the controls across busy tracks and reserves.

34. Clause 5(1) of the current Bylaw excludes eight reserves from being dog off leash areas and requires dogs to be on leash. Five of these reserves are around the Queenstown CBD area and were introduced to increase public safety. All other QLDC reserves, parks and recreational tracks permit dogs to be off leash.

35. The spectrum of options for leash rules in some reserves was presented at the Council workshop on 28 April 2026. Elected members considered that targeted regulatory amendments involving location-specific leash rules focussed on higher risk areas would be most appropriate to address this issue.

36. Analysis has been undertaken to review the high visitation and service level reserves across the district. The following criteria were applied; visitation levels, proximity to town or urban centres, open space capacity; types of reserve use (i.e. sports reserve, destination park); and other facilities present (playgrounds, skateparks). Analysis identified reserves requiring dogs to be controlled on a leash for public safety should be considered (Table 1). These are currently off leash areas in the current bylaw.

**Table 1:** Reserves proposed to require dogs to be on a leash

| Location <sup>3</sup>                                                                   | Explanation as to why dogs on leash is considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| St Omer Park (Queenstown)                                                               | This is a urban reserve that provides some seating and forms part of the walkway toward One Mile Roundabout. It contains a playground and walkway along the lakefront away from the busier Marine Parade area. This area receives a high volume of tourist foot traffic and is in very close proximity to commercial areas. Due to its close proximity to the CBD, busy road and high foot traffic, the draft Bylaw identifies St Omer Park as dogs on leash to ensure the safety of visitors and users.                                                                                                                                                                                                                                                                                                                                                                                               |
| O'Regans Park (Queenstown)                                                              | This is an urban reserve that provides some seating and is the beginning of the walkway toward the One Mile Roundabout. This area receives a high volume of tourist foot traffic and is in close proximity to commercial areas including restaurants and cafes. Due to its proximity to the CBD, busy road, and high foot traffic volume, the draft Bylaw identifies O'Regans Park as dogs on leash to ensure the safety of visitors and other users.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Village Green (Queenstown)                                                              | This is a small urban reserve that provides for passive recreation for those working in and visiting the Queenstown CBD. Due to the high amenity/high profile nature and primary use of the reserve for passive recreation (picnicking/lunch), the draft Bylaw identifies the Village Green as dog on leash to ensure the safety of visitors and users and minimise potential for distress or nuisance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Buckingham Green (Arrowtown)                                                            | Buckingham Green is a well-used flat green space in the central commercial area of Arrowtown. It provides an open space for visitors and is well used for passive recreation. Due to the urban nature, relatively small area and frequent use for consuming food etc., the draft Bylaw identifies Buckingham Green as dogs on leash to ensure the safety of users and minimise nuisance for visitors and users.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Roy's Bay Recreation Reserve - section from Dinosaur Park to McDougall Street (Wānaka). | This reserve stretches from the Dinosaur Park on the northeastern end to the Watersports Centre on the western end. It includes a destination playground and a wide sealed path that receives a very high volume of users for a variety of activities including walking, running and cycling. It also offers a green space buffer between the town and the foreshore that is highly utilised for passive recreation activities such as picnicking. Due to its popularity, and the high-profile nature of the reserve, the draft Bylaw identifies part of the Roy's Bay Recreation Reserve as dogs on leash (from the Dinosaur Park to McDougall Street), proposal includes the reserve and trails within, to ensure the safety of visitors and users and minimise potential for distress or nuisance. The lake foreshore area and the reserve beyond McDougall Street will remain dog off leash areas. |
| Bullock Creek (between Brownston Street and                                             | This reserve is close to the town centre of Wānaka. It receives a high volume of users, acting as a throughway to the Wānaka library, the Lake Wānaka Centre and the lakefront (between Brownston Street and Ardmore Street). The draft                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

<sup>3</sup> These sites are provided in Schedule 3 of the draft Dog Control Policy, including maps of the areas. A Dog Control online map ([link](#)) will be put on the Council website for district wide dog access rules to assist with consultation on the draft Policy and Bylaw.

| Location <sup>3</sup>                                     | Explanation as to why dogs on leash is considered appropriate                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ardmore Street)                                           | Bylaw identifies the Bullock Creek reserve as a dog on leash area to ensure public safety of users and minimise nuisance for visitors and users.                                                                                                                                                                                                   |
| Bridgeman Green (corner of Ardmore and Dungarvon streets) | This is a small reserve at the edge of the Wānaka town centre. It is primarily used for passive recreation for visitors shopping and visiting the town centre. Pembroke Park, across the road, provides large open space for dog exercise. The draft Bylaw identifies Bridgeman Green as a dog on leash area for the safety of users and visitors. |

### Targeted leash rules for busy recreational and commuter tracks

37. Early engagement showed that tracks across the district are receiving greater use. Some have become key commuting routes and concern was expressed about fast-moving cyclists and dogs being off leash on shared paths.
38. At the Council workshop on 28 April 2026, elected members considered that a combination of targeted regulatory amendments and non-regulatory tools (i.e. signage and communications about track safety, safe cycle speeds and effective dog control) would be most appropriate to respond to this issue. Elected members preferred the option of targeted changes, although considered feedback should be sought from the community on the option to require dogs to be on leash across all tracks in the district.
39. High use and service level trails were assessed based on visitation, proximity to town or urban centres, types of trail use (i.e. cycling, walking, tourism), and specific trail characteristics (width, seal, open space, proximity to roads). Analysis identified recreational tracks where dogs should be required to be controlled on a leash for public safety (outlined in Table 2).

**Table 2:** Tracks proposed to require dogs to be on a leash

| Location                                             | Current Bylaw | Draft Bylaw | Explanation as to why dogs on leash is considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------|---------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Frankton Track (from the Frankton Marina to Park St) | Off leash     | On leash    | This trail was raised during early community engagement survey as a location where on leash dog rules could be considered. It is a premier track which experiences a high level of commuters (including higher speed users) as well as recreation users (pedestrians and cyclists). In 2025, the Frankton Track had a daily average of 222 pedestrians and 496 cyclists (counter is located at the end of Park St). Due to the high-profile nature, high usage and the trail being a popular active travel route, a change to require dogs to be on leash from the Frankton Marina to Park St is included in the draft Bylaw. This is to ensure the safety of cyclists/walkers and other users. |

| Location                         | Current Bylaw                                                    | Draft Bylaw              | Explanation as to why dogs on leash is considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------|------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Arthurs Point Trail (Queenstown) | Off leash                                                        | On leash                 | This trail provides a sealed active travel route that follows the road from Arthurs Point to the Matakauri wetlands. This trail primarily provides for active travel/commuting and mostly achieves a grade 2 standard. Due to the roadside nature and primary active travel route purpose of this trail, a dogs on-leash provision is considered appropriate to ensure the safety of cyclists/commuters and road users. This recreational trail is in the Proposed District Plan (PDP) Rural Area, identifying the trail in Schedule 3 of the draft Policy, provides exemption to the draft Bylaw's Rural Area off-leash rule. |
| Shotover Gorge Trail             | Off leash (QLDC managed sections)<br><br>On leash (DOC sections) | On leash (QLDC sections) | This trail is primarily across DOC land with small sections that cross QLDC and private land (via easements). It is an unsealed premier trail and is provides recreational opportunities for walkers, runners and cyclists in proximity to the Shotover River. In the early engagement survey, fast-moving cyclists and off leash dogs were raised as an issue for this trail. Sections of this trail (managed by QLDC) are identified as dogs on leash in the draft Bylaw.                                                                                                                                                    |

40. The bylaw and policy development process identified there were unclear rules relating to recreational tracks that exist on road parcels. Recreational tracks are off leash across the district; however, roads are on-leash areas. In urban areas, recreational tracks in road parcels have the same rule as for a public road and dogs are required to be on leash. The proposal includes clarification for tracks which are treated under the current bylaw as dog exercise areas and remain appropriate dog exercise areas (in Schedule 3 of the Policy). These tracks are established on unformed public roads. Tracks include Wānaka Outlet, Beacon Point Track and Kelvin Peninsular Trail. The online map will show on-leash areas and tracks where dogs are permitted to be off leash off leash.

#### **Additional controls proposed where there is protected wildlife**

41. The Act includes an objective to 'impose...obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife'. Protected wildlife is defined by the Wildlife Act 1953<sup>4</sup>. As such, Council has the ability to make rules in the draft Bylaw for this purpose.

42. The Act does not specify a threshold or potential effects required to justify restrictions (as in other legislation), but it is reasonable and good practice to have information or evidence to support any changes.

<sup>4</sup> all wildlife is declared to be protected (except in the case of wildlife specified in Schedule 1, Schedule 2, Schedule 3, Schedule 4, or Schedule 5) <https://www.legislation.govt.nz/act/public/1953/31/en/latest/#DLM276814>

43. The direct impacts of dogs on wildlife are often difficult to quantify, as many incidents are not observed or reported. However, advice from the DOC and additional research indicates that dogs can affect wildlife through both predation and disturbance. Potential impacts include chasing, injuring or killing wildlife, causing stress through their presence, scent or barking, disturbing nesting and breeding behaviour, and displacing birds from their young and nesting areas<sup>5</sup>. Flightless birds such as weka, and birds that nest, breed and feed on our braided rivers, such as dotterel are vulnerable to dogs. Although not Otago specific, DOC reports that dog incidents involving species such as weka, dotterels and shags are increasing<sup>6</sup>.
44. The current Bylaw requires dogs to be controlled on a leash within Matakauri Reserve. This was to provide an on-leash area for dog owners and the community, while also recognising the ecological significance of the wetland and birdlife in the area.
45. Early engagement showed high support for current leash requirements (78% agreed or strongly agreed) and there was support for dog access controls being introduced where there may be sensitive environments (81–83%). This was also supported by local conservation groups, Otago Regional Council, DOC and QLDC's Climate Reference Group representative during stakeholder engagement.
46. In 2019, QLDC declared a climate and ecological emergency and last year, Council adopted its Climate and Biodiversity Plan 2025–2028 which was developed in partnership with Kāi Tahu. It firmly recognises the value of te Taiao (environment) and biodiversity for indigenous knowledge and wellbeing and commits to the protection and restoration of indigenous biodiversity throughout the district.
47. At the 28 April 2026 workshop, Council was presented with a spectrum of options to control dogs in relation to protected wildlife. Elected members preferred place-based targeted amendments. At the 11 August 2026 workshop, there was support for evidence-based refinement of options for additional dog controls in sensitive environments.
48. Staff engaged with ORC, DOC, operational staff and local conservation groups on the sites with sensitive wildlife. Analysis considered a range of evidence, including site-specific ecological reports, QLDC Proposed District Plan, DOC and ORC biodiversity information, ORC regional wetland data<sup>7</sup> and species conservation data (New Zealand Threat Classification System<sup>8</sup> and the Otago Regional Threat Assessments<sup>9</sup>).
49. Other considerations included habitat restoration efforts and proximity to urban areas where more people and dogs visit.
50. The draft Bylaw proposes to introduce new dog control rules for the most critical areas (Table 3) with protected wildlife and deemed vulnerable to disruption and disturbance by dogs, based on available evidence and information. The proposed controls have been informed by a

<sup>5</sup> <https://www.doc.govt.nz/parks-and-recreation/know-before-you-go/pets-on-conservation-land/>

<sup>6</sup> <https://www.doc.govt.nz/news/media-releases/2025-media-releases/dog-incidents-trending-upwards-stats-show/>

<sup>7</sup> Regionally Significant Wetlands are identified in the current Regional Plan Water: for Otago (2004).

<sup>8</sup> <https://www.doc.govt.nz/about-us/science-publications/conservation-publications/nz-threat-classification-system/>

<sup>9</sup> <https://www.orc.govt.nz/environment/biodiversity/regional-threat-assessments>

precautionary approach, protecting the most sensitive environments across the district to support restoration and conservation efforts.

**Table 3:** Reserves with proposed changes to dog control rules in relation to protected wildlife

| Location                                           | Current Bylaw                                          | Draft Bylaw                                              | Explanation as to why additional controls are considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mātau (Pig Island) and Wāwāhi Waka (Pigeon Island) | Off leash                                              | Prohibited                                               | Mātau (Pig Island) and Wāwāhi Waka (Pigeon Island) are located at the northern end of Whakatipu Queenstown Lake. Both islands are classed as Scenic Reserves under the Reserves Act 1977. The Wakatipu Islands Management Plan 2021 records the species commonly seen and heard on the islands, which includes buff weka, falcon (kārearea), NZ pipit (pīhoihoi), brown creeper (pipipi), crested grebe (kāmana) and kererū. Buff weka were reintroduced to the islands in 2006 and 2008, respectively <sup>10</sup> . The Management Plan states that 'dogs represent a threat to the weka on the islands'. The islands were raised during early engagement by stakeholders, all of which were strongly supportive of formalising the rule in the current Bylaw. As such, the draft Bylaw identifies dogs as prohibited for these islands. |
| Lake Hayes Wetland and Walkway                     | Off leash (wetland and QLDC managed sections of track) | Prohibited (northern wetland area)<br>On leash (walkway) | Lake Hayes Margins (present at north and south of Lake Hayes) is classed by ORC as a regionally significant wetland <sup>11</sup> . Covered in part by a recreation reserve and wildlife management reserve, administered by DOC. The lake and its shores have the status of 'wildlife refuge'. Recorded values include a variety of waterfowl, including high numbers of Great Crested Grebe (pūteketeke) (nationally and regionally vulnerable species). The crested grebe is observed at the northern and southwestern areas of the lake. Local conservation groups are monitoring birdlife in the area <sup>12</sup> and have emphasized the year-round vulnerability of fauna in the south-western section. Taking this information into account, the draft Bylaw proposes the following changes:                                      |

<sup>10</sup> Wakatipu Islands Management Plan 2021 (pg. 31-32) and Appendix 2.B

<sup>11</sup> Lake Hayes Margins <https://www.orc.govt.nz/environment/water-care/wetlands-and-estuaries/regionally-significant-wetlands/queenstown-lakes-district/lake-hayes-margins#14>

<sup>12</sup> [What are our birds up to? - Whakatipu Wildlife Trust](#)

| Location          | Current Bylaw | Draft Bylaw | Explanation as to why additional controls are considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------|---------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   |               |             | <ul style="list-style-type: none"> <li>• <b>Northern Wetland:</b> the northern wetland is fenced in order to protect the wetland (which has signage that says dogs are prohibited). Restoration efforts aim to restore the breeding area for a variety of other waterfowl, including the Bittern (hūrepo) and Marsh Crake (koitareke). The draft Bylaw formalises this situation by prohibiting dogs in this area.</li> <li>• <b>Lake Hayes walkway:</b> the walkway around the perimeter of the lake crosses DOC and QLDC land and has inconsistent dog control rules. DOC has recommended that the walkway is made on leash to be consistent with the DOC rules, given the status of this area as a wildlife refuge. For consistency to protect this sensitive area (including the southwestern wetland), the draft Bylaw includes rules setting out that dogs are required to be on leash on the walkway.</li> </ul> <p>The grass reserve at the northern end of the lake and the reserve near the Lake Hayes Pavilion would remain off leash.</p> |
| Shotover Wetlands | Off leash     | On leash    | <p>The Shotover River Confluence Swamp<sup>13</sup> is classed by ORC as a regionally significant wetland. The wetland is habitat for nationally and internationally rare or threatened species. The Marsh Crake (regionally endangered) was recorded last year by Southern Lakes Sanctuary which indicates the improving health of the wetland<sup>14</sup>. There is wetland restoration underway with the local primary school. This wetland was raised during early engagement by stakeholders as warranting consideration for dog controls to help protect sensitive birdlife. As such, the draft Bylaw proposes this area as a dogs on leash location.</p>                                                                                                                                                                                                                                                                                                                                                                                      |

<sup>13</sup> <https://www.orc.govt.nz/environment/water-care/wetlands-and-estuaries/regionally-significant-wetlands/queenstown-lakes-district/shotover-river-confluence-swamp>

<sup>14</sup> <https://whakatipuwildlifetrust.org.nz/native-birds-are-thriving/>

| Location     | Current Bylaw                          | Draft Bylaw                                                  | Explanation as to why additional controls are considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------|----------------------------------------|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tucker Beach | Off leash (QLDC sections of the track) | On leash ( <b>seasonally</b> between 1 August to 31 January) | <p>Tucker Beach is part of the Shotover River braided river ecosystem that provides breeding, nesting and feeding habitat for a range of indigenous bird species, several of which are nationally threatened or at risk. The wildlife reserve and recreation reserve is DOC land, the QLDC track crossed through both these reserves and QLDC land. Tucker Beach was frequently raised during early engagement by stakeholders, warranting consideration for dog controls to help protect sensitive wildlife. It supports species such as banded dotterel (Pohowera) (regionally vulnerable<sup>15</sup>), black-fronted tern (tarapirohe), black-billed gull (tarāpuka) and South Island pied oystercatcher (tōrea). Species nest on gravel beaches and river terraces. Local conservation groups continue to undertake significant restoration and monitoring in the area<sup>16</sup>. As such, the draft Bylaw proposes out that dogs are required to be on leash seasonally <b>between 1 August to 31 January</b> each year across the following areas:</p> <ul style="list-style-type: none"> <li>a. <b>QLDC sections of the track:</b> Tucker Beach Trail (Queenstown Trail) users present potential threat to nesting sites and territories during the nesting season with potential for increasing visitors through the wildlife reserve over time. It is proposed to align the QLDC sections of recreational track with the seasonal restrictions applied by DOC and achieve consistency across the trail and protections for sensitive wildlife.</li> <li>b. <b>Riverbed upstream for Tuckers Beach Wildlife reserve (LINZ land):</b> Changes in habitat availability and increased use of areas beyond traditional nesting sites, including the frisbee golf course and river margins. Extending protections to these</li> </ul> |

<sup>15</sup> <https://www.orc.govt.nz/media/zz5lxiki/conservation-status-of-birds-in-otago-aug-2026.pdf>

<sup>16</sup> Kimiākau/ Lower Shotover River Braided River Bird Survey-2024 and 2025, 24 July 2026

| Location                   | Current Bylaw | Draft Bylaw | Explanation as to why additional controls are considered appropriate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------|---------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            |               |             | <p>areas is proposed to safeguard upstream from the wildlife refuge.</p> <p>Dogs would be permitted to be exercised off leash all other times in the year in these locations. These changes support other non-regulatory interventions of by QLDC and local conservation groups (i.e., trapping, pest management, fencing, signage and education).</p>                                                                                                                                                                                                                                                             |
| Wānaka Lakefront Boardwalk | Off leash     | On leash    | <p>The Lake Wānaka Grebe Project<sup>17</sup> started in 2013 and is a community-led conservation initiative to provide safe nesting areas for the native southern crested grebe (pūteketeki) (regionally vulnerable) along the Wānaka lakefront. Early engagement respondents identified this area as appropriate for dog controls in relation to sensitive birdlife. As such, this area (within LINZ land) has been identified in the draft Bylaw as having a dog on leash requirement. This change is aligned with other proposed bylaw amendments, extending controls from Roy's Bay recreational reserve.</p> |

51. Some enforcement staff identified some complexity with enforcement in areas such as Lake Hayes Walkway due to the interaction between QLDC-managed land and adjoining land administered and enforced by DOC. There is an issue across the district and it is determined that the controls are required due to protected wildlife.
52. Areas that were not identified for change as part of this review, based on the evidence available, were Mt Iron, Kinloch Wetland, Albert Town Lagoon, SNA near Bush Creek trail (Arrowtown), SNA adjacent to Kingston Road/SH6, and SNA on Wye Creek trail.
53. There are no changes proposed to current dog access rules for Mt Iron because the protected wildlife that are present on this reserve are less vulnerable to the disturbance by dogs. This includes native lizard species, as well as the Kārearea, that nest primarily in the cliff area away from the track. The proposed amendments to the bylaw to clarify effective control and for temporary exemption are expected to respond to any current and future issues at Mt Iron. For example; temporary changes could be put in place if there is a change to these species' behaviour. In addition, proposed changes to effective control could assist.
54. Kawarau Riverside Reserves was raised by elected members for consideration as part of the analysis. No changes have been proposed for this area as the current information and evidence indicate that the current rule to have dogs under effective control is sufficient. Non-regulatory

<sup>17</sup> <https://wanakagrebes.org.nz/>

interventions may be also used to reduce actual or potential conflicts between dogs and the reserve users.

### **Provision for temporary changes to dog access rules**

55. Clause 9 of the current Bylaw states that “(1) the Council may temporarily exempt any person, premises or public place from any duty or restriction in this bylaw. (2) The Council may grant an application for a temporary exemption where it is satisfied that allowing the activity will achieve – (a) the purpose of the Act; and (b) objectives of the QLDC Dog Control Policy 2020; (c) preservation of public safety”. This is included to provide the opportunity for public and community to apply to Council for an exemption from the current Bylaw’s provisions should they met the purpose of the Dog Control Act 1996; and objectives of the Policy; and preservation of public safety.

56. The draft Bylaw includes a provision that allows Council to temporarily change to a dog access rule specified in a Schedules to the Policy for specific purposes:

*a. “The Council may, subject to clause 8.2 – 8.7, authorise a temporary change to a dog access rule specified in a Schedules to the Policy for a defined public place if satisfied that the temporary change is reasonably necessary to—*

- i. facilitate a leisure or cultural event, including a dog-friendly event;*
- ii. facilitate organised dog training;*
- iii. protect wildlife vulnerable to dogs; or*
- iv. enable pest-control operations on land controlled or managed by the Council.”*

57. It includes additional controls to require adequate information, communications and publication of any temporary change to the community:

*a. “If Council authorises a temporary change under clause 8.1, the decision must specify:*

- i. the reason for it;*
- ii. the person, activity and/or place to which it applies;*
- iii. the rule that will apply and any conditions imposed;*
- iv. its commencement and expiry dates; and*
- v. the manner in which the temporary change will be publicised to clearly identify the affected area, including at least one or more signs placed on or adjacent to that area.”*

58. This provision is a common aspect of other councils' dog control bylaws. It is also an option that Council amend the Policy each time a temporary change is required, however this would be subject to the LGAs Special Consultative Procedure, which is not efficient, effective or proportionate to such temporary circumstances.

#### **Non-substantive changes and revisions to structure**

59. Several amendments proposed in the draft Policy and draft Bylaw are non-material in nature and are intended to improve the clarity, structure and usability of the documents without changing existing requirements for dog owners.

60. The review distinguishes between changes to the Dog Control Policy and changes to the Dog Control Bylaw. Following best practice, the Policy provides the overarching framework and objectives for dog management in the district, whereas the Bylaw contains the enforceable rules used to implement the Policy. Consequently, administrative amendments have been made, to reduce duplication between these instruments in order to clarify the function of each.

61. Non substantive changes include:

- a. clarifying how private land access arrangements interact with dog access rules through an explanatory note in the draft Bylaw;
- b. improving the explanation of multiple dog licensing process, decision-making and approval;
- c. providing greater clarity around registration fee categories and eligibility criteria;
- d. outlining that animal welfare matters relating to companion animals are largely enforced by the Society for the Prevention of Cruelty to Animals (SPCA);
- e. clarifying that specific recreational tracks on unformed public roads remain appropriate dog exercise areas; and
- f. referring to requirements provided in the Act, opposed to duplicating (i.e. infringement schedule).

62. Further detail on the proposed non-substantive changes and effects is included in the draft SOP (Attachment B).

#### **Online interactive dog control map to support interpretation of dog control rules**

63. Consultation on the draft Policy and Bylaw will be supported by an online interactive map (link) that allows people to visually see control areas (leash or prohibited areas) and dog exercise areas across the district. This map will aid in the interpretation for the community of the dog access rules in the final Policy and Bylaw but will not form part of these instruments.

64. Staff are proposing that maps of urban areas be included as attachment to the draft Policy, at the time of adoption. These maps will be related information to the Policy, as opposed to being part of the Policy instrument, and therefore may be amended if required. For example, if a new playground is built, the map will be able to be updated to show the playground as a leash area.

### **Options**

65. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the LGA.

66. Option 1 that Council adopt the draft Policy and Bylaw for formal consultation, in accordance with the Special Consultative Procedure.

#### *Advantages:*

- The development of the draft Bylaw and Policy has comprehensively identified the regulatory and non-regulatory issues. The draft Bylaw and Policy would ensure that these matters have been considered and addressed.
- The community would be able to provide feedback on the draft Policy and bylaw, and Council would be able to understand the views of the community and stakeholders on the proposed changes.
- Continues a compliant bylaw and policy development process.

#### *Disadvantages:*

- The public consultation and adoption aspects of the bylaw development process require resources to run the submission processes, hold public hearings, and prepare reports.

67. Option 2 that Council does not adopt the draft policy and bylaw for formal consultation.

#### *Advantages:*

- There may be avenues under the Dog Control Act 1996, whereby some Council powers to regulate dog control issues can be retained after the current bylaw lapse date of 25 June 2027.
- Allows Council to consider further amendments and revise the Statement of Proposal, draft Policy and draft Bylaw before commencing formal consultation.

#### *Disadvantages:*

- Council is required adopt a new bylaw prior to the automatic revocation of the current Bylaw in June 2027. Delaying consultation could risk the review not meeting this timeline, and Council not fulfilling its statutory requirements under the Dog Control Act 1996.

### Advice

68. This report recommends **Option 1** as it will enable Council to continue the process for developing a new bylaw and policy.

### Consultation Process | Hātepe Matapaki

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### Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

69. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because while the draft Policy and draft Bylaw may result in a range of amendments that could change the control of dogs across the district and may be of high community interest, this report is not requesting that a draft Policy or draft Bylaw be adopted for implementation, and the current Policy and current Bylaw will remain in place until such time that the necessary adoption decisions are made by Council.

70. The persons who are affected by or interested in this matter are dog owners, industry stakeholders (i.e. veterinarians, dog walkers), conservation groups and the community and visitors to the district.

71. Early engagement has been undertaken, and feedback has been incorporated into the process and analysis to-date.

72. It is proposed that consultation on a draft Policy and draft Bylaw would be undertaken using the Special Consultative Procedure outlined in sections 83 and 86 of the LGA. The Special Consultative Procedure requires that Council adopts a formal Statement of Proposal, has a consultation period of not less than one month, and allows people to present their views to Council in a manner that enables spoken interaction, such as by having a hearing.

73. In accordance with section 83 of the LGA, it is proposed that Council will encourage people to give feedback by making the draft Policy, draft Bylaw, Statement of Proposal, Summary of Proposal, and associated supporting material as widely available as is reasonably practicable and by:

- a. enabling people to provide their views on the draft Policy and draft Bylaw by way of a survey on Council's 'Let's Talk' website, or by email, post or hand delivery.
- b. having the Summary of Proposal and Statement of Proposal accessible on Council's 'Let's Talk' website,
- c. placing advertisements in local newspapers and radio stations,
- d. directly notifying (via email) known stakeholders,
- e. emailing all registered dog owners to advise them of the consultation process,
- f. promoting the consultation on Council's social media pages.

### Māori Consultation | Iwi Rūnaka

74. Staff have engaged with the appointed Kāi Tahu representative on the Climate Reference Group (CRG) in relation to sites of ecological significance to discuss the impact of dogs on these sensitive environments and whether controls on dogs are required or appropriate. Advice and feedback have informed analysis and options. Kāi Tahu will have an opportunity to provide input as part of formal consultation.

### Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

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75. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

76. Approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by ensuring QLDCs bylaw and policy provides the most efficient and effective provisions for it to fulfil its obligations under the Act and LGA..

### Financial Implications | Kā Riteka ā-Pūtea

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77. The costs associated with developing a draft Policy and draft Bylaw including officer time and communication activities will be met within current budgets. The recommended option before Council does not propose any changes to Council operations that would require additional funding.

### Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

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78. The following Council policies, strategies and bylaws were considered:

- Strategic Framework including the Vision Beyond 2050
- Significance and Engagement Policy 2024
- Enforcement Strategy and Prosecution Policy 2021
- Climate and Biodiversity Plan 2025-2030
- Reserve Management Plans
- Queenstown Lakes Spatial Plan
- Blue Green Network
- Open Spaces Strategy

- Destination Management Plan
- Operative and Proposed District Plans

79. The recommended option is consistent with the principles set out in the instruments named above.

80. Provision for bylaw review and ongoing enforcement is identified as part of QLDC's regulation functions and services in the 2024-34 Long Term Plan.

#### Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

##### **Is the proposed draft Bylaw the most appropriate form of bylaw? (LGA s.155(2)(a))**

81. In general, the draft Bylaw is considered to be the most appropriate form of bylaw because it provides an accessible single repository for all relevant regulatory matters, is appropriately concise, and there are no other appropriate documents or bylaws that could reasonably be applied to achieve QLDCs dog control roles and responsibilities. QLDC has also used a standalone dog control bylaw since at least 2006, continuing this approach would provide regulatory consistency for residents and Council officers.

82. The bylaw development process found that certain aspects of the current Bylaw could be improved. The amendments proposed improve both the format and approach of the current Bylaw as well as aligning it with the proposed amendments to the draft Policy. Furthermore, a range of amendments are proposed to improve the clarity and usability of document for all users.

##### **Consideration of the Act's 10(4) matters**

83. Section 10AA(2) of the Act states that Council must make its s.155 determinations in the context of a reconsideration of the matters in section 10(4) of the Act.

84. The proposal will help minimise danger, distress, and nuisance to the community from dogs generally (s10(4)(a)) by applying targeted, place-based dog control measures commensurate to the risks present. The proposal introduces greater controls in areas with high visitation, active travel use, areas with protected wildlife, and places frequented by children, (s10(4)(b)), where uncontrolled dogs may present heightened safety risks.

85. By requiring dogs to be under effective control and providing clear, easily understood rules for leash, off-leash, and prohibited areas, the draft Bylaw seeks to reduce the potential for conflict, intimidation, and nuisance, while enabling residents, families, visitors, and other users to safely access and enjoy public places without fear of attack or harassment from dogs (s10(4)(c)).

86. While there are amendments proposed to dog access rules across the district which will result in changes to the ability for owners to address the exercise and recreational needs of dogs, the subject changes are targeted and commensurate to the issues present in these locations. A wide range of public places in the district remain available for owners to address the exercise and recreational needs of dogs (s10(4)(d)).

**Does the proposed new bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA)? (LGA s.155(2)(b) and (3))**

87. Council is required to determine whether the draft bylaw gives rise to any implications under the NZBORA, which grants certain civil and political rights to people in Aotearoa New Zealand. In accordance with s.5 of the NZBORA, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.
88. There are potential limitations on the freedom of movement of dog owners when accompanied by their dog, these limitations (i.e. prohibitions in certain areas and leash requirements on other trails/reserves) are considered to be justified because they protect the safety of children, minimises conflict between dogs and other people and that it is only the dog that has restricted access to public places, not the owner (exemptions for those dependent on disability assist dogs is clarified in the bylaw).
89. Alongside these proposals, it is noted that the draft Policy and Bylaw retain an overall permissive setting for the district and dog owners still have off-leash access across many public places across the district if they have effective control of their dog. This provides freedom for owners to enjoy reserves, parks and recreational tracks with their dog and the ability to adequately exercise their dogs.
90. On balance, officers consider that any restrictions in the draft Policy and Bylaw's are demonstrably justified and present reasonable limits on the rights and freedoms contained within the NZBORA, and do not unreasonably interfere with any of the rights contained in the NZBORA. As such, it is advised that the draft Bylaw is consistent with the NZBORA.

**Special Consultative Procedure requirements**

91. As aforementioned, Council is bound by the LGA when making or reviewing bylaws. The base determination, notification, and consultation procedures set out under sections 155, 156 and 157 of the LGA apply. It is proposed that consultation on the draft Bylaw would be done using the Special Consultative Procedure outlined in sections 83 and 86 of the LGA (as outlined in the earlier Consultation Process section).

**Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka**

92. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. As it will ensure that Council meets its legislative obligations and addresses perceived dog control issues in the district, under section 145 of the LGA. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

93. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

**Attachments | Kā Tāpirihaka**

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|   |                                                                    |
|---|--------------------------------------------------------------------|
| A | Statement of Proposal – Dog Control Policy and Bylaw Review        |
| B | Draft Dog Control Policy 2027, Te Kaupapahere Whakahaere Kurī 2027 |
| C | Draft Dog Control Bylaw 2027, Te Ture ā-rohe Whakahaere Kurī 2027  |
| D | Summary of Proposal – Dog Control Policy and Bylaw Review          |
| E | Dog Control Policy 2020                                            |
| F | Dog Control Bylaw 2020                                             |