

Attachment C: Assessment of appropriateness of bylaw for key topics

Topic and perceived problems that may be regulated by a bylaw Topics specific to the dog control policy will be addressed in future reporting.	What tools could be used to address perceived problems? Is a bylaw the most appropriate tool to address the perceived problems? Most appropriate tool shaded green.	Insights from community early engagement	Councillor feedback on topic	Preliminary staff analysis on amendments to the bylaw (and policy) Analysis is ongoing
Control of dogs in public places				
<p>Topic: Regulate control of dogs in public places</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Increasing numbers of people and dogs in the district. Growing call for more public spaces where dogs are required to be on leash. Potential danger, threat, distress and nuisance to the community if dogs are permitted public spaces without appropriate controls (such as public footpaths, town centres, cemeteries). Potential risks to the safety of children in places where children are likely to frequent (i.e. schools, playgrounds, sports fields). 	<p>A bylaw could be used to regulate that a dog is prohibited or must be controlled on a leash in certain locations or at specified times, through Section 20(a-d) of the Act (the Act) (status quo). A bylaw is the only mechanism that allows for the site-specific control and enforcement of dogs in public places.</p> <p>The default position in the Act's that <i>'dog must be under control at all times'</i> and could be relied on for control of dogs in public places, this would be is enforceable. However, does not provide rules for specific places (i.e. prohibited at school grounds, on leash at cemeteries).</p> <p>Signage and communications could be used to communicate public places where dogs are not allowed or need to be controlled on a leash. These rules would not be enforceable.</p>	<p>Strong community support for existing leash rules (83%).</p> <p>Increasing numbers of people and dogs in reserves. Reserves with playgrounds, BBQ areas, skateparks and pump tracks are increasingly busy spaces and where children are likely to frequent.</p> <p>Community survey respondents raised the need for dogs to be on leash in busy areas and in some reserves. 51% of non-dog owner respondents disagreed with the off-leash reserves rules.</p>	<p>General agreement that the status quo is largely working well.</p> <p>Agreed there is scope for targeted improvements and appropriate to consider changing specific reserves to require dogs to be on leash areas or impose condition-based rules (i.e. while organised games are being played).</p> <p>Appropriate on-lead, lakefront/town centre, high intensity areas or on sportsground, when games are being played.</p> <p>Recommended inclusion of pump tracks alongside playgrounds and skateparks as on-leash areas in the bylaw.</p>	<p>If determined that a bylaw is the appropriate tool, continue to regulate places where dogs are required on-leash or prohibited and consider making the following amendment.</p> <p>Consider adding provision in the draft bylaw to require dogs to be controlled on a leash on 'sportsgrounds while organised games are being played'.</p> <p>Consider adding a provision into the draft bylaw, to require dogs to be controlled on a leash on 'playgrounds and sports areas' which would be inclusive of playgrounds and skateparks (status quo), with the addition of pump tracks, tennis and netball courts.</p> <p>Consider requiring dogs to be controlled on a leash across more reserves. Preliminary analysis of reserves showed the following reserves have high visitation and proximity to town centres and may require additional leash controls on dogs:</p> <ul style="list-style-type: none"> O'Regan Park (Queenstown). St Omer Park (Queenstown). Village Green (Queenstown). Buckingham Green (Arrowtown). Roy's Bay Recreation Reserve (Wānaka).
<p>Topic: Regulate control of dogs on tracks and trails</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Tracks are increasingly busier; some have become key commuting routes. Concern about fast moving cyclists and dogs being off leash on shared paths. Threats to public health and safety (including attacks, injuries, fear, intimidation) where dogs are permitted off leash on tracks and trails. 	<p>A bylaw could be used to specify control of dogs across tracks and trails, through Section 20(a-d) of the Act (status quo). A bylaw is the only mechanism that allows for the site-specific control and enforcement of dogs in public places.</p> <p>The default position in the Act's that <i>'dog must be under control at all times'</i> and could be relied on for control of on tracks and trails, this would be is enforceable. However, it does not establish rules for specific trails (if required).</p> <p>Signage and communications could be used to encourage shared trail safety and advise where dogs should be on leash. These rules would not be enforceable.</p>	<p>Overall, 81% of respondents somewhat or definitely agreed that the rules are still appropriate.</p> <p>Views among non-dog owners were more mixed: 38% agreed, while 57% disagreed. Some respondents in the community survey expressed concern about fast-moving cyclists and dogs being off leash on shared paths.</p>	<p>Councillors recognised growing pressure on key commuter and high-use shared trails, especially interactions between off-leash dogs and fast-moving cyclists.</p> <p>Recommended trail specific approach considering high use trails, commuter/active travel networks, while noting that some trails remain appropriate as dog off leash exercise areas.</p> <p>Recommended including trail specific approach as well as a broad on-leash rule for all trails in options for the public consultation.</p>	<p>If determined that a bylaw is the appropriate tool, continue to regulate the control of dogs on tracks and trails through the bylaw and consider the following amendments.</p> <p>Consider requiring dogs to be controlled on a leash across specific trails where there may be high visitation and interaction between dogs/walkers/cyclist. Preliminary analysis identified trails which may require additional leash controls for dogs:</p> <ul style="list-style-type: none"> Frankton Track (Frankton Marina to Park St). Lakeside Trail (Wānaka). Mt Iron (Wānaka). Outlet Track (Wānaka). <p>Consider option of a broad change to require dogs to be on leash across all tracks and trails. For this option staff would need to clearly define tracks and trails in the bylaw.</p>
<p>Topic: Permit places to be dog exercise areas (off leash area)</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Ensure adequate and appropriate areas that provide for the exercise and recreational needs of dogs. Broad off leash dog access risks potential danger, threat, attack, distress and nuisance to the community. 	<p>A bylaw could be used to permit designate areas that a dog is permitted off leash, through Section 20(a-d) of the Act (status quo). A bylaw is the only mechanism that allows for the site-specific control and enforcement of dogs in public places.</p> <p>The default position in the Act is that <i>'dogs must be under control at all times'</i> could be relied on this would permit dogs to be off leash and would enable enforceability if not under control.</p>	<p>Majority of respondents (83%) somewhat or definitely agree that the current rules remain appropriate.</p> <p>There were some requests for more off leash dog areas in the community survey i.e. removing existing controls. Where controls in place, there is rationale for these (i.e. proximity to busy Queenstown CBD, place is frequented by</p>	<p>Agree current rules are generally working and remain appropriate.</p> <p>Acknowledged permissive settings where dog exercise is provided for and where there are controls in place, there are clear rationale for rules.</p> <p>Agreed, that status quo is most appropriate, no further expansion of off leash areas is needed.</p>	<p>If determined that a bylaw is the appropriate tool: continue to designate dog exercise areas, consider non-regulatory interventions (i.e., communication about off leash dog exercise areas and provision of a fenced dog park) and consider the following amendments:</p> <p>Clarifying the status of publicly accessible Land Information New Zealand (LINZ) land in relation to the Act and the Bylaw. This will entail specifying sites as designated dog exercise areas. Operationally, this land is currently treated as off leash areas, however the complexity of the bylaw and the Act mean dogs are technically required to be on leash (clause 4(2)(c) of the Bylaw) except where it meets the definition of "reserve". Analysis will be undertaken to consider these sites, the appropriate dog access rules, and where appropriate, designate sites as dog exercise areas.</p>

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	<p>Non-regulatory interventions (i.e. signage) could be used to communicate where dogs should be exercised off leash and provision of fenced, off leash dog park(s) could provide specific, off leash dog exercise areas.</p>	<p>children, sensitive areas in cemeteries etc.).</p>		
<p>Topic: Control of dogs in reserves where there are sensitive environment or wildlife</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Public places in the district contain biodiversity values. QLDC recently adopted the Climate and Biodiversity Plan 2025-28 which places a strong emphasis on indigenous biodiversity. The absence of dog controls risks threats, disruption or nuisance of sensitive wildlife and environments. High community support for protection of sensitive environments with dog controls. 	<p>A bylaw could be used to apply site-specific controls that specify where dogs must be controlled on a leash or prohibited through Section 20(a-d) (status quo). A bylaw is the only mechanism that allows for the site-specific control and enforcement of dogs in public places.</p> <p>Signage and communications or other methods (i.e. fencing) could be used to protect sensitive areas. Although, these would not be enforceable.</p> <p>Environmental protections provided for through the Conservation Act and National Park Act could be relied on. Although, these do not provide protections for council reserves or other public places that also have identified biodiversity values.</p> <p>Protections provided for in the District Plan for Significant Natural Areas could be relied on to protect these areas. Although, these only extend to earth worths, removal of vegetation etc.</p> <p>Reserve management plan can set policy-level rules or controls for the protection and preservation of values. Although these policies cannot directly create enforceable offences or penalties.</p>	<p>Survey respondents support introducing measures for sensitive environments, particularly for ground-nesting bird habitats and wetlands.</p>	<p>Support for protecting ecologically sensitive environments, where supported by evidence.</p> <p>Proceed with further investigation of a spectrum of regulatory options, including:</p> <ul style="list-style-type: none"> temporary changes in specific areas during certain times (i.e. seasonally), changes to specific reserves to require dogs to be on leash or prohibit. <p>Preference for clear rationale and education explaining why restrictions apply.</p>	<p>If determined that a bylaw is the appropriate tool, continue to regulate places where dogs are required on-leash or prohibited and make additional targeted amendments.</p> <p>Changes to the current Bylaw would require an analysis of locations within the district that have recognised biodiversity values. In order for these locations to be within scope of a bylaw, they would need to be a 'public place' as defined in the Act. Analysis would need to be undertaken to:</p> <ul style="list-style-type: none"> determine the nature and scale of impacts that dogs may have on the identified values, and what sort of controls may be necessary and proportionate to manage these impacts. <p>Preliminary analysis indicates that the following QLDC reserves contain biodiversity values and may require additional controls on dogs:</p> <ul style="list-style-type: none"> Otago Regional Council determined regionally significant wetlands: <ul style="list-style-type: none"> Lake Hayes Wetland and walkway. Lagoon Reserve in Albert Town. Shotover Wetlands (section of Kawarau Bridge Down Stream trail). Glenorchy Lagoon. Kinloch Wetland. Mātau (Pig Island) and Wāwāhi Waka (Pigeon Island). Wanaka Lakefront Boardwalk. Tucker Beach Trail. Ruby Island. Mt Iron. Bullock Creek. Lake and river edges (including braided rivers) (as part of the consideration of LINZ land) Kawarau Riverside Reserve. <p>Preliminary analysis indicates that the following significant natural areas (SNAs) (as identified in the Proposed District Plan) contain biodiversity values and may require additional controls on dogs:</p> <ul style="list-style-type: none"> SNA ref D1B – Kingston Road/SH6 SNA ref E18C (and E18D) – Mt Iron SNA ref G28A – Bush Creek trail SNA ref 126A - Gorge Road Wetland/Matakauri Reserve SNA ref C14A – Wye Creek SNA ref C24A – Drift Bay SNA ref D7A – Von Road
<p>Topic: Determine requirements of effective control</p> <p>Perceived problems:</p>	<p>A bylaw could be used to prescribe what is required to have 'effective control' in a public place. A bylaw is the only mechanism to specify requirements for 'effective control' and provide enforceability.</p>	<p>Respondents in the community survey raised that off-leash access is only appropriate when dogs are under effective control.</p>	<p>Acknowledged current provisions that refer to 'effective control by voice, or signal' and 'immediately leash and bring the dog under</p>	<p>If determined that a bylaw is the appropriate tool, clarify definition for effective control in the bylaw. A draft definition could read as follows "dog owners must: <i>actively pay attention to be aware of where the dog is and what it is doing; ensure the dog is responsive to commands, with prompt recall; be close enough to the dog to</i></p>

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<ul style="list-style-type: none"> Community safety concerns with dogs rushing or having poor recall. Permitting dogs access while not under effective control risks potential danger, distress and nuisance to the community and public health and safety (including attacks, injuries, fear, intimidation or nuisance). 	<p>The Dog Control Act Section 5(1)b, 52 and 52a which only broadly refers to ‘an owner must all times be under control’ could be relied upon. It does provide enforceability however <u>not</u> specify the means of control (status quo).</p> <p>Non-regulatory tools (communications, training, education) could be used to improve understanding and ability to maintain effective control. This would not improve enforceability.</p>	<p>Safety concerns with dogs rushing or having poor recall.</p> <p>Community and stakeholders during early engagement emphasised the importance of effective control and need to further clarify what ‘effective control’ it requires.</p>	<p>control if the dog causes a nuisance’.</p> <p>Agreed to regulatory intervention to provide further clarity of the requirement and improve enforceability for effective control.</p>	<p><i>quickly prevent any issues; and ensure it the dog is not creating a nuisance to any other person, or to any stock, poultry, domestic animal, or protected wildlife.”</i></p>
Fouling in public places				
<p>Topic: Collection of dog waste</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Community concern over dog waste not being collected. Potential health and safety risk to community or general nuisance of dog waste not being collected. 	<p>A bylaw could be used to require dog owners to collect dog waste immediately in public place (status quo). There is no other mechanism to specify the rule and provide enforceability.</p> <p>The Act outlines general obligations of dog owners. Although this isn’t specific to collect waste and there are <u>no</u> enforcement powers.</p> <p>Include direction in the Policy, although this would not have enforceability.</p> <p>Non regulatory interventions could be used (i.e., communications, education, training events, increase provision of dog waste bins and bag dispensers).</p>	<p>Respondents in the community survey expressed concern over dog waste (i.e. Hanleys Farm, Mt Iron and on trails) not being collected in reserves and trails.</p>	<p>Agreement that existing enforcement powers in the existing Bylaw are sufficient.</p> <p>Agreed importance of further non-regulatory intervention to enable graduated enforcement approach and achieve compliance.</p>	<p>If determined that a bylaw is the appropriate tool, maintain existing provision in the Bylaw and continue non-regulatory interventions (i.e. increase provision of dog waste bins and bag dispensers).</p>
Diseased or female (in season)				
<p>Topic: Manage diseased or female (in season) dogs confined</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Potential impacts of dogs in season or health and safety risks of infectious diseases to are not managed and affect other animals and dogs. 	<p>A bylaw could be used to require dog owners to confine a dog in season or if diseased as provided for in Section 20(1)(i) (status quo). There is no other mechanism to specify for the control of dogs in season or if diseased and provide enforceability.</p> <p>Include direction in the Policy, although this would not have enforceability.</p>	<p>No specific comments relating to this issue.</p>	<p>No comments.</p>	<p>If determined that a bylaw is the appropriate tool, maintain existing provision in the Bylaw.</p>
Multiple dog licence				
<p>Topic: Manage the number of dogs that can be kept on one premise</p> <p>Perceived problems:</p> <ul style="list-style-type: none"> Potential nuisance to the community, generally and public health and safety where there are more than multiple dogs on one premise. 	<p>A bylaw could be used for the enforcement of policy by including provision in bylaw and associated fees and enforcement, as provided for in Section 20(1)(f) (status quo). There is no other mechanism to regulate number of dogs permitted on one premise and provide enforceability.</p> <p>Maintain guidance in the Policy, although this would not have enforceability.</p> <p>The Act outlines the obligation of dog owners. There are no specific rules relating to the number of dogs per premise.</p>	<p>No specific comments relating to this issue.</p>	<p>No comments.</p>	<p>If determined that a bylaw is the appropriate tool, maintain existing provision in the Bylaw.</p>
Temporary exemption				

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Topic: Provide for temporary changes to dog access rules Perceived problems: <ul style="list-style-type: none"> The bylaw may unintentionally restrict or inhibit specific events or Council activities—such as dog training events—even where these activities are consistent with the objectives of the dog control policy. Potential health and safety risk to community or animals if events or activities where dog access rules may not be suitable for a temporary period of time while activity is underway i.e. pest control. 	A bylaw could be used to allow Council to temporarily change dog access rules (status quo). Other mechanism to make exemption to dog control access rules are more complex and less efficient. The Act enables the review of the Policy, subject to Special Consultative Procedure.	No specific comments relating to this issue.	Interested to understand flexibility in the Policy and Bylaw for Council to make temporary changes by resolution without a full review of the bylaw (i.e. exemption changes to consider for ecological values (also for example Frankton track construction and shutting down the track).	If determined that a bylaw is the appropriate tool, maintain existing provision in the dog control bylaw and make the following amendment. Amendment to better enable Council to make temporary changes (by resolution) in relation to organised events, dog training events, the protection of wildlife vulnerable to dogs or for pest control activities. This would include clear protections (as provided in the existing Bylaw) that any change must align with the purpose of the Act, objectives of the Policy and to preserve public safety.
Additional topics				
Topic: Barking and roaming issues Perceived problems: <ul style="list-style-type: none"> Dogs excessively barking, or dogs freely roaming (not under control) risk potential danger, threat, distress and general nuisance to the community. Repeated concern and complaints from community via RFS. 	Guidance could be included in the Dog Control Policy about what ‘responsible dog ownership’ means and what is expected of dog owners (new). Section 5 of Dog Control Act as well as ss.54A, 55, 56, 57 and 65 (and associated Schedule 1) could be relied on. Enforcement provided for under the Act (status quo). Non-regulatory tools could be used (i.e. communications, education and training events, lending of bark collars and improved signage and clarity of dog control map). Investigate further possible provision to further regulate via the bylaw.	Respondents in the community survey expressed concern over owners not adhering to rules to have a dog on a leash. Also, complaints about roaming dogs (Luggate, Hanleys Farm and Hāwea) and dogs barking.	Agreement that existing enforcement powers in the Act and existing Bylaw are sufficient and non-regulatory intervention important to enable graduated enforcement approach and achieve compliance. Recommended providing greater clarity of what responsible ownership requires.	Amend the Policy to include what ‘responsible dog ownership’ means and what is required and continue non-regulatory interventions.
Topic: Reserves and trails with lease and easement agreements which rule prevail Perceived problems: <ul style="list-style-type: none"> Staff raised that land with easement or lease agreements may have dog access rules that differ from the policy/bylaw. Lease/easement rules prevail over the policy/bylaw. The bylaw does not recognise legal arrangements for these land parcels currently. 	A bylaw could be used to clarify (through a provision or explanatory note) the rules for trails with easements and leases agreements may prevail (new). Non-regulatory tools could be used (i.e. signage where easement or lease conditions apply). Status quo (no provision or note for lease or easement agreements)		Agreed to clarify the rules for trails with easements to reflect current practice, permitting dogs to be off leash, unless lease or easement rules determine otherwise.	If determined that a bylaw is the appropriate tool, clarify through bylaw wording the rules for trails passing through land subject to easements and leases.