Te Arotake i te Ture ā-Rohe Kararehe, te Kaupapahere Kurī me te Kaupapahere Kararehe Kāinga

Animal Bylaw, Dog Policy and Domestic Animal Policy Review

Tauākī Tono Statement of Proposal | September 2023

Absolutely Positively **Wellington** City Council
Me Heke Ki Pōneke

Ngā ihirangi
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Cover: Ollie and Harley enjoy the beach - photo by Yvonne

Some of the pictures in this document are here thanks to the wonderful Wellingtonians who shared over 700 paw-some photos of their pups with us!

He kupu whakataki
Introduction

Wellington City Council would like to thank the nearly 5,000 people who participated in the early engagement phase of our review into the Domestic Animal Policy and Dog Policy (policies), and the Wellington Consolidated Bylaw 2008, Part 2: Animals (bylaw). Your valuable feedback has helped shape the proposed changes to these documents.

As we progress into the formal consultation phase of our review, we are eager to continue the conversation and hear your thoughts on our draft proposal. When it comes to animals, there are many people involved and lots of views to consider. With this in mind, we have decided to review the policies and bylaw that include dogs, cats, bees, poultry, and stock at the same time.

This Statement of Proposal is designed so that you can focus on the areas and animals that interest you the most. Each section presents a summary of the recommended changes along with the reasoning behind them.

Section 1: Outlines the proposed policy and bylaw changes related to dogs.

Section 2: Outlines the proposed policy and bylaw changes for 'other animals', including cats, poultry, bees and stock. Why are we reviewing the policies and bylaw?

He aha mātou e arotake nei i ngā kaupapahere me ngā ture ā-rohe?
Why are we reviewing the policies and bylaw?

The current policies and bylaw were last reviewed in 2016/17. Since then, there has been a noticeable increase in animal ownership within Wellington City (Wellington). To address this evolving situation and ensure alignment with the growing values Wellingtonians place on biodiversity conservation and the protection of native species, we have initiated a proactive review of our policies and bylaw. This review process also allows us to incorporate insights from animal-related complaints and observations shared by our service delivery staff, enabling us to fine-tune areas for improvement and ensure the policies and bylaw remain relevant and effective for the city.

He aha te rerekē o ngā kaupapahere i ngā ture ā-rohe?
What is the difference between the policies and bylaw?

In general, policies act as a set of guidelines or principles and offer a framework for decision-making, while bylaws consist of local rules and regulations with the force of the law. For example, the Dog Policy outlines specific areas where dogs can be exercised off-leash, while the Animal Bylaw empowers the Council to issue infringements if a dog is found off-leash in an on-leash area.

Me pehea te whakarato i to urupare i runga i nga huringa e whakaarohia ana

How to provide your feedback on the proposed changes

The Council highly values public input and encourages everyone, whether they own an animal or not, to give their feedback. We welcome feedback on the draft policies and bylaw through various channels, including:

Make an online submission at **letstalk.wellington.govt.nz**

Email your submission to **policy.submission@wcc.govt.nz**

Complete the submission form and return it to Wellington City Council.

Provide an oral submission. Information on the hearings process and what to expect can be found at **wellington.govt.nz/your-council/meetings/speaking-at-meetings**

You can get physical copies of the submission form at the Arapaki Service Centre and Council libraries.
If you need more copies, please email **policy.submission@wellington.govt.nz** or phone the Council on **04 499 4444**.

Ka ahatia aku kōrero whakahoki?

What will happen with my feedback?

Your feedback will be considered by Council officers and elected members before reaching a final decision on the updated policies and bylaw. We will also release a summary of submissions report so that you can see how your feedback has influenced the final decision-making process.

The Council highly values public input and encourages everyone, whether they own an animal or not, to give their feedback.

Cooper in Evans Bay - photo by Emma

Ngā rangi matua
Key dates

Aug 2022-May 2023

Early engagement phase with the public and stakeholders.

31 Aug 2023

Kōrau Mātinitini | Social, Cultural, and Economic Committee approves public consultation of the draft proposal for the Dog Policy, Domestic Animal Policy and Animal Bylaw.

18 Sep-18 Oct 2023

One-month period of public consultation on the Dog Policy, Domestic Animal Policy, and Animal Bylaw.

1 Nov 2023

Members of the public and interested organisations can provide an oral submission on the proposed changes.

Note these are indicative dates only and may be subject to change depending on Committee schedule and the number of submissions received during the consultation process.

16 Nov 2023

The Council will release a summary of submissions report, detailing the outcomes of formal consultation and its impact on the final proposal. This will include the recommendations for the final policies and Animal Bylaw.

23 Nov 2023

Kōrau Mātinitini | Social, Cultural, and Economic Committee will decide whether to adopt the final versions of the Dog Policy and Domestic Animal Policy. They will provide recommendations to Council on whether to adopt the Animal Bylaw.

14 Dec 2023

The Council decides whether to adopt the Animal Bylaw.

Policies act as a set of guidelines or principles and offer a framework for decision-making, while bylaws consist of local rules and regulations with the force of the law.

Ka pēhea te whakamahia o aku taipitopito whaiaro? How will my personal details be used?

Submissions including your name/organisation and opinions may be published online as part of the summary of submissions report.

With the exception of your name/organisation, we will redact certain personal details from your submission before publishing it online. This includes email addresses, phone numbers, I.P addresses, and demographic information that may have been collected during the Kōrero mai | Let's Talk sign-up process. Please note that you should not include any personal information in the free text/opinion fields in your submission if you do not want it to be made publicly available.

Your contact details (for example phone number, email) provided during the submission process may be used by Council officers working on the review and elected members if they wish to contact you about your submission. For further details around privacy, please see our extended Privacy Statement. All information collected will be held by Wellington City Council in accordance with the Privacy Act 2020. You have a right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong.

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Charlie in the golden glow - photo by Jaimee

E hāngai ana rānei tēnei arotakenga ki te New Zealand Bill of Rights Act 1990?

Is this review consistent with the New Zealand Bill of Rights Act 1990?

Local authorities have the authority to create bylaws concerning animals under the Local Government Act 2002, Health Act 1956, and the Dog Control Act 1996. To ensure compliance with the New Zealand Bill of Rights Act 1990 (NZBORA), local authorities need to carefully consider the human rights implications associated with the creation or review of any bylaw. This includes assessing whether any restrictions on rights are reasonable and demonstrably justifiable in a free and democratic society.

The Council does not believe the bylaw (including the proposed changes) is inconsistent with the NZBORA. To the extent the bylaw restricts any rights, the Council considers any restrictions reasonable and demonstrably justifiable in a free and democratic society. The Council has reached this conclusion taking into account the following matters: animal welfare, the protection of public safety, minimising nuisance, the preservation of native wildlife and encouraging responsible pet ownership. The bylaw review largely focuses on administrative procedures related to animal control, such as outlining the conditions for keeping animals, stray animal management, and areas where dogs can be exercised off-leash. Given the significant community interest in animal ownership, clear rules established through bylaws help the public in understanding their responsibilities and supporting existing animal welfare legislation.

Clear rules established through bylaws help the public in understanding their responsibilities and supporting existing animal welfare legislation.

Joey takes a paws - photo by Chewy

Wāhanga 01

Ngā Kurī
Dogs

Takenga
Background

Since the last review of the Dog Policy in 2016, Wellington has experienced a notable 39% increase in dog registrations.

This surge in numbers can be attributed to the impact of the COVID-19 pandemic, which brought about changes in work arrangements for many and made caring for dogs more convenient. Our research indicates many Wellingtonians find companionship in dogs and hold a deep appreciation for the emotional support and improved physical wellbeing they provide.

There are currently around 16,000 dogs in the register, and this number is expected to grow alongside the projected population increase and city intensification[1]. In light of this, we have undertaken a comprehensive look into our current off-leash provision, evaluating the number of designated spaces we provide where dogs can roam freely without a leash. As part of this review, we have analysed what we have, where we have it, and what people think of the spaces. Underpinning this review is our commitment to consider the impact that the placement of each off-leash area has on the natural environment and biodiversity.

Luca - photo by Thea

1 Over the next 30 years, Pōneke is projected to grow between 50,000 and 80,000 people. Two-thirds of this is anticipated in the northern and central areas. Source: Sense Partners and Stats NZ.

1:16

ratio for dogs-to-people

3

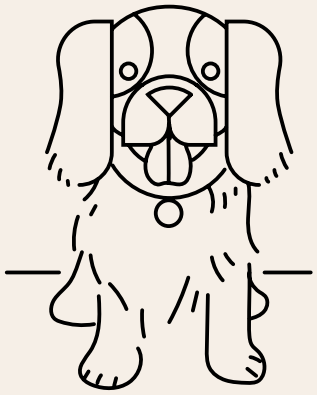
suburbs with the highest dog populations are Karori, Tawa and Khandallah

He hokinga mahara wawe mō ngā hui tōmua
A quick recap on early engagement

The Dog Policy Review was one of the Council's top projects on our Kōrero mai | Let's Talk platform, with over 1,700 engaged users who provided an impressive 4,300 responses. All registered dog owners were notified of the surveys going live and the notice of the review was also published on our website. Here is a quick recap of the six activities that we ran during early engagement:

Activity	What we wanted to find out
Have we hit the mark?	This survey was designed to assess the level of importance that the public placed on six different focus areas. The focus areas in order of importance are: 1. Investigate solutions to accommodate the increase of city-dwelling dogs (87%) 2. Review amount of off-leash dog exercise areas in Wellington (86%) 3. Encourage responsible dog owners and promote the responsible dog owner scheme (85%) 4. Consider bio-diversity outcomes to protect our wildlife (78%) 5. Provide better transparency to dog owners of where registration fees go (67%) 6. Explore opportunities to create "Destination Dog Parks" (63%) The % represents respondents who rated the statement "important" or "very important" (Sample: 997).
Rate my dog park	This survey provided the public with an opportunity to rate the various dog exercise areas in Wellington using a scale ranging from very poor to very good. This helped us to understand what people like and do not like about dog exercise areas, and gauge how well-used the park is based on the number of submissions received. In total, we received 1,290 ratings across more than 60 dog exercise areas in Wellington. Here are the key findings: • 42% of the parks received an overall rating of "good" or "very good". • 32% of the parks received an overall rating of "average". • 26% of the parks received an overall rating of "poor" or "very poor".
A "Dog-Friendly Wellington"	This survey was designed to understand the public's perception of Wellington as a "dog-friendly" city and identify any potential areas for improvement. A total of 807 individuals participated in this survey, with the majority being dog owners (96%). Here are the key findings: • 53% of respondents either "somewhat agree" or "definitely agree" that "Wellington is a dog-friendly city", while 32% "somewhat disagree" or "definitely disagree". • 88% of respondents wanted to see the Council focus more on making the city more dog friendly. • 87% of respondents wanted to see more dog-friendly businesses and cafes in Wellington.

Activity	What we wanted to find out
Responsible Dog Owner Discount	This survey aimed to gauge public awareness and perceptions of the Council's Responsible Dog Ownership (RDO) scheme. We wanted to understand whether dog owners were aware of the available discounts, reasons for non-applications, and feedback from course attendees. Here are the key findings: • 86% of 787 respondents were already aware of the RDO discount. • 350 respondents had previously applied for the scheme, 95% of which reported to successfully achieve RDO status. • Feedback on the Dog Owner Education Course indicated 55% positive, 48% neutral, and 7% negative comments. • The main reasons for not applying were “too much hassle” and “I don’t know where to start”. • Other issues raised include “unfair” and “impractical” fencing criteria, a feeling of being “judged” if not an RDO, reluctance to prove responsible ownership through a course, frustration with having to reapply if the owner changed address, and perceived lack of financial incentive.
Pet Peeves and Pet Paw-sitives	This survey invited all members of the public to express their thoughts and preferences regarding dogs. The results shed light on the positive impact dogs have, with the strongest theme being “they make me feel happy and are good for my health”. The results also highlighted people's main concerns about dogs. Interestingly, 95% of respondents were dog owners, and even among them, the biggest pet peeves were "irresponsible dog owners" and "dog waste making streets and parks messy." Specific concerns focused on poorly socialised dogs lacking control when out with their owners.
Potential Dog Exercise Areas	This activity invited the public to ‘place a pin’ on the map to indicate areas where they believed an off-leash area would be beneficial. This input provided valuable insights into the community's preferences and the reasons behind their choices. We received over 200 pins that pinpointed over 50 unique areas of interest for us to explore as part of this review.



He whakarāpopototanga o ngā panonitanga e tonoa ana
Summary of proposed changes

This page summarises the key proposed changes concerning dogs as part of the Dog Policy and Animal Bylaw review.

More comprehensive information, including the reasons behind these proposed changes, can be found on pages 18–66.

Expand off-leash provision across ten suburbs in Wellington to increase the level of opportunities for dogs to engage in social interactions and physical activities with their owners and other dogs. This includes a range of provision options, including the designation of new off-leash areas (commonly referred to as dog parks or "Woof Woof Ruff" areas) in addition to off-leash walking trails in the following suburbs: Brooklyn, Berhampore, Grenada North, Grenada Village, Karori, Ngaio, Newlands, Tawa, Wellington Central and Woodridge.

Allow off-leash access to Oriental Bay Beach during off-peak hours (before 10am and after 7pm) in the warmer months (1 November–30 April) Dogs are currently allowed off-leash at all times between 1 May–31 October and are prohibited for the rest of the year (1 November–30 April). The proposed change allows dogs to be off leash for the remainder of the year during off-peak hours only (before 10 am and after 7 pm). We acknowledge that some members of the public may not feel comfortable around dogs. For those seeking a dog-free beach experience, Freyberg Beach (including the children's playground) is available within close proximity (less than 500 meters away) and strictly prohibits dogs at all times.

Restrict dogs from the Wishing Well area of Oriental Bay Parade in response to concerns around dog waste left on the lawn of this popular picnic location.

Swap around the "off -leash" and "prohibited" areas at Island Bay Beach to minimise the effect of dogs on the dune restoration in the western end of the beach.

Change the 'prohibited' requirement for Kaiwharawhara Park to 'on leash' except during sports activities Dogs are currently allowed off-leash at all times between 1 November–31 January and are prohibited for the rest of the year (31 October and 1 February). The proposed change allows dogs on-leash for the remainder of the year as long as sports activities are not in progress (if sports activities are being played, dogs are allowed on marked surfaces only). This aims to provide better utilisation of the space and provide more consistency with the Council's existing policy position regarding dogs on sports fields.

Modify the configuration of two existing off-leash areas to enhance children's play spaces in Tawa and Johnsonville with the aim of enhancing visibility and safety from the road at Willowbank Reserve and address the play provision gap at Flinders Place Recreation Reserve.

Convert two off-leash areas with 'on-leash' requirements to reduce user conflict and support wildlife conservation at Waimapihi Reserve (formerly Polhill) in Aro Valley and Alexandra Roadside of Hataitai Park.

Rename the "Responsible Dog Owner" (RDO) Status to "Accredited Dog Owner" (ADO) Licence to provide more formal recognition of the process and criteria requirements, and to address the sentiment of being unfairly judged as "irresponsible" as expressed by owners without the "responsible" status. An alternative name and rebrand of this scheme have already been implemented by other Councils, including Kapiti Coast, Upper Hutt, and Porirua. It is important to clarify that this proposed change relates solely to the terminology itself and does not impact the existing terms and conditions of existing Responsible Dog Owner status.

Decouple the RDO (proposed ADO) criteria from the Dog Policy to provide more flexibility in adjusting the criteria as needed over time, ensuring its relevance and effectiveness between policy reviews (which typically occur every 5–10 years). An example of this need for flexibility was observed during the COVID-19 lockdown when the Council could not modify the "property inspection" requirement without undergoing a formal policy review process. The updated criteria will be readily accessible on the Council website for transparency and convenience.

Other criteria changes to the RDO (proposed ADO) aims to enhance the scheme's uptake through making the criteria more accessible to a number of dog owners in Wellington, including those who are renting and/or those living in apartments. It also aims to clarify the Council's expectations regarding previously misunderstood criteria, such as the requirements for "fully fenced properties".

Introduce a bylaw requirement for dog owners to carry effective means of waste disposal in public places One of the biggest "pet peeves" from dog owners and non-dog owners alike was the presence of dog waste in Wellington. Implementing this requirement aims to address the problem and facilitate the handling of complaints by Animal Control Officers. Carrying proper waste disposal mechanisms will demonstrate responsible behaviour and intent from owners to clean up after their dogs.

Introduce a 'Dog-Friendly Wellington' section into the policy We want to acknowledge the deep bond that exists between people and their dogs and aim to create a policy that goes beyond a focus on "dog control". Our early engagement revealed that some dog owners believe the Council is actively restricting establishments from becoming "dog friendly". For the first time, this policy includes a section dedicated to a "Dog-Friendly Wellington", outlining the Council's role in enhancing the provision of dog-friendly spaces while taking into account the varying comfort levels of the public concerning dogs.

Introduce level of service categories for off-leash areas (Destination, Community and Local) to help dog owners understand what they can expect from our off-leash facilities and support future investment decisions made by the Council.

Draft Action Plan (Years 1–3) outlines the key areas of operational improvements that we have identified throughout the review. This includes exploring opportunities to create an off-leash area that incorporates designated "time-out zones" and fenced sections catering to both low and high-energy dogs (see next page).

Hale enjoys the tulips - photo by Stella

Mahere Mahi Hukihuki
Draft Action Plan (Years 1-3)

During the Dog Policy review process, we have identified key operational improvements that extend beyond the scope of the Policy itself. To effectively address these matters, we have created the following Action Plan:

Reference	Focus area	Actions
DAP1	Enhanced dog exercise areas	Explore the opportunities to create an off-leash dog exercise area in Wellington that incorporates designated time-out zones and fenced sections catering to both low and high-energy dogs.
DAP2		Investigate options to establish an off-leash exercise area in Miramar to accommodate the rising number of dogs and address the off-leash provision gap in the suburb.
DAP3	Increasing level of service	Investigate options for a higher maintenance schedule for mowing and turf renovation in more frequently used dog exercise areas to provide more frequent upkeep and visual appeal.
DAP4		Investigate options to support a 'fencing installation programme' (including partial fencing), with a focus on sites adjacent to roads to enhance safety and usability. Priority areas include the State Highway 1 side of Hataitai Park off-leash area on Ruahine Street.
DAP5	Enhancing information and education friendly	Provide comprehensive information of what to expect before visiting a dog exercise area. This includes website upgrades such as images of the off-leash area, accessibility descriptions, local amenities, parking availability, and size of the area.
DAP6		Review all signage placed in off-leash areas, including an assessment of the visibility of signage upon entry and the clarity of the guidance they provide regarding Council rules and nearby biodiversity considerations.
DAP7		Input all off-leash exercise areas into Google Maps to enhance public usage and convenience in locating these areas. This will involve adding the parks' names, addresses, coordinates, brief descriptions, park amenities, operating hours, and other details to Google Maps, providing users with comprehensive information on how to access and utilise these spaces effectively.

Reference	Focus area	Actions
DAP8	Enhancing information and education friendly	Conduct an analysis of the potential benefit of installing "etiquette boards" in more frequently visited exercise areas or areas that receive higher levels of complaints. *Etiquette boards would serve to provide clear guidelines and rules for visitors to follow while using the exercise area. These boards may include contact details for local animal control, tips for identifying signs of stress in dogs, and suggestions to prevent overcrowding.*
DAP9	Improving convenience and cleanliness	Audit the number and placement of bins in areas where dogs are commonly walked to improve the convenience to properly dispose of dog waste.

It is important to note that the implementation of individual actions is dependent on the availability of resources and/or funding. Funding will be considered through the standard Council budgeting processes, which include the Long-Term Plan or Annual Plan. The Action Plan will be open for formal consultation as part of this review process, and if approved, it will undergo review in 2027 (or earlier if required).

Some areas for improvement have already been integrated into the Council's work programme. These include:

- To streamline the dog registration process and address the increasing number of registrations, which currently averages 200 per month, we are implementing a faster and more efficient method for dog owners. By the upcoming 2023/24 registration cycle, we are taking a significant stride towards adopting a fully paperless system. This move aims to expedite the registration process and enhance convenience for dog owners while promoting environmental sustainability. Incorporating te reo Māori into our policy.
- Adding specifications to our City Design Guidelines that recommend new water fountains installed within the city should be equipped with dog bowls.
- Implementing more positive messaging around dogs in our communications and social media platforms to promote responsible dog ownership and community engagement.
- Conducting more frequent proactive patrols by Animal Control Officers, particularly in areas of high wildlife significance, to ensure the safety and protection of both wildlife and dogs.
- Increasing public awareness around breeding times of wildlife such as penguins and kiwi and consider protocols during these seasons.

Taipitopito, whai take hoki mō ia panonitanga e tonoa ana

Detail and rationale for each proposed change

Proposed change 1:

Expand off-leash provision across ten suburbs in Wellington

Rylee is stumped - photo by Casey Lee

What are we proposing and why?

We currently provide 66 off-leash dog exercise areas across Wellington (inland and beach) and four of these are fully fenced. Currently, around 75% of registered dog owners live within a 15-minute walking distance to an off-leash exercise area.

Although there is a number of off-leash areas in Wellington, we acknowledge the importance of fair coverage to accommodate existing demand and projected growth. We value both the convenience this brings to owners and the support this provides to owners without vehicles or those wanting to reduce car usage. Feedback from early engagement signalled the desire for more off-leash parks and bush walks. To address this, we propose to designate the following off-leash exercise areas:

	Exercise area	Suburb	Proposed change
1	Appleton Park	Karori	New off-leash area
2	Caribbean Drive	Grenada North	New off-leash area
3	Elliot Park	Brooklyn	New off-leash area
4	Mark Avenue	Grenada Village	New off-leash area
5	Mount Albert (multiple tracks within the Wellington Town Belt)	Berhampore	Establish a network of multiple off-leash trails surrounding the existing off-leash area in Mount Albert. It includes the area bordered by Melrose Park, Mount Albert Road and Russell Terrace.
6	Spicer Forest (multiple tracks)	Tawa	Establish a network of multiple off-leash trails within Spicer Forest. It may include Kēmu O Rua Haurua, Kiwi Cresent Ascent, Turbine Road and Victory Link. These interconnected trails provide a combined off-leash experience spanning roughly 6km, accessible from Kiwi Crescent, Chastudon Place and Ohariu Valley Road. *Important note: the reserve is part of a wider recreation park and operates as a joint venture between Wellington and Porirua City Council. The designation of any off-leash area is subject to public consultation and may require agreement between the Councils in addition to permission from the Wastewater Treatment Plant and Landfill Joint Committee, where applicable.*
7	Terrace Gardens	Wellington Central	New off-leash area
8	Trelissick Park	Ngaio	Extend the existing off-leash area at Trellisick Park onto Oban Street. This helps to keep the whole reserve as off-leash.
9	Hauora Reserve	Woodridge	Designate a new trail to take your dog off-leash on Hauora Reserve. This does not include the playground.
10	Wahinahina Reserve (Dennis Duggan Park)	Newlands	Extend the existing off-leash provision at Wahinahina Reserve by designating a new trail to take your dog off-leash from Ladbrook Drive to the reserve.

For a visual representation of the proposed changes, please refer to the maps provided in **Appendix 1**.

I suggested a dog exercise area, why is it not included?

We received over 200 submissions in our "Potential Dog Exercise Areas" early engagement exercise. Each submission was considered to help identify new off-leash opportunities. There are various reasons why we may not have proceeded with your suggestion, the most common including:

Conflicts with other users:

The suggested area experiences high recreational activity and allowing dogs off-leash could potentially clash with the activities of other users. An example of such an area is Mount Victoria summit walk.

Existing provisions:

The suggested area may already have an off-leash area nearby or may not be a priority focus area. Our analysis found some of the biggest gaps in proximity to off-leash exercise areas to be in the Northern suburbs, as well as Miramar and Brooklyn.

Outside Council boundaries or non-Council-managed land:

The suggested area may fall outside the jurisdiction of Wellington City Council or may be managed by another entity. An example of this is the Massey Memorial, which is owned by the Ministry for Culture and Heritage.

High biodiversity value:

The suggested area may be recognised for its significant biodiversity, such as Te Ahumairangi Hill and the Skyline track. In such cases, protecting the ecological value of these areas takes precedence over establishing a new off-leash dog area.

Potential conflict with sports field use:

The suggested area may currently function as a sports field, and allowing mixed-use or off-leash dogs could potentially compromise the field's condition for sporting activities. For instance, Anderson Park, although suggested as a potential off-leash area, is a popular spot for football, cricket, and touch rugby.

To provide greater transparency in the Council's decision-making process, the updated Dog Policy 2023 provides more detailed information on the considerations behind establishing, disestablishing, and prohibiting off-leash areas.

Proposed change 2:

Allow off-leash access to Oriental Bay Beach during off-peak hours (before 10am and after 7pm) in the warmer months (1 November–30 April)

Mabel's first trip to the beach - photo by Mollie

What are we proposing and why?

Oriental Bay Beach has been recognised as one of the top ten off-leash exercise areas in our "Rate my Dog Park" survey. Dog owners appreciate this beach for its convenient proximity to the city centre and its beautiful setting.

Dogs are currently allowed off-leash at all times between 1 May–31 October but are prohibited for the remainder of the year (1 November–30 April). The proposed change allows dogs to be off leash for the remainder of the year during off-peak hours only (before 10 am and after 7 pm). This is similar to the approach we have already taken at Seatoun Beach.

This proposal would provide year-round access to Oriental Bay Beach, providing more options for dog owners living in the city centre as well as those outside the city centre who want their dogs to enjoy a splash in the ocean at this popular beach.

We acknowledge that some members of the public may not feel comfortable around dogs. To address this concern and consider the convenience of all beachgoers, the off-leash area will be restricted to off-peak hours only. For those seeking a dog-free beach experience, Freyberg Beach (including the children's playground) is available within close proximity (less than 500 meters away) and strictly prohibits dogs. We consider this proposal strikes a fair balance and accommodates the needs of various beach users.

Current

Dogs are allowed off-leash at all times between 1 May and 31 October and are prohibited at all times for the rest of the year (1 November–30 April).

Proposed

Dogs are allowed off-leash at all times between 1 May and 31 October. For the rest of the year (1 November to 30 April) dogs are allowed off-leash before 10 am and after 7pm but are prohibited between 10am and 7pm.

Proposed change 3:

Restrict dogs from the Wishing Well Area of Oriental Bay Parade

Current

Dogs are allowed on leash in the area at all times.

Proposed

Dogs are prohibited at all times.

What are we proposing?

The grassy area by the Wishing Well is a relatively small but beloved picnic spot where people relax on the lawn and families can gather in the heart of the city. Currently, dogs are allowed here but must be on a leash. However, the Council has received complaints related to dog waste left behind. This concern poses a public health risk and disrupts the enjoyment of this area as a picnic destination.

To address this issue, we propose restricting dogs in this particular lawn area, treating it as an extension of the rules at nearby Freyberg Beach. This proposal aims to strike a balance, acknowledging the proposed expansion of off-leash provision at Oriental Bay Beach.

We propose restricting dogs in this particular lawn area, treating it as an extension of the rules at nearby Freyberg Beach.

This proposal aims to strike a balance, acknowledging the proposed expansion of off-leash provision at Oriental Bay Beach.

Thelma enjoys the beach - photo by Paws on Patrol

Proposed change 4:

Swap around the “off-leash” and “prohibited” areas at Island Bay Beach to minimise the effect of dogs on the dune restoration

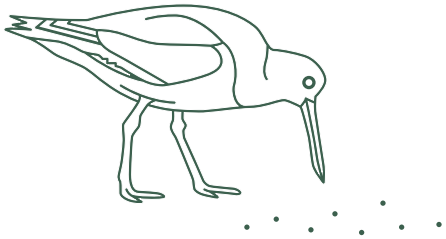
Otto letting loose at Island Bay Beach - photo by Ingo

What are we proposing?

We propose a swap in the off-leash access areas, allowing dogs to be off-leash on the eastern section of the beach while prohibiting dogs on the side of the beach where the dune restoration takes place. The eastern side of the beach would continue to be a shared space, accommodating both dogs and other beachgoers. We acknowledge that the eastern section is also frequently used by non-dog owners and we suggest altering this off-leash designation to specified times only, taking into consideration the peak periods during the warmer seasons.

The eastern side of the beach would continue to be a shared space, accommodating both dogs and other beachgoers.

Dunes serve as great habitats for many of our native plants and animals, enriching our iconic coastline.



Why are we proposing this change?

Dune ecosytems are classified as critically endangered on a national level. The pīngao species, which are prominent at the site, are categorised as regionally vulnerable and nationally recognised as "at risk – declining". Dunes serve as great habitats for many of our native plants and animals, enriching our iconic coastline. Additionally, they play a pivotal role in protecting our built infrastructure from the threats of sea-level rise and strong storm events. The community has volunteered many hours over a long period of time to support ongoing restoration efforts at this site.

Although dogs are not allowed in the restoration area, we have received complaints about dog faeces found in the dunes. The proximity of off-leash activity is a contributing factor to the disruption of the restoration of this ecosystem, especially during high tide when access to the beach is limited.

What are the specified times?

We propose that dogs are allowed off leash at all times between 1 May and 31 October. For the rest of the year (1 November to 30 April) dogs are allowed off-leash before 10am and after 7pm but are prohibited between 10am and 7pm. This timing aligns with the proposal we have recommended for Oriental Bay Beach. Please note that Reef Street, located nearby on The Esplanade, provides off-leash areas for dog owners at all times.

Current

Dogs are allowed off-leash between 1 November and 31 January and are prohibited for the rest of the year 31 October–1 February).

Proposed

Dogs are allowed off-leash between 1 November and 31 January and are allowed on-leash only for the rest of the year (31 October– 1 February). When sport activities are being played on the field, dogs are allowed on marked surfaces only.

Proposed change 5:

Change the 'prohibited' requirement for Kaiwharawhara Park to 'on leash' except during sports activities

Current

Dogs are allowed off-leash between 1 November and 31 January and are prohibited for the rest of the year 31 October–1 February).

Proposed

Dogs are allowed off-leash between 1 November and 31 January and are allowed on-leash only for the rest of the year (31 October– 1 February). When sport activities are being played on the field, dogs are allowed on marked surfaces only.

What are we proposing and why?

Dogs are currently allowed off-leash at all times between 1 November–31 January and are prohibited for the rest of the year (31 October and 1 February).

The proposed change allows dogs on-leash for the remainder of the year as long as sports activities are not in progress (if sports activities are being played, dogs are allowed on marked surfaces only). This aims to provide better utilisation of the space and provide more consistency with the Council's existing policy position regarding dogs on sports fields.

Note: "Prohibited" means dogs are not allowed at any time, on or off-leash.

Proposed change 6:

Modify the configuration of two existing off-leash areas to enhance children's play spaces in Tawa and Johnsonville

In line with the Council's Play Spaces Policy 2017, we recognise the significant role outdoor play spaces offer in the lives of children and young people.

As part of the play spaces work programme, two proposed initiatives have been identified, which directly affect the current off-leash provision at Willowbank Reserve and Flinders Place. To ensure transparency and community engagement, these proposed changes are included for consultation as part of this Dog Policy review.

What are we proposing and why?

Willowbank Reserve, Tawa

This modification involves swapping the existing dog exercise area with the existing Willowbank Play Area. The goal is to establish a play area that offers enhanced visibility and safety from the road and nearby houses. This modification would also result in an additional dog exercise area on the reserve (totalling two off-leash exercise areas), expanding the overall provision for dog exercise by around 2,000 square meters.

Note: the additional dog exercise area at Willowbank will only be designated following the construction of the play area renewal.

Flinders Place Recreation Reserve, Johnsonville.

As part of this modification, the current off-leash area at Flinders Place would be reduced in size by approximately 400 square meters. This change is designed to make room for the construction of a new fenced playground adjacent to the dog exercise area, addressing the play provision gap for Johnsonville West.

*For a visual representation of the proposed changes, please refer to the maps provided in **Appendix 1**.*

Proposed change 7:

Convert two off-leash areas with 'on-leash' requirements to reduce user conflict and support wildlife conservation

Dobbie at Waihinahina Park - photo by Helen

What are we proposing and why?

As part of our review of existing provision, we propose to convert the following two off-leash areas to on-leash only:

Waimapihi Reserve (formerly Polhill), Aro Valley

This off-leash area is relatively small and is located next to a busy road. During our early engagement phase, two respondents gave it an 'average' rating, indicating low usage. The area is next to an on-leash reserve with high wildlife presence and is neighbouring the valued Zealandia.
To prevent any confusion, we want to clarify that the entire Waimapihi Reserve is on-leash only. There is a nearby off-leash provision at Ohiro/Tanera Park, which is approximately a 15-minute walk away.

Hataitai Park and connecting track (Alexandra Road side only), Hataitai

This off-leash area received an overall rating of 'poor' from 19 respondents during our early engagement. The proposal to disestablish this site is aimed at minimising user conflicts, especially in the mountain bike skills area. There is a nearby off-leash provision on Ruahine Street, which is approximately a 10-minute walk away.

Current

Dogs are allowed off-leash at all times.

Proposed

Dogs must be on-leash at all times.

Proposed change 8:

Rename the “Responsible Dog Owner” (RDO) status to “Accredited Dog Owner” (ADO) Licence

The Council offers an annual registration fee discount (of up to or over 50%) to dog owners who have successfully achieved the status of ‘Responsible Dog Owner’.

This provision is designed to acknowledge and encourage owners who have met specific criteria that aligns with responsible dog ownership. Each Council in New Zealand can choose whether to participate in offering this discount. Wellington City Council maintain that the scheme offers a valuable incentive to support and promote responsible dog owners in Wellington.

Milly at Te Ahumairangi Hill Ridgeline walk - photo by Sheree

What are we proposing and why?

As part of this review, we are proposing to rename the "Responsible Dog Owner" (RDO) Status to "Accredited Dog Owner" (ADO) Licence.

The proposed name change helps to align the title of the scheme with the Council's existing policy position that "the majority of dog owners in Wellington are responsible and that most interaction between dogs and the public is positive". It also intends to address concerns expressed by owners without the "responsible" dog owner status, who feel unfairly labelled as "irresponsible" dog owners by contrast.

After exploring a variety of options, the Council believes that "Accredited" and "Licence" are appropriate terms to convey the formal recognition of the process and criteria requirements. The use of alternative language for this scheme has already been implemented by other Councils, including Kapiti Coast, Upper Hutt, and Porirua.

It is important to clarify that this proposed change relate solely to the terminology itself and does not impact the existing terms and conditions of existing RDO holders.

The proposed name change helps to align the title of the scheme with the Council's existing policy position that "the majority of dog owners in Wellington are responsible and that most interaction between dogs and the public is positive."

Current

Responsible Dog Owner Status.

Proposed

Accredited Dog Owner Licence.

Proposed change 9:

Decouple the RDO (proposed ADO) criteria from the Dog Policy

Current

The RDO criteria is published in the Dog Policy and must await formal review of the policy to be amended, which typically takes place every 5–10 years.

Proposed

The criteria is made publicly available on the Council website. The Council can modify the criteria as required without waiting to undergo a formal policy review process. The most up-to-date criteria would be made available on the Council's website.

What are we proposing and why?

The full RDO criteria is currently outlined in the Dog Policy 2016, meaning that any changes to the criteria are subject to a formal policy review, which typically takes place every 5–10 years.

The proposed change is to decouple the criteria from the policy and instead have the latest criteria available on the Council's website. The purpose of this proposal is to enable the Council to adapt the criteria more efficiently over time. An example of this need for flexibility was observed during the COVID-19 lockdown when the Council could not modify the "property inspection" requirement without undergoing a formal policy review process.

Proposed change 10:

Other criteria changes to the RDO (proposed ADO)

Ringo at the Wellington Botanic Garden - photo by Rachel

What are we proposing and why?

There are currently around 2,500 owners in Wellington with RDO status. The review aims to enhance the scheme's uptake through making the criteria more accessible to a number of dog owners in Wellington, including those who are renting and those living in apartments. It includes the following key criteria changes:

- Clarifies that owners are not required to complete both a dog owner education and a third-party obedience course. This is in response to the complaints that the expectation for obedience training was a barrier to participation. The updated criteria also includes a note to promote the Council's subsidised Dog Owner Education Course that is "dog-free" theory-based test.
- Clarifies the Council's expectations regarding a "fully fenced" property. We recognise the challenges of fully fencing properties for those living in apartments or areas with sloping cliffs. The note specifies that the Council will accept partial fencing of either the front or back yard, providing that the dog is contained. It also adds an exemption clause for people living in apartments who may not have direct access to outdoor areas.
- Encourage dog owners to contact the Council to explore acceptable alternatives for meeting the fencing criteria if they encounter any challenges installing permanent fixtures. This is to support equitable access of the scheme between renters and homeowners.
- Clarify that the fencing must be both physically constructed and of adequate height and design to effectively deter your dog from leaping over it or squeezing through any gaps. This aims to set clear expectations and future-proof the criteria if electric fencing becomes more mainstream.
- Remove the requirement for owners to repay the full ADO application fee when they change address and replace this with a smaller fee that covers the cost of 'home inspection' only.
- Clarify that owners will have to "reapply" for an ADO licence, rather than be automatically "reinstated" if they are issued with an infringement, have their dog impounded, or receive a substantiated complaint.

Can I read the proposed criteria in full?

The proposed criteria for the Accredited Dog Owner License can be found below:

How to qualify
You can attain an Accredited Dog Owner (ADO) licence if you meet the following conditions and requirements:

a. The owner must comply with the Dog Control Act 1996 and Wellington Consolidated Bylaw: Part 2 – Animals (e.g., dogs must be under control at all times, and owners must promptly clean up their dog's waste in public places and dispose of it properly).

b. The owner must provide the Council with either:

- A valid pass certificate from the Council's Dog Owner Education Course. *Explanatory note: this course is specifically designed to educate dog owners and is subsidised by the Council.* The course is a theory-based test and does not involve the presence of dogs OR
- An approved third-party Obedience course, demonstrating completion up to Level/Grade 2 or equivalent.

c. The owner must ensure the outdoor area where your dog(s) have access is fully fenced. It is not necessary for the entire property boundary to be fully fenced. We may accept either a portion of the front or back yard as long as the dog is kept in a fully contained area. The fencing must be both physically constructed and of adequate height and design to effectively deter your dog from leaping over it or squeezing through any gaps.

Note: Clause C may not apply to owners residing in properties without direct access to an outdoor area (i.e. apartments and high-rise buildings). If you are renting and face difficulties in installing permanent fixtures, please contact the Council to arrange acceptable alternatives.

d. The owner must ensure any outside kennels are weatherproof and hygienic.

e. The owner must not have any of the following:

- Received an infringement notice in the last year.
- Had a dog impounded in the last year.
- Been the subject of at least one substantiated public complaint in the last year.
- Received a conviction under the Dog Control Act or Animal Welfare Act 1999 at any point in time.
- Been classified as a Probationary or Disqualified owner at any point in time.

An application and payment of the prescribed fee must be made to the Council and approved before the benefits of the ADO licence can be obtained. Unless cancelled for one of the reasons set out below, an owner can retain their ADO licence for as long as they require it.

Cancellation of Licence
An owner's ADO licence will be cancelled if the owner:

a. Is convicted of an offence under the Dog Control Act 1996, or a dog related offence pertaining to the Animal Welfare Act 1999, Conservation Act 1987 and National Parks Act 1980. In such cases, the owner will never be eligible for a future ADO licence and its associated benefits.

b. Is disqualified as a dog owner by the Council. In such cases, the owner will never be eligible for a future ADO licence.

c. Is issued with an infringement notice or a written warning from a warranted Animal Control Officer. In this scenario, the owner will not be eligible to reapply for an ADO licence for a period of one year.

d. Has their dog impounded. If a dog is impounded, the owner will not be eligible to reapply for ADO licence for a period of one year.

e. Has received at least one substantiated complaint. A substantiated complaint includes a complaint that has been reviewed and determined to have merit from the Council. In this scenario, the owner will not be eligible to reapply for an ADO licence for a period of one year.

f. Fails to pay dog registration fees by the 31 July penalty deadline. Registration fees are due on 1 July each year, but an owner will lose their ADO licence if they fail to pay their registration fee by 31 July. If this occurs, the owner will not be permitted to reapply for an ADO licence until after one registration payment is made by the due date.

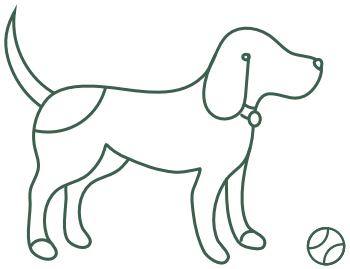
g. Fails to promptly notify the Council of a change in residential address. We consider prompt notification to be within 30 calendar days of living at the new address.

Change in residential address as an Accredited Dog Owner
To maintain ADO licence, owners must promptly notify the Council of any change in residential address. We consider prompt notification to be within 30 calendar days of living at the new address. If you move address within Wellington City as an ADO, it is not necessary to reapply for the full licence or to re-take the Dog Owner Education Course or third-party obedience training, but a property inspection fee may be required to ensure compliance with ADO requirements for the new property.

Temporary deactivation of Licence
An owner's ADO licence will be deactivated under either of the following circumstances:

- If your residential address is no longer in Wellington City, either temporarily or permanently.
- If you no longer have any dogs registered with Wellington City Council (for example, your dog passes away).

Reactivating your Licence
If you remain at the same address, there is no charge to reactivate your ADO licence within 24 months of deactivation. After 24 months, there may be an additional reactivation fee.



The fencing must be both physically constructed and of adequate height and design to effectively deter your dog from leaping over it or squeezing through any gaps.

Proposed change 11:

Introduce a bylaw requirement for dog owners to carry effective means of waste disposal in public places

What are we proposing and why?

A significant concern shared by both dog owners and non-dog-owners is dog waste in our streets and reserves. It poses health risks to humans and wildlife, contributes to water contamination, causes odours, and interferes with the enjoyment of public spaces. Although there are regulations in place for the proper disposal of dog waste, enforcement can be challenging due to difficulties in obtaining evidence and determining the timing of non-compliance.

To address this issue more effectively, we propose granting Animal Control Officers the authority to issue fees on dog owners who fail to carry effective means to dispose of dog waste. This will make it easier to deal with complaints relating to dog fouling, as the absence of appropriate waste disposal indicates a lack of intent to clean up after their dogs. The proposed addition to the bylaw is as follows:

"Every dog owner or person in charge possession of the dog at the time commits an offence who fails to carry effective means to remove and dispose of any dog faeces when in public places with their dog".

How will this be enforced?

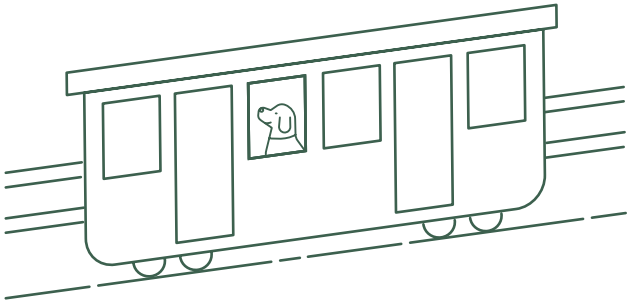
In order to introduce this proposed requirement, the Council would exercise its authority granted under Section 20 and Section 65 of the Dog Control Act 1996. It is important to emphasise that the proposed change aims to encourage responsible behaviour rather than being punitive. The fee will be implemented with a degree of flexibility, allowing officers to consider individual circumstances. For instance, if a dog owner accidentally forgets their bags but demonstrates a genuine intention to clean up, the fee may not be issued. This approach has been effectively implemented by Christchurch City Council since 2019.

We acknowledge that many dog owners are already responsible and comply with cleaning up after their dogs, and we anticipate their support for this new requirement. However, in cases of repeated non-compliance, an infringement fee of $300 may be imposed as a reminder of the importance of maintaining a clean environment.

It is important to emphasise that we are committed to raising public awareness about any bylaw requirements before proceeding with implementation.

Proposed change 12:

Introduce a “Dog-Friendly Wellington” section into the Policy



What are we proposing and why?

For the first time, we are proposing to introduce a "Dog-Friendly Wellington" section to the Policy.

This section outlines the Council's role in fostering an environment that caters to dogs and their owners while taking into account the varying comfort levels of the public concerning dogs. It is designed to provide clear guidelines for the Council's involvement in various aspects related to dogs within Wellington.

Dogs allowed on the Wellington Cable Car
We recognise the value of offering enjoyable recreational experiences for dog owners. Dogs are permitted to join their human companions on the journey and travel on-leash on the lower landings of the Cable Car.

Dog-Friendly establishments
Our early engagement revealed that some dog owners think the Council is actively restricting establishments from becoming “dog friendly”. It is important to note that each establishment operates independently and has the authority to decide whether they allow dogs on their premises. The updated policy outlines how the Council can be contacted to help food businesses establish a more dog-friendly space while adhering to food safety requirements.

Dogs on public transport
During our early engagement, a key request was for expanded access to bring dogs on public transport, aiming to reduce private vehicle reliance and integrate dogs into daily routines. It is important to note that the regulation and management of public transport services do not fall under the jurisdiction of Wellington City Council. Our policy advises dog owners to consult the Greater Wellington Regional Council (GWRC), as they serve as the Public Transport Authority for the Wellington Region. GWRC will be able to provide further guidance and information regarding dog-related policies in relation to public transport. We have provided the feedback on this topic to GWRC.

Dogs in rental properties
The policy also clarifies that the decision to allow pets in rental accommodations lies with the respective landlords or property owners.

Proposed change 13:

Introduce new level of service categories for off-leash areas (Destination, Community and Local)

Cody paints the town - Photo by Adam

What are we proposing and why?

The revised policy includes a new section that brings clarity to the expected levels of services across off-leash areas in Wellington. These areas are categorised as Destination, Community and Local, and are summarised here.

Destination off-leash areas are designed to offer an enhanced experience for dogs and their owners. These spaces may attract visitors from a larger area and offer a range of amenities and services. They may be situated in locations that possess natural beauty or offer unique experiences. In these areas, dog owners can expect more frequent maintenance as well as additional amenities such as nearby parking, fencing, waste disposal stations, agility equipment and access to water sources for their dogs. Examples may include Ian Galloway Park, Lyall Bay Beach and Trelissick Park.

Community off-leash areas aim to strike a balance between the amenities provided in Destination and Local off-leash areas. While they may not offer the same level of amenities as Destination parks, they still provide opportunities for dogs to run around and exercise. They are likely to be larger than local exercise areas and may offer partial fencing and waste disposal stations. Examples may include Tanera Park, Karori Park and Tawatawa Reserve.

Local off-leash areas represent the most common type of area and typically provide a convenient space to exercise your dogs without the need for extensive travel. They are designed to accommodate a smaller number of dogs from the local area rather than attracting visitors from outside. As a result, facilities such as parking, fencing and water sources will not be prioritised. Examples may include Kowhai Park, Reef Street and Liardet and Balfour Street Corner.

The process of categorising our off-leash areas serves multiple purposes. Firstly, it provides transparency for dog owners to have a better understanding of what to expect in different areas. Secondly, it helps the Council to identify gaps in service level provision which can help guide future investment decisions. For example, if an area has relatively higher dog ownership rates yet lacks a community or destination off-leash area, the Council can focus efforts to improve the level of service in that area.

The policy now includes a commitment statement to "periodically review the off-leash network, considering factors such as population density, changing demographics, and community feedback. Based on these evaluations, modifications may be made to upgrade certain local off-leash areas to community or destination areas, or vice versa. Such modifications shall adhere to the criteria and principles outlined in this policy.

Destination off-leash areas are designed to offer an enhanced experience for dogs and their owners.

Wāhanga 02

Ētahi Atu Kararehe (ngeru, manu, pī, tāka) Other animals (cats, poultry, bees, and stock)

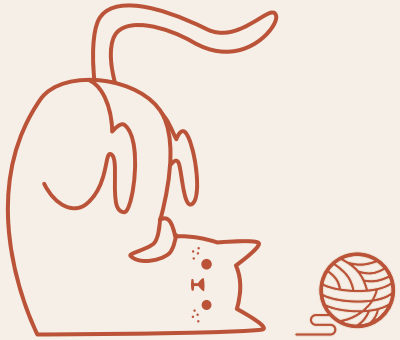
Takenga Background

This section includes the significant proposed changes relating to cats, bees, poultry and stock. All changes listed in this section introduce new requirements for keeping animals into the the Wellington Consolidated Bylaw 2008: Part 2 – Animals.

The primary objective of these proposed changes is to safeguard the public from nuisances, uphold and enhance public health and safety, and ensure the welfare of animals. It is important to note that any policy or bylaw amendments related to dogs have already been addressed in Section One.

He whakarāpopototanga o ngā panonitanga e tonoa ana
Summary of proposed changes

This page summarises the key proposed changes relating to cats, poultry, bees and stock. More comprehensive information, including the reasons behind these proposed changes, can be found on pages 45–65.



Introduce a bylaw requirement for the mandatory desexing of cats unless the owner is a registered breeder and/or if desexing would have a negative impact on the cat's health/welfare as certified by a veterinarian.

Clarify that written permission is not required to keep poultry, bees or stock in rural areas in acknowledgement that rural areas typically have more open space and a lower population density, which reduces the likelihood of animals causing a nuisance to neighbouring properties.

Keeping poultry clarifies the scope of birds categorised as 'poultry' to reduce any ambiguity when interpreting the bylaw. It clarifies that a maximum of 8 hens and/or female ducks, or 12 female quail can be kept in residential areas without prior written permission from the Council. It also introduces new conditions for keeping poultry to minimise the public health risks and pest-related implications. For example, "poultry feed must be stored securely in vermin-proof containers".

Keeping bees is a new section to the bylaw that establishes formal guidance and regulation of beekeeping activities, including a four-hive limit in residential zones (which can be increased with Council's written approval); provision for the Council to request the removal or relocation of disruptive hives, and mandating that beekeeping on Council land can only take place on licensed community gardens.

Keeping stock introduces new requirements that prohibit any stock (including alpacas, cattle, deer, donkeys, horses, sheep, goats and pigs) from being kept in residential areas unless prior written permission from the Council is obtained. This measure is in acknowledgement that many residential areas may be unsuitable for keeping stock, considering factors such as space limitations and the potential for noise and odour disturbance. It also introduces new conditions for keeping stock, which underline a commitment to responsible stock management practices and animal welfare. For example, *"Stock should have an adequate and appropriate living environment for their species including companionship, space, shade and shelter"*.

Taipitopito, whai take hoki mō ia panonitanga e tonoa ana

Detail and rationale for each proposed change

Proposed change 14:

Introduce a bylaw requirement for the mandatory desexing of cats

Cats continue to be the most common companion animal in Wellington, with over 28,000 cats registered with Companion Animals New Zealand.

In 2018, Wellington City Council enacted a requirement for all domestic cats over the age of 12 weeks to be microchipped and the microchip to be registered on the New Zealand Companion Animal Register.

Since then, other Councils across New Zealand have introduced additional requirements for the keeping of cats, such as mandatory desexing. These Councils include Palmerston North, Whanganui District, Whangārei District and Ruapehu District.

What are we proposing?

As part of this review, we propose to introduce a bylaw requirement for desexing cats under the following conditions:

"Every person who keeps cats must ensure:

4.2 (a) All domestic cats over six months must be desexed, unless they are kept for breeding purposes and the owner is a current registered breeder with a recognised New Zealand registering body, such as New Zealand Cat Fancy Ltd and Catz Inc.

4.2. (b) Notwithstanding section 4.1(a), cats are exempt from being desexed if a registered veterinarian certifies that undergoing the procedure will place the cat at unnecessary risk.

The desexing requirement will come into effect from 1 June 2025, giving owners 18 months to meet the new desexing rule for cats."

Current

The bylaw requires mandatory microchipping of cats under certain conditions.

Proposed

The bylaw requires mandatory microchipping and desexing of cats under certain conditions.

Why are we proposing this change?

In May 2023, we conducted a Cat Owners of Wellington survey to understand more about how people keep their cats and their thoughts around desexing. We received a large number of responses (3,170) that provided us with valuable information on how 5,126 cats are kept in Wellington. Below are the key findings:

- 95% of respondents have both desexed and microchipped their cats.
- 89% support the mandatory desexing of cats, unless the owner is a registered breeder and/or if desexing would have a negative impact on the cat's health/ welfare.
- 75% of respondents allow their cats to roam freely outside at all times or during the daytime only.
- 54% were aware of the current bylaw requirement that all cats over the age of 12 weeks must be microchipped.
- 22% keep their cats indoors or use leashes to exercise their cat(s).

These results suggest there is both a high-level of support for and compliance with the desexing of cats, and support specifically for mandatory desexing under certain conditions. Desexing is also widely supported by organisations such as the *SPCA, Companion Animals New Zealand, Helping You Help Animals (HUHA), New Zealand Veterinary Association, and local rescues.*

What is so important about desexing?

Female cats can start reproducing from as early as 4 to 6 months of age and can have multiple litters per year (typically consisting of four to six kittens per litter).

Cats that are not desexed are at risk of contributing to Wellington's stray cat population. Since 2021, the Council, SPCA and local rescues have collected over 1,200 stray cats within Wellington City. Desexing is an important preventative measure to curb the overpopulation of stray cats and alleviate the strain this puts on animal rescue services. This is particularly important in a city where the majority of cats roam freely outdoors.

Some additional benefits associated with desexing include:

Healthier cats: Desexing prevents reproductive diseases and reduces the risk of cancer for both male and female cats.

Behaviour improvement: Desexed cats exhibit reduced aggression and territorial behaviour that can cause a nuisance to the community.

Support for cat rescues: A lower number of unwanted cats and kittens eases the burden on rescue services.

Safer streets: Desexed cats are less likely to roam which may reduce the risks of trauma such as being hit by a vehicle.

Preservation of Wellington's unique wildlife: Desexing helps prevent the overpopulation of cats from threatening vulnerable native species, particularly birds.

Promoting responsible pet ownership: Mandatory desexing encourages responsible decision-making and long-term care for cats for the reasons above.

Frequently asked questions

Is a bylaw the most effective way of addressing the issue?

A bylaw created under the Local Government Act serves as an effective tool that is available to councils to regulate domestic cats. While bylaws serve an important role, they are only part of the equation and need to go hand in hand with public educational campaigns and clear messaging in the community. The Council will continue to work alongside agencies such as the SPCA and HUHA to enhance responsible pet ownership education and facilitate increased availability and awareness of pet desexing services.

What if I'm a breeder? Would this change affect my business?

Registered cat breeders would be excluded from the proposed requirement to desex. This ensures that professional breeders with proper knowledge, experience, and adherence to ethical breeding standards would not be affected.

What if my cat is not well enough for surgery?

If your cat is deemed unsuitable for surgery due to health reasons, the proposed bylaw contains an exemption to address such instances. In these situations, you may be required to provide written proof from a veterinarian stating that your cat is not well enough to undergo surgery.

How can the Council tell if my cat is desexed?

Vets can provide you with a desexing certificate once your cat has had the surgery.

How much does it cost to desex my cat?

The cost of desexing your cat can vary across individual veterinary clinics. Based on our 2023 market research for Wellington, the average cost for female desexing (spay) is around $260, while the average cost for male desexing (neutering) is around $1302. These figures serve as a general guideline, and it is best to consult with your local veterinarian for their specific pricing.

Are there any considerations being made to provide assistance for the financial aspects related to desexing?

Absolutely, we understand that the cost of desexing may be a barrier for some people and families and the Council plans to integrate free and subsidised desexing initiatives alongside potential bylaw adjustments. It is also worthwhile to check in with the SPCA if you are on a lower income to see what help they may be able to give towards desexing. Your local vet may also offer payment plans to help manage the associated costs of the procedure. Over time, we want the cost of desexing to be considered an accepted and essential part of responsible pet care, similar to getting your cat vaccinated.

What steps might the Council take if I do not follow the rules?

At this time, fines are not in effect. However, if it comes to our attention that your cat is not desexed, we might reach out with a reminder letter. Should you repeatedly refuse to have your cat desexed, we could initiate legal action for breaching the bylaw. It's important to note that the Local Government Act 2002 includes provisions for penalties if your cat is found to be causing significant disturbances or posing risks to health and safety.

Proposed change 15:

Clarify that written permission is not required to keep poultry, bees or stock in rural areas

What are we proposing and why?

The amended bylaw is designed to reduce any ambiguity for those living in rural areas by explicitly stating that written permission is not required to keep poultry, bees or stock.

This is in acknowledgement that rural areas typically have more open space and a lower population density, which reduces the likelihood of animals causing a nuisance to neighbouring properties. Not requiring written permission also helps to streamline the keeping of animals for farmers, livestock owners and beekeepers living in rural area.

How do I know if my property is categorised as a "rural area"?

The proposed bylaw interpretation of 'rural area' refers to "any area included in the "General Rural Zone" and "Large Lot Residential Zone" in the Council's District Plan. It is the largest Zone in terms of land area and is characterised by a sense of remoteness, spaciousness, pastoral farming and rolling countryside".

This has replaced the previous bylaw definition that refers to terminology used in the Council's Operative District Plan. If you would like more clarity around what areas are included, please refer to the Council's Proposed District Plan: **wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan**

Current

No specific reference in the bylaw.

Proposed

A specific clause that explains written permission is not required if a person wishes to keep bees, stock or poultry within a rural area.

Keeping poultry

Poultry refers to hens, roosters, ducks, geese, pheasants, peafowl, quail and turkeys.

While we do not have exact figures for poultry in Wellington, we anticipate that the recent battery hen regulations that came into effect in 2022 may result in an increased interest in keeping hens for egg supply. The goal is to find a balanced approach that accommodates the needs of poultry owners while addressing potential nuisances and risks associated with pests that may arise from keeping poultry.

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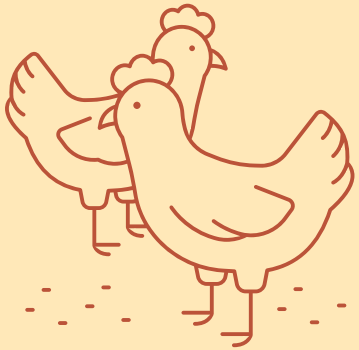
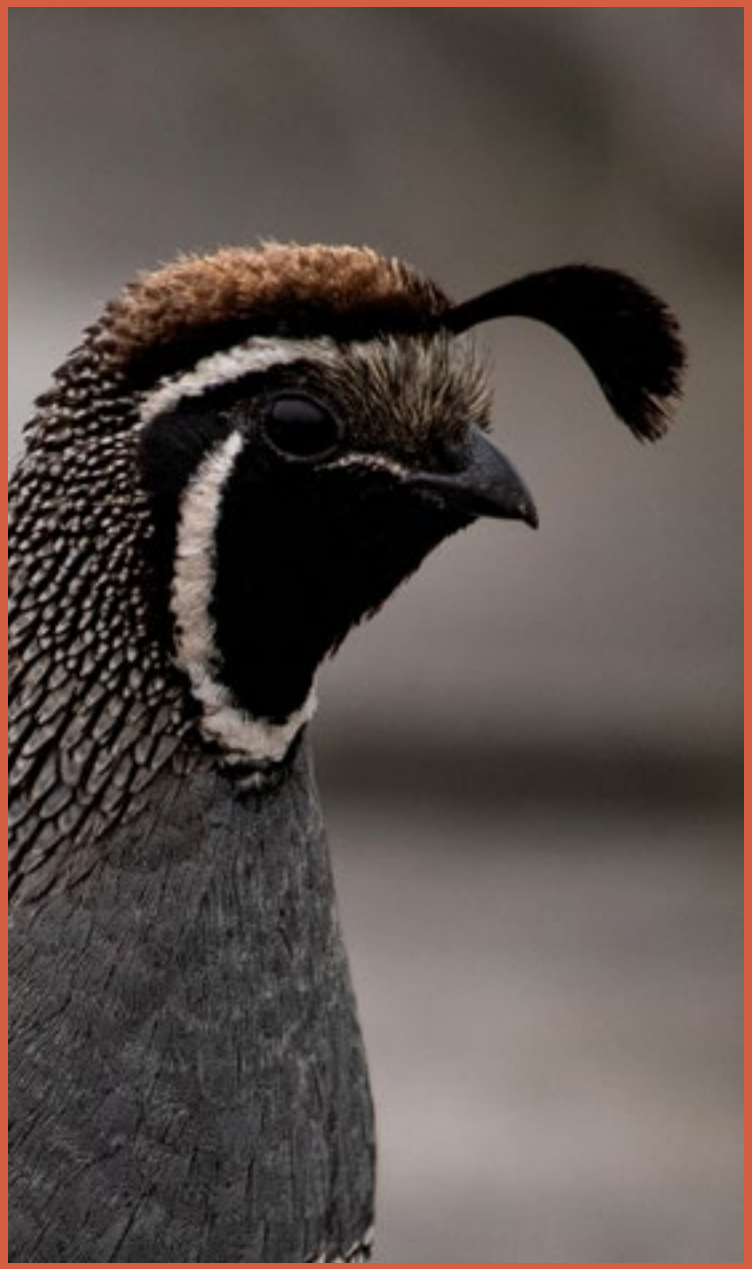


Proposed change 16:

Clarifying the scope of birds categorised as 'Poultry'



What are we proposing and why?

The amended bylaw provides explicit examples of what birds are included as 'poultry' to reduce any ambiguity when interpreting the bylaw provisions. This table represents the current and proposed wording:

Current definition

"Poultry means domestic fowls kept for the eggs they produce, their meat, their feathers, or sometimes as pets".

Proposed definition

"Poultry refers to domesticated birds that are kept or raised for their eggs, meat, feathers, or companionship. It includes hens, roosters, ducks, geese, quail, peafowl, pheasants, swans, and guinea fowls"

Proposed change 17:

Clarify what types of poultry are allowed in residential areas without prior Council permission

What are we proposing and why?

This table represents the current and proposed wording in the bylaw:

Current definition

"An owner or occupier of any property in an urban area may keep no more than 8 chickens (or other poultry) without the Council's prior written permission".

Proposed definition

"An owner or occupier of any property in a residential area may keep the following without the Council's prior written permission:

1. a combined maximum of eight (8) hens and/or female ducks, or
2. a maximum of twelve (12) female quails"

What are we proposing this change?

There are several reasons behind the proposed bylaw wording:

1. Reference of "residential area" has replaced "urban area" to align the bylaw with terminology in the Proposed District Plan.
2. The current wording of "no more" (a double negative) has been replaced to provide clear and unambiguous guidelines for residents.
3. The increased permission for keeping female quail acknowledges that quail are relatively small birds that produce soft and gentle calls, making them more suitable for backyard or residential settings. They also provide a regular supply of small eggs, adding to the benefits of poultry keeping.
4. The inclusion of the term "or" (a combined maximum of eight (8) hens and/or female ducks, or a maximum of twelve (12) female quails" aims to mitigate potential conflicts arising from size differences and distinct behaviours between the types of poultry, particularly as quail are a smaller type of bird.
5. The inclusion of 'female' species is a deliberate measure aimed to prevent inadvertent breeding and in recognition of the generally quieter demeanour of female poultry types. Permission may be granted to mix the poultry types, subject to an officer's review of suitable living space for both species.
6. The existing bylaw reference to "or other poultry" ("An owner or occupier of any property in an urban area may keep no more than 8 chickens (or other poultry) without the Council's prior written permission") could be interpreted as allowing up to 8 of any other types of poultry, such as ducks, geese, quail, peafowl, pheasants, swans, and guinea fowls. The proposed wording aims to reduce ambiguity and ensure that certain types of poultry, which may be more likely to cause a nuisance to neighbours, are allowed only with prior written permission.

The proposed wording aims to reduce ambiguity and ensure that certain types of poultry, which may be more likely to cause a nuisance to neighbours, are allowed only with prior written permission.

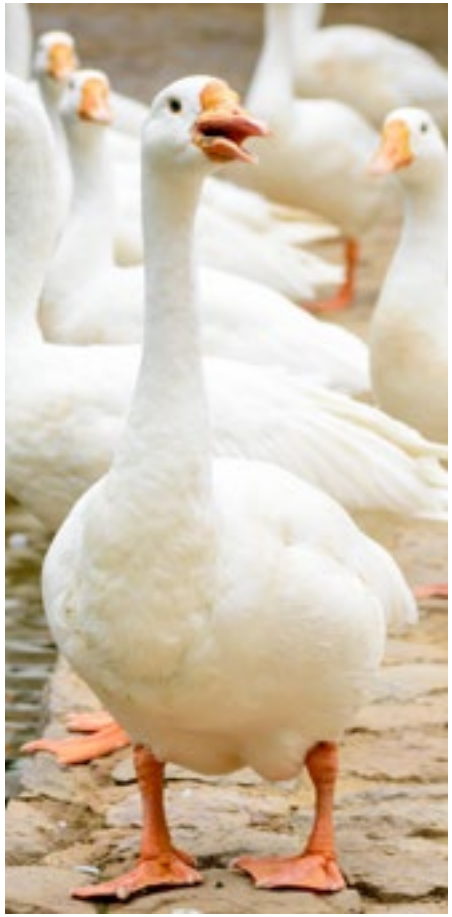


Table A provides a breakdown illustrating the impact of this proposed revision on the keeping of each poultry type.

Poultry type	Current maximum number of poultry to be kept in 'urban areas' without written permission	Proposed maximum number of poultry to be kept in 'residential areas' without written permission	Rationale for proposed change
Chicken: Hen	8	8	No changes to these allowances are proposed. The Council acknowledges the ongoing value of keeping hens. Their limited ability to fly and the regular supply of fresh eggs make hens a good candidate for poultry keeping in residential areas.
Duck		8	No changes to these allowances are proposed. Ducks can provide owners with large eggs and are generally considered quieter than other types of poultry, with their vocalisation mainly occurring during daylight hours.
Quail (female)		12	An increase in allowance is proposed. Quail are relatively small birds, making them more suitable for residential settings. Quail produce soft and gentle calls which are less likely to disturb neighbours. They can provide owners with a regular supply of small eggs.
Peafowl		0	A reduction in allowance is proposed. Peafowl (peacocks and peahens) have loud and distinctive calls comparable to roosters. These calls can be a nuisance to residents, especially in densely populated areas where sound can easily carry.
Pheasants	8 (referenced as "or other poultry")	0	A reduction in allowance is proposed. Pheasants have a loud and distinctive call which can be disruptive to neighbours. They are strong flyers and have a natural instinct to roam over large areas, posing a risk of escaping and causing damage to neighbouring properties.
Swans		0	A reduction in allowance is proposed. Swans are large birds that require ample space to thrive, which may not be achievable in some residential area dwellings. They can also display territorial and aggressive behaviour, especially during the breeding season.
Geese		0	A reduction in allowance is proposed. Geese are large birds that require ample space to roam, graze, and swim, which may be challenging to provide in many residential areas in Wellington. They can exhibit aggressive behaviour and may charge at perceived threats.
Guinea Fowl		0	A reduction in allowance is proposed. Guinea fowl are known for their loud and distinctive calls, which can be quite noisy and may not be well-suited for quiet residential neighbourhoods. They are also active birds that require ample space to roam and forage.
Chicken: Rooster	0	0	No changes to these allowances are proposed. Roosters are known for their loud and early morning crowing, which can start as early as dawn and may continue throughout the day. The continuation of this requirement aims is to minimise the risk of nuisance to neighbours, particularly in residential areas where noise can carry easily.

What if I want to keep more poultry?

If you live in a residential area and want to keep additional or different types of poultry (besides hens, ducks or quail), you can submit a request to the Council. The assessment conditions are included in the bylaw for transparency, and include the following considerations:

a. **the number of poultry at the premises**

b. **provision for the welfare, hygiene, control, and confinement of the poultry**

c. **provision for the protection of other persons or property from being affected in any way by the poultry**

d. **the size of the property and proximity to neighbours, and**

e. **any other factors it considers relevant**

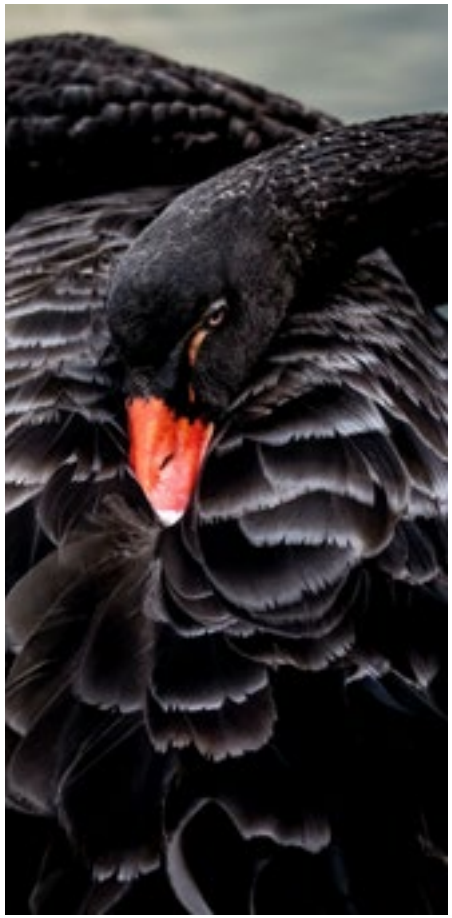
The Council believe this approach strikes a balance between providing a clear framework for beekeeping in residential areas while also allowing flexibility for poultry keeping in specific circumstances. This process involves an Authorised Officer assessing requests on a case-by-case basis. It is included in the bylaw to acknowledge that one person's dwelling inside the residential area may be more suitable for poultry keeping than another. It also provides an opportunity for the Council to support and educate prospective owners on responsible ownership and ensure the appropriateness of the space for keeping poultry.

This approval process can also be beneficial for owners as it helps prevent situations where they may invest in poultry, set up their accommodations, and subsequently face potential complaints that might necessitate finding new homes for the poultry. By seeking Council permission beforehand, owners can ensure that their poultry keeping activities align with Council regulations that are designed to reduce the likelihood of disruptions and issues regarding public health.

Note: The bylaw includes the following clause reserved to address any issues:

The Council may require the removal of poultry if the conditions for which the permission was originally given are not being met, if the Authorised Officer deems it to be an issue, and/or if nuisance complaints from two or more different adjoining property owners have been received. This applies to both residential and rural zoned areas.

There are currently no plans to introduce fees related to the proposed bylaw change to require written permission for keeping more or different types of poultry in residential areas beyond those specified in the bylaw. If this change is implemented, the approval process will be designed to be straightforward and hassle-free for poultry keepers.



Proposed change 18:

Introduce new conditions for keeping poultry

What are we proposing and why?

The amended bylaw proposes to introduce new conditions for keeping poultry, including the requirements for:

"Poultry feed must be stored securely in vermin-proof containers.

The poultry enclosure must be cleaned regularly to prevent offensive odours, and all waste must be disposed of appropriately".

Current

The bylaw requires poultry to be adequately contained within the owner's property, so as not to cause (or be likely to cause) nuisance, offence or be injurious to health.

Proposed

The bylaw maintains the existing requirements for poultry to be contained within the owner's property, in addition to new requirements regarding poultry feed being stored in vermin-proof containers and requirements for the poultry enclosure to be cleaned regularly to prevent offensive odours.

Keeping bees

Bees play a critical role in our ecosystem, and beekeeping offers numerous benefits and rewarding experiences. Within the Wellington City area, there are several hundred beekeepers, with the majority being "hobbyists" engaged in non-commercial beekeeping activities. While bees are essential for pollinating crops and gardens, they can present challenges in residential areas, highlighting the importance of proper hive management. For the first time, this Bylaw introduces a dedicated section to address beekeeping practices.

This section strengthens the Council's existing position and recommended best practices regarding beekeeping into a formal bylaw framework. The purpose of this section is to provide greater transparency to the public and support the Council's Authorised Officers in effectively addressing complaints related to beekeeping activities.

While bees are essential for pollinating crops and gardens, they can present challenges in residential areas, highlighting the importance of proper hive management.

Proposed change 19:

Introduce a cap of four beehives in residential areas without the need for written permission from the Council

What are we proposing and why?

There are currently no bylaw requirements for keeping bees. The amended bylaw proposes to introduce new conditions for keeping bees in a residential area, including the following requirement:

"An owner or occupier of any property in a residential area may keep four hives without prior written permission from the Council."

These proposed changes align with the guidelines outlined in the Council's "Caring for Bees" factsheet (published in 2016 after formal consultation), which currently recommends a limit of four hives. The formal establishment of this maximum limit of four hives is intended to prevent overcrowding in urban settings and reduce any potential disputes with neighbouring properties.

Setting a definitive limit of four hives helps to simplify regulations and improve compliance. By doing so it helps mitigate the risk of bee-related incidents without unreasonably hindering beekeepers from pursuing their activities. The set limit aims to strike a balance between supporting beekeeping practices and ensuring a harmonious coexistence with the surrounding community.

What if I want to keep more bees?

If you live in a residential area and want to keep additional hives, you can submit a request to the Council. The assessment conditions were drafted by the principles of promoting responsible beekeeping practices, safeguarding public safety, reducing nuisances, and enhancing environmental conservation, and include the following considerations:

"The Council may consider the following conditions when assessing permission for beekeeping:

Beekeepers must ensure that hives are positioned to avoid the flight path impinging on any neighbouring dwellings or living areas.

A suitable water source must be provided for the bees.

Management techniques employed to reduce the likelihood of causing a nuisance to any person will be taken into consideration.

The positive effects of bees on the pollination process will be acknowledged.

The Council believe this approach strikes a balance between providing a clear framework for beekeeping in residential areas while also allowing flexibility for beekeepers in specific circumstances. The approval process involves an Authorised Officer assessing requests on a case-by-case basis. It is included in the bylaw to acknowledge that one person's dwelling inside the residential area may be more suitable for beekeeping than another. It also provides an opportunity for the Council to support and educate prospective owners on responsible ownership of bees.

There are currently no plans to introduce fees related to the proposed bylaw change to require written permission for having more than four hives in a residential area. If this change is implemented, the approval process will be designed to be straightforward and hassle-free.

Proposed change 20:

Introduce a provision that allows the Council to require the removal or relocation of hives if they cause a nuisance

What are we proposing and why?

The amended Bylaw proposes to clarify the Council's ability to require the removal or relocation of hives under the following conditions:

"The Council may require the removal or relocation of a hive(s) if the conditions for which the permission was originally given are not being met, if the Authorised Officer deems it to be an issue, and/or if nuisance complaints from two or more different adjoining property owners have been received. This applies to both residential and rural zoned areas."

This clause has been introduced to promote responsible beekeeping practices and ensures compliance with agreed-upon terms. It also enables the Council to address nuisance complaints effectively by considering input from multiple neighbouring parties. Having the presence of a bylaw will also support the Authorised Officer to intervene when necessary as it helps to facilitate a more timely resolution of emerging issues related to beekeeping.

Proposed change 21:

Introduce a requirement that beekeeping on Council land must occur within licensed community garden areas

What are we proposing and why?

The amended bylaw proposes to clarify the Council's ability to require the removal or relocation of hives under the following conditions:

"Beekeeping on any Council land, including parks and reserves is a managed activity and is prohibited unless you have obtained a licence or prior written permission from the Council is obtained. Applications will be assessed by an Authorised Officer and may be granted with specific conditions. No new hives will be permitted on Parks and Reserves land unless they are located within a community garden licensed area".

This requirement helps to facilitate responsible and well-managed community beekeeping on Council land. It is consistent with current practice as outlined on the Council's website.

Proposed change 22:

Reference legal requirements under the Biosecurity Act in the bylaw

What are we proposing and why?

This following clause serves to prevent the oversight of other important and relevant legal requirements while reviewing the Council's bylaw.

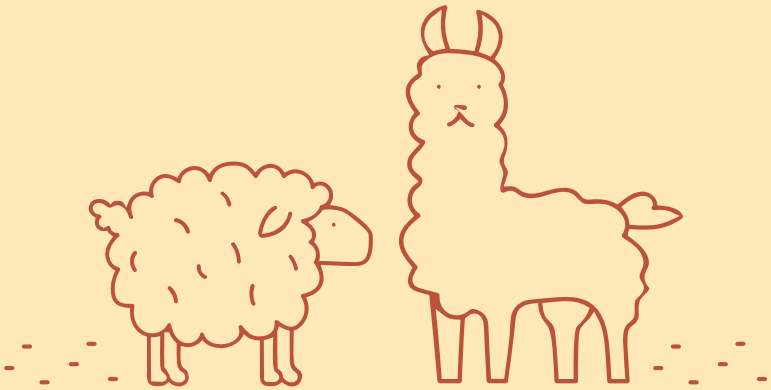
All beekeepers have a legal requirement under the Biosecurity Act 1993 to register any apiary within 30 days of placing beehives on that site. All hives must prominently show the Beekeeper's Apiary Registration Number

Contents

Keeping stock

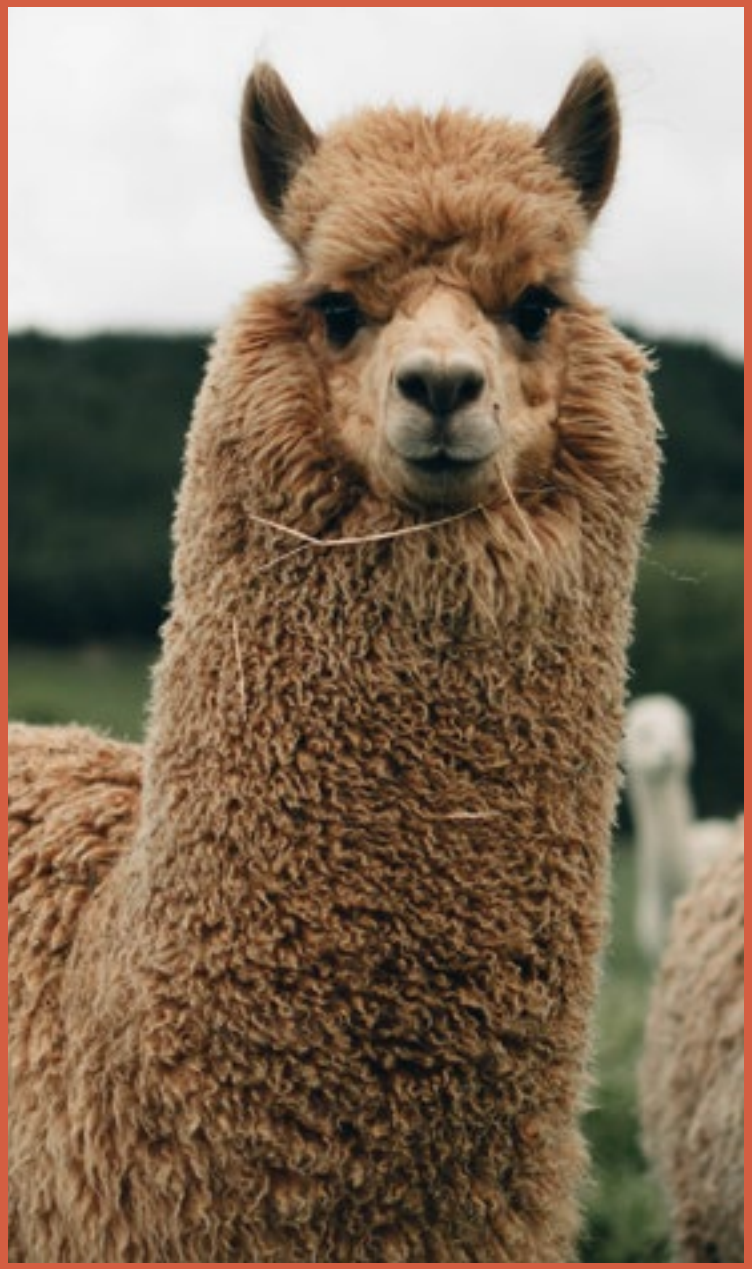
The existing bylaw includes regulations for stock animals, but it currently only addresses the requirements for keeping goats.

Although livestock keeping may not be a widespread concern in many parts of Wellington, the Council has received queries to keep other types of stock like deer and donkey in residential areas since the last review of the bylaw. This proposed bylaw aims to expand the coverage to adequately address these topics.



Proposed change 23:

Clarify the scope of "Stock" in the Interpretation section of the bylaw



What are we proposing and why?

The current bylaw does not have a definition for stock. The amended bylaw provides explicit examples of what is included as 'stock' to reduce any ambiguity when interpreting the bylaw. This table represents the current and proposed wording:

Current interpretation

N/A

Proposed interpretation

"Stock refers to livestock, which may include alpacas, cattle, deer, donkeys, horses, sheep, goats and pigs".

Proposed change 24:

Introduce new requirements for keeping stock in residential areas

What are we proposing and why?

The amended bylaw clarifies the conditions for keeping stock in residential areas, and states that:

"Keeping any stock in any residential area is prohibited unless prior written permission from the Council is obtained".

This aligns with existing Council recommendations, available on the website, which discourage keeping farm animals like sheep, horses, pigs, alpacas, etc., in backyard settings due to potential nuisance to neighbours. The requirement stems from the fact that residential areas are intended for housing and lack suitable space and resources for the wellbeing of livestock. Livestock in residential areas can pose safety risks or cause traffic hazards, especially if animals escape. Seeking permission allows the Council to consider the impact on the neighbourhood's peace and quiet and ensures appropriate conditions for animal welfare.

This approval process can also be beneficial for owners as it helps prevent situations where they might commit resources to acquiring stock, set up their accommodations, and later encounter potential complaints that could lead to the need for rehoming the animals. By seeking Council permission beforehand, owners can ensure that their stock-keeping activities align with Council regulations that are designed to reduce the likelihood of disruptions and issues regarding public health.

There are currently no plans to introduce fees related to the proposed bylaw change to require written permission for keeping stock in residential areas. If this change is implemented, the approval process will be designed to be straightforward and hassle-free for people wishing to keep stock.

Proposed change 25:

Introduce new condition requirements for keeping stock

What are we proposing and why?

The amended bylaw introduces new condition requirements for keeping stock, which includes the following:

In order to keep stock, a person must comply with the following conditions:

The stock are prevented from causing any nuisance or damage to the property of adjoining premises and are confined with their owners property. Manure is removed from the premises, or appropriately recycled or reused, before it creates a nuisance.

Stock should have an adequate and appropriate living environment for their species including companionship, space, shade and shelter.

Stock must wear an ear tag (an RFID tag or similar) or collar to indicate that they are not feral, so the owner can be traced if the animal is seized.

Current

The current bylaw required goats to wear an ear tag (RFID tag or similar) and required all goats kept within the city to be confined within their owner's property.

Proposed

The proposed bylaw broadens the scope beyond goats and introduces additional stipulations, including aspects like manure management and the provision of suitable living accommodation.

Stock should have an adequate and appropriate living environment for their species including companionship, space, shade and shelter.