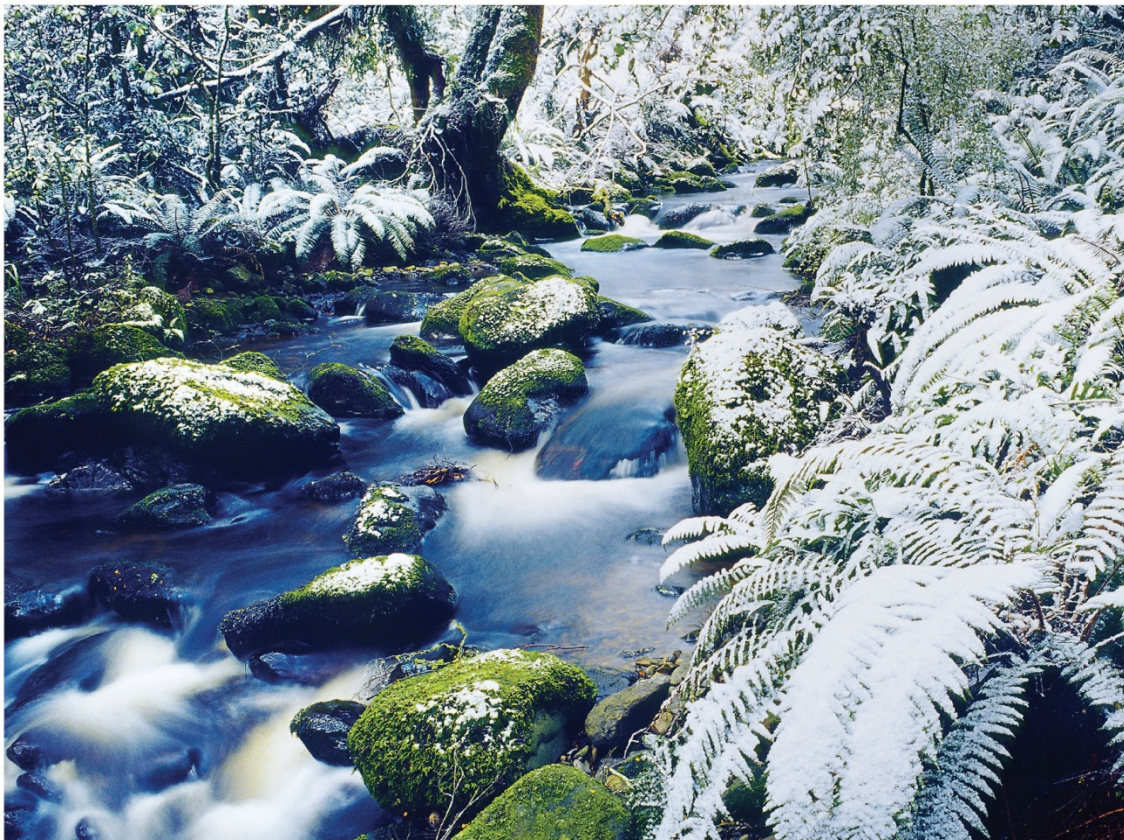




Clutha District Council Reserve Management Plan

Whisky Gully Domain



***Reserve Management Plan
April 2014***



Clutha District Council
www.cluthadc.govt.nz

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1. PREFACE

The Whisky Gully Domain (formally the Tapanui Domain Reserve) Reserve Management Plan (RMP) is a guide for the future development, maintenance and management of the reserve. Prepared under the Reserves Act 1977, it is intended to facilitate the provision of recreation activities and public enjoyment whilst retaining the open space value of the reserve.

There are a number of different groups of people who use the reserve – hunters, walkers, motor home owners, dog owners, family groups and the current lessee. The reserve also forms part of the catchment for the Tapanui Township Water Supply.

In preparing this plan, recreation opportunities and facilities within the reserve were evaluated with consideration of how they contribute to the broad spectrum of recreation activities/public use presently and in the future.

It is important to take a long term view and the aim of the plan is to facilitate the best management for the reserve by providing guidelines for control, use maintenance, preservation and conservation.

Council approved the Whisky Gully Domain RMP on 10 April 2014.

1.1 Purpose of the Management Plan

The Management Plan is intended to:

Provide for and ensure the use, enjoyment, maintenance, protection, preservation and development, as appropriate, of the reserve for the purpose for which it is classified.

1.2 Reserve Management Plan Procedure

The Act defines the procedure for preparing Reserve Management Plans as outlined in Figure 1.1. Once the plan is adopted by Council it can be reviewed at any time to adapt to changing circumstances.

Figure 1.1 - Reserve Management Plan Development Process



2. LOCATION

The Whisky Gully Domain (part of the Tapanui Domain Reserve) is located at the Eastern end of Whisky Gully Road Tapanui. The Site is bounded by Native bush and fauna.

Refer to Figure 2.1 and 2.2 below for location plans.



Figure 2.1 - Street View of Whisky Gully Domain Reserve

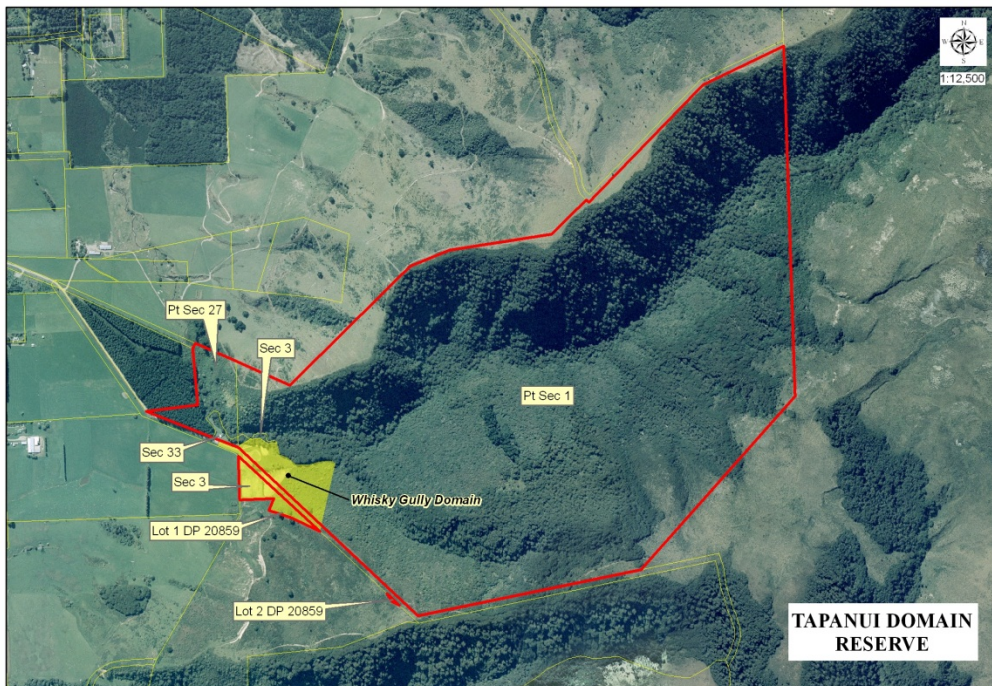
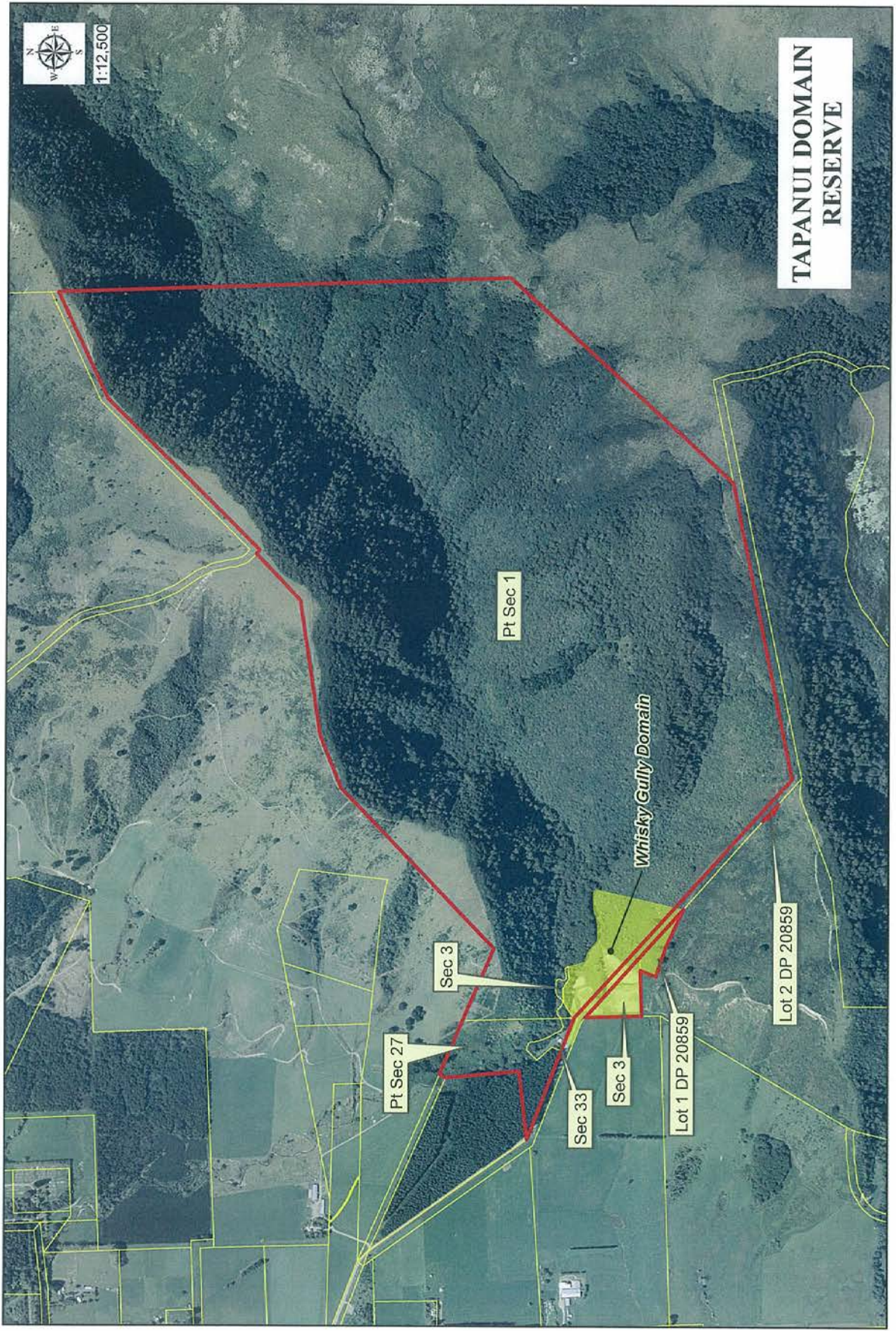


Figure 2.2 – Whisky Gully Domain Reserve (Tapanui Domain Reserve)



3. LEGAL DESCRIPTION

The Whisky Gully Domain Reserve comprises of 5.7 hectares and is made up of the following parcels of land.

1. Section 33 Pt 27 Block V111 Glenkenich S.D Sec 3 7 Blk X Rankleburn SD vested in the Clutha District Council as Local Purpose Reserve in 1978. The area 5.7565 hectares more or less are leased by tender each 3 years. The area includes the car park and the paper road through the domain. This area has been confirmed with the Lessee and the actual used lease area is approximately 2.54 hectares. The December 2013 renewal of this lease will be updated to reflect the actual leased area of 2.54 hectares – plan attached.

It also includes Lots 1 and 2 DP 20859 acquired from DS Edgar in 1989 for addition to the Reserve.

2. The balance of 209.6374 ha is a Recreation Reserve on DoC land.

The Whisky Gully Domain was gazetted in 1930 as a recreation reserve managed and administered as a Domain. In 1983 the Department of Lands and Survey approached the Tapanui Borough Council and recommended the following:

- a. Whisky Gully is classified as a 'Scenic Reserve'
- b. Council relinquishes control of the Reserve.
- c. Council retains control of the Picnic Area.

While explicit confirmation has not been able to be found to confirm this, the current management arrangements appear to be in accordance with the Lands and Survey approach to the Tapanui Borough in 1983.

3.1 Spelling of 'Whisky'

The NZ Geographic Board spells Whiskey Gully with an 'e' and this is the 'Unofficial Recorded' name for the gully and the creek. While it is recorded as 'Unofficial', this is the same status as the townships known as Tapanui & Balclutha.

Research through old documents has revealed that generally the area has been referred to as Whisky Gully without an 'e'. As such the Domain shall be referred to as the Whisky Gully Domain for the purpose of this Reserve Management Plan.

If this name is considered by the NZ Geographic Board in the future we will request that it be spelled without an 'e' so as to be consistent with the local spelling.



4. MANAGEMENT AIM

The basis for the management of Reserves is explained in the Reserves Act 1977.

That is:

1. To provide for the recreation activities and physical welfare and enjoyment of countryside, with the retention of open spaces and on outdoor recreational activities.
2. The aim of this management plan is to provide a framework for equitable and accessible recreation for local residents, the wider Clutha District, and visitors as appropriate.

Management planning is a process for determining the management direction that the Community and the Clutha District Council would like to apply to reserves. This includes the identification of the ways in which management direction can be achieved. Management plans under the Reserves Act should outline the Council's general intentions for use, development and maintenance of its reserves.

The aim of the Reserves Act is to ensure that the development and enjoyment of the reserves are based on sound planning and that, through the public's involvement, the needs of the public are clearly identified.

5. MANAGEMENT OBJECTIVES

Management objectives provide a framework in which the management direction can be achieved. It is fundamental to reserve management that objectives and policies are clearly defined, so decisions regarding any activity proposed or carried out on the reserve are made in accordance with those objectives and policies

Subject to and in addition to the recommendations for the reserve, the following objectives and policies apply.

5.1. General

- To provide recreational opportunities.
- To minimise conflict and interference between recreationists.
- To maintain and improve the quality of the existing recreation environment.
- To manage the reserve in accordance with its classification of Recreation Reserve under the Reserves Act 1977.

5.2 Use

- To promote and facilitate use of the reserve based on identifiable recreational demands that are compatible with the character and sustainability of the area.

5.3 Public Access

- To permit freedom of public access to the reserve as limited by the terms of any leases/agreements of the reserve or part reserve.
- To facilitate public access to the reserve at a level that can be sustained without detriment to the area or the quality of the users' recreation experience.

5.4 Open Space

- To manage and promote the open space values of the reserve.

5.5 Protection

- To manage and protect the natural amenity values of the reserve.

6. MANAGEMENT POLICIES

6.1 Administration

The reserve is to be administered as a recreation reserve under the control of a Management Committee. In this case the already existing Domain Board is elected every three years. The Domain Board is a Sub-Committee of Council as such reports to the District Assets Committee of Council.

Input from local organisations, committees, user groups, or individuals having suitable expertise and interest in the area will be evaluated on a case-by-case basis in accordance with this Management Plan.

6.2 Existing Leases and Licences to Occupy

The Whisky Gully Domain is split into three main areas – the picnic and car parking area at the start of the bush walk; a leased and grazed paddock and a scrubby hill area. The current three year lease for the paddock area expired in December 2013. This arrangement has worked well in the past with the current lessee maintaining the parking/picnic area leading up to the walking tracks at no cost to Council. The parking area is considered adequate for the current numbers using the reserve at present. The gates are generally locked at night for safety and to discourage motorists from damaging the small areas of grass that are adjacent the car park.

Leasing of reserve areas enables sports organisations, private enterprises or community organisations to provide facilities for the public.

6.3 Recognition of Water Supply Catchment

The Whisky Gully Domain forms part of the water supply catchment for the Tapanui Urban Water Supply. This aspect needs to be considered and the catchment protected to ensure the water supply is not put at undue risk of contamination.

7. PROHIBITED AND RESTRICTED ACTIVITIES

7.1 Signs

- There is one Department of Conservation information sign at the entrance to the walking track at the northern end of the Reserve. Any further signage will need to be consistent with the use and purpose of the Domain Reserve.



Figure 7.1 - Signage in Whisky Gully Reserve

7.2 Camping / Fires / Vegetation

Certain activities are restricted or prohibited because of the effects they may have on the reserve or upon public enjoyment. The Reserves Act 1977, Council By-laws and Policies determine which activities are specified as prohibited in this management plan.

- To prohibit overnight camping in the reserve – except as permitted for self-contained vehicles by CDC's Freedom Camping Bylaw.
- To prohibit the lighting of fires.

Uncontrolled fires are a hazard to any surrounding protected flora and fauna. Restrictions on use will lower the chance of fires becoming out of control.

- To prohibit the removal or damage of any tree, shrub or plant material within the reserve without Council authorisation.

Vegetation is an important component of a reserves value. The native red beech trees at the base of the hillside provide shelter and nesting of the Mohua (the endangered native yellow head canary). No trees may be removed or trimmed without Council resource consent.

7.3 Dogs

Dogs may be exercised on the Reserve provided they are under continuous control as defined in Section 6.3 of Council Dog Control Bylaw 1997. There is also responsibility to remove any fecal matter the dog may produce as defined in Section 7 of the Bylaw. See Appendix 2 for Sections 6 & 7 of the Bylaw.

7.4 Modes of Transport

- To permit freedom of pedestrian access in the reserve except when access is restricted in the interests of safety to pedestrians for specified activities.
- Modes of transport are to be permitted in accordance with public safety. The domain carpark is at the start/finish point for the tramping route along the Blue Mountain tops to Black Gully. There is also a popular DOC walk into Whisky Gully.

7.5 Maintenance

Reserves need to be maintained to a standard which facilitates safe and enjoyable use of the open space and facilities located thereon.

Maintenance issues include mowing of the grassed area, weed control, drainage and ground conditions, tree control, and the general maintenance of the facilities located on the reserve. The maintenance of the reserve at present is undertaken by the current Domain Board and Lessee at no cost to Council.

8. RESERVE ENVIRONMENT

8.1 Physical Environment

8.1.1 Climate

The West Otago area has a relatively moderate climate compared with elsewhere in Otago and Southland with rainfall distribution being even throughout the year. Summers can be hot, with temperatures occasionally approaching or exceeding 30 degrees Celsius; winters, by contrast, are often bitterly cold.

The mean daily maximum temperature varies between approximately 20 degrees in summer and 9 degrees in winter.

8.1.2. Topography and Soils

Whisky Gully Domain is a naturally wet area.

8.1.3 Flora

Native bush and trees cover the higher areas in the reserve. At various times of the year tree orchids, mistletoe, clematis, fungi of all forms of colour adorn the walkways to the waterfall. Weeds such as Darwin's Barbury and gorse broom are among the native bush.

In 2012, 150 native red beech trees were planted in Whisky Gully at the base of the hillside. No flora within the area is identified as significant in Council's District Plan, however, the flora of Whisky Gully varies greatly from Black Gully and is of particular interest to botanists.

8.1.4 Fauna

A number bird species can be observed in the reserve area especially the endangered native yellow head canary (Mohua).

9. EXISTING USE AND FACILITIES

9.1 A map of the grounds is attached as Appendix 1.

9.2 Toilet

The toilet block is maintained by the Clutha District Council's Greenspace Contract. The toilet block is of concrete block construction and needs minor maintenance but is adequate for its present use. There is no power in this facility. The cost to refurbish the toilets block is estimated to cost \$1,500. This work would include an interior and exterior repaint and new toilet pans.



Figure 9.1 - Whisky Gully Toilets

9.3 Whisky Gully Walking Track

The Whisky Gully Domain car park is at the start/finish point for the marked tramping route along the Blue Mountain tops to Black Gully and also at the entrance of the 15 minute loop walk into Whisky Gully.



Figure 9.2 - Entrance to the Whisky Gully Walking Track

9.4 Facilities

The Domain is a listed campervan site. The Public has limited access as the majority of the land is fenced off for grazing. There is one wheelie bin in the car park on the Domain. At present the wheelie bin is put out for collection on an as required basis by the Domain Board personnel at no cost to Council.

There is a cyclone fence in reasonable condition, which runs around the boundary of the domain.



Figure 9.3 - The Whisky Gully Domain Reserve Car Parking area

There is one picnic table in the Domain nestled under the trees. The table and seats are of concrete construction.



Figure 9.4 - Picnic Table

10. CONSULTATION

In February 2013, a request was received from the TWO Promotions group to develop a long term plan for the Whisky Gully Domain. The Domain is currently on a three yearly lease which is due to expire in December 2013.

In March 2013, a report was presented to the West Otago Community Board with the intention to develop a management plan for the Whisky Gully Domain Reserve. The domain is close to Tapanui and has considerable potential for recreational activities.

With this in mind, the West Otago Community Board recommended to the District Assets Committee:

1. The intention to proceed with a Reserve Management Plan for the Whisky Gully Domain.
2. That the delegated authority to consider the RMP be given to the West Otago Community Board.

In April 2013, Council resolved the following:

Moved Councilors Kennedy/Payne and Resolved

- i. That Council recommends Management Plans be developed over the next 12 months for***
 - a. Whisky Gully Domain – Tapanui***

- ii. That the West Otago Community Board be delegated the authority to hear submissions registered the Whisky Gully Domain Reserve Management Plan.**

10.1 Formal Reserve Management Plan Process

The intention to prepare a Draft Domain Reserve Management Plan for Whisky Gully was notified on Saturday 29 June 2013, with submissions closing on 20 July 2013. A total of four submissions were received for consideration in the draft Whisky Gully Domain Reserve Management Plan. A late submission was received from the Two Promotions Group. Due to timing and their request to develop the RMP their submission was considered alongside the other submissions.

A summary of these submissions is attached to the RMP as appendix three.

A draft RMP was prepared on the basis of the submissions received. The draft was adopted by Council on 26 February 2013.

The final round of submissions on the draft Whisky Gully Domain Reserve Management Plan was called for in November 2013 and nine submissions were received.

A summary of the final round submissions are outlined in the attached table:

Whisky Gully Domain Reserve Management Plan – Final Submissions

SUBMITTER	ISSUES	PROPOSED RESPONSE
Ross and Bev Ludemann	<ul style="list-style-type: none"> - Would like the Domain extended and developed alongside the present small parking lot. - Would like to enhance the area by the way of proper drainage and new plantings. - Would like to see additional seating installed - Maintenance cost shared by all community groups 	<p>The area is currently maintained by the adjacent land owner in conjunction with the lease arrangements. This has worked well in the pass</p> <p>Recommendation: No changes are made to the Draft Plan</p>
Ruth Stiven	<ul style="list-style-type: none"> - Would like to develop a picnic area close to the native bush. - Would like to see a flying fox or obstacle course installed and build on these recreational activities in the future. - Disability access to the bush. 	<p>A Low cost playground may not get much use. A flying fox can be expensive to meet the NZ safety standards.</p> <p>Recommendation: No changes are made to the Draft Plan</p>
Susan Somerville	<ul style="list-style-type: none"> - Development of a track up to the lookout in the domain property encompassing the ground to the line of the trees. - Develop a rhododendron area. - Share maintenance of the area with people in the district. 	<p>Provision for a track is provided in the Draft Plan.</p> <p>Recommendation: No changes are made to the Draft Plan</p>
Lorraine North	<ul style="list-style-type: none"> - More signage put at the crossroads leading up to Whisky Gully - Provision for a self-contained motor home area. - Would like the area extended toward the trees on the south side and drainage installed. - More picnic tables and rubbish bins - More planting of native species around the picnic area - A new walking track from the car park to a look out. - Make the lower area accessible to the disabled. - Would like to see playground equipment installed. - Toilets upgraded 	<p>Recommendation: No changes are made to the Draft Plan</p>
West Otago Lions Club	<ul style="list-style-type: none"> - Support the Draft Plan 	<p>Recommendation: No changes are made to the Draft Plan</p>
Kaye Hancox	<ul style="list-style-type: none"> - Support the future Development of the Whisky Gully Reserve 	<p>Recommendation: No changes are made to the Draft Plan</p>
The Whisky Gully Domain Board Committee	<ul style="list-style-type: none"> - Supports the Draft Plan 	<p>Recommendation: No changes are made to the Draft Plan</p>
Tapanui West Otago Promotions	<ul style="list-style-type: none"> - Would like the area extended toward the trees on the south side and drainage installed. - Planting of native flora - Clarification of terms and conditions of the lease of the Domain. 	<p>Recommendation: No changes are made to the Draft Plan</p> <p>The terms and conditions of the lease are outlined in the RMP.</p>

11. RECOMMENDATIONS

11.1 Management Structure

The Whisky Gully Domain is currently managed and maintained by the Whisky Gully Domain Board. The Board is elected every three years.

Recommendation - 11.1:

That the management functions for the Whisky Gully Domain Reserve continue with the existing Domain Board in collaboration with other community groups on a case-by-case basis.

11.2 Maintenance/Lease

The Whisky Gully Domain Reserve is divided into two areas. When the Domain Board was first elected many years ago, it was decided that the area of the reserve was too large to keep tidy. A fence was erected (paid for by Council) and a large part of the reserve is now leased and grazed. The area that incorporates the car park and access to the walking tracks is maintained and mowed by the Domain Board members.

Recommendation - 11.2

That the existing maintenance and lease arrangements with an adjacent land owner be renewed on a 3 yearly cycle from 1 April 2014 subject to confirmation by the Domain Board for each lease renewal. That consideration is given to identifying a possible walking track through the lease area of the reserve as part of the 2014 lease renewal.

11.3 Vegetation

The area is surrounded by native trees and fauna. It is suggested that a small rhododendron arboretum be developed and more native plants be introduced to the domain car park to beautify the area. Given the area is currently predominantly native bush it is not considered appropriate to introduce a rhododendron area into this environment. This would be more suitable in a local park or possibly as an addition to the cemetery. Future native plantings in the domain area plantings could be considered on a case-by-case basis by the Domain Board.

The issue of pest plant control in the native bush area and adjacent land is a potential issue. A strategy to deal with this and keep pest plants under control will require a co-ordinated approach from the Department of Conservation, Council and adjacent land owners. It is recommended that initial discussions about this issue be held and a strategy developed.

Recommendation - 11.3

That future native plantings be considered on a case-by-case basis by the Domain Board and that a strategy to deal with threats from pest plant species in the Whisky Gully Domain be developed in conjunction with DOC and adjacent land owners/lessees.

11.4 Facilities

11.4.1 Rubbish Bin

There is one wheelie bin in the car park of the Domain. At present the wheelie bin is put out for collection on an as required basis by the Domain Board personal at no cost to Council.

Recommendation - 11.4.1

The wheelie bin is put out for collection on an as required basis by the Domain Board personal at no additional cost to Council. It is recommended that this arrangement remains.

11.4.2 Picnic Table

There is currently one picnic table in the Domain nestled under the trees. The table and seats are of concrete construction.

Recommendation - 11.4.2

That one new picnic table be purchased for the Whisky Gully Domain and that an additional \$1,500 be budgeted for this from the Rural Parks and Reserves Non Routine Maintenance budget in 2014/15.

11.4.3 Public Toilet Maintenance

Recommendation - 11.4.3

That \$1,500 be budgeted for toilet maintenance work at the Whisky Gully Domain from the Rural Public Conveniences Non Routine Maintenance budget in 2014/15.

11.5 Signage

At present there only one sign at the entrance to the walking track.

Recommendation - 11.5

That if any further signs are erected in the domain, they will need to be consistent with the use and purpose of the Domains Reserve.

11.6 Camping Activities

Overnight Camping in the reserve should be prohibited as per Councils Freedom Camping Policy.

Recommendation - 11.6

That overnight camping in the reserve is prohibited – except as permitted for self-contained vehicles by CDC’s Freedom Camping Bylaw.

11.7 Dogs

Dogs should be allowed to be exercised in the Domain if under continuous control and do not cause a nuisance to others (see Appendix 2)

Recommendation - 11.7

It is recommended that dogs may only be exercised provided they are under continuous control as defined in Section 6.3 of Council Dog Control Bylaw 1997. They should be mindful of other users of the grounds and walkways. There is also responsibility to remove any faecal matter the dog may produce as defined in Section 7 of the Bylaw.

11.8 Playground Equipment

There is no playground equipment at the Whisky Gully Domain at present. The installation of modern playground equipment will come at a considerable cost and as such it is not recommended for this location. There are other play areas in Tapanui such as the large playground area in Bushyhill Street Tapanui, where it would be more beneficial to spend funds for new playground equipment where the playground is closer to users.

Recommendation - 11.8

That playground equipment is not installed at the Whisky Gully Domain.













12. REVIEW CLAUSE

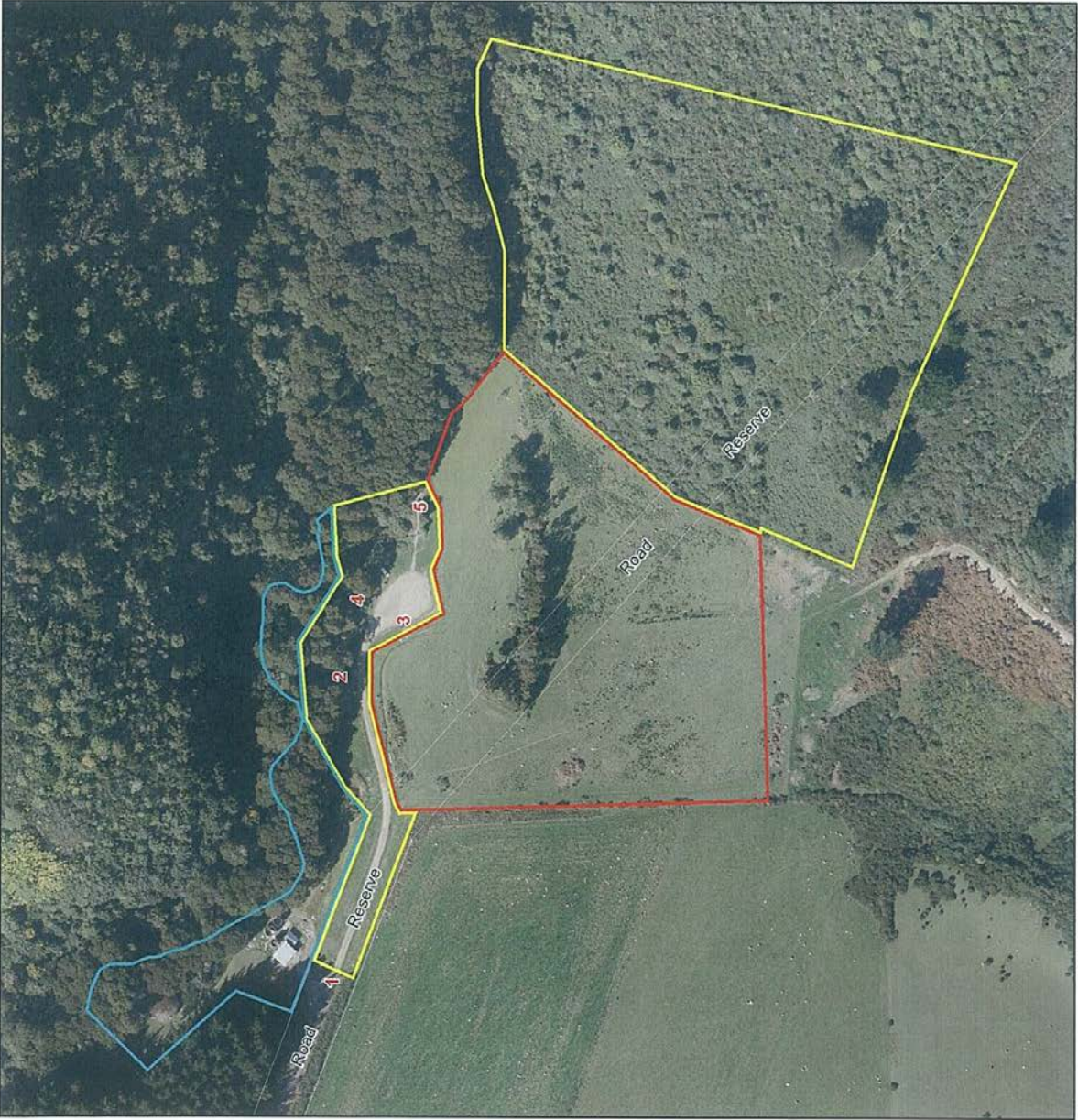
Under the Reserves Act the Management Plan must be reviewed every ten years. However, within the ten year period it would be beneficial to have activities permitted by the West Otago Community Board and District Assets Committee.

Additionally, on the decision of Council, the Management Plan may be reviewed within the ten year period provided consideration is given to the cost of any such review.

13. CONCLUSION

In considering the recommendations from these submissions the overriding factor must be the funds required to achieving any initial improvement, development, provisions of facilities and the subsequent ongoing maintenance/servicing costs into the future.

	<h2 style="text-align: center;">WHISKY GULLY DOMAIN</h2>	<table border="0"> <tr> <td></td> <td>Non-Leased Portion of Domain</td> </tr> <tr> <td></td> <td>Leased Portion of Domain</td> </tr> <tr> <td></td> <td>Local Reserve (Water Protection)</td> </tr> </table>		Non-Leased Portion of Domain		Leased Portion of Domain		Local Reserve (Water Protection)	<div style="text-align: center;">  </div> <div style="text-align: center;">  </div>	<ol style="list-style-type: none"> 1. Entrance to Whisky Gully Domain Reserve 2. Toilet Block 3. Rubbish Bin 4. Picnic Table Nestled Under the Trees 5. Start/Finish to Whisky Gully Walkway
	Non-Leased Portion of Domain									
	Leased Portion of Domain									
	Local Reserve (Water Protection)									



CLUTHA DISTRICT COUNCIL REGULATORY BYLAWS
PART 6
DOG CONTROL

Pursuant to the powers vested in it by the Local Government Act 1974, the Dog Control Act 1996 and all other powers thereunder enabling the Clutha District Council makes this Bylaw.

1. Short Title

This Bylaw may be cited as "The Clutha District Council Dog Control Bylaw 2006".

2. Commencement

This Bylaw shall come into force on the 2nd day of July 2006.

3. Object of Bylaw

The object of this Bylaw is to control the keeping of dogs in the area of the Clutha District Council.

4. Interpretation

In this Bylaw, unless the context otherwise requires -

Approved	means approved by the Council or by any Officer of the Council authorised in that behalf.
District	means the District of Clutha.
Council	means the Clutha District Council or any committee, sub-committee or authorised officer of the Clutha District Council who by definition under the Local Government act has authority in the matter.
District Plan	means the Clutha District Plan pursuant to the Resource Management Act 1991.
Dog Control Officer	means a dog control officer as defined in Section 11 of the Dog Control Act 1996.
Dog Ranger	means a dog ranger as defined in Section 12 of the Dog Control Act 1996.
Owner	means owner as defined in Section 2 of the Dog Control Act 1996.
Public Place	has the meaning assigned to the term by Section 2 of the Dog Control Act 1996 and the Schedule attached to this Bylaw.

Reserve	means any park, garden, plantation, forest, open space or ground set apart for public recreation or enjoyment and which is controlled or administered by the Council.
Road	means a road as defined in Section 315 of the Local Government Act 1975.
Working Dog	has the meaning assigned to the term by Section 2 of the Dog Control Act 1996.

5. Shelter for Dogs

- 5.1 The owner of any dog shall provide for it a weatherproof kennel or place of confinement of adequate size, constructed on well drained ground and, in the case of a kennel without other means of confinement, provided with a fixed chain or running wire which allows the dog free movement about the kennel with access to clean water. All kennels or places of confinement shall be kept in a clean and sanitary condition. A place of confinement may include a dwelling.
- 5.2 No owner of any dog shall keep the dog on any premises or in any kennel or place of confinement, other than a dwelling, any part of which is nearer than 2 metres to any boundary. Existing use rights shall apply unless a nuisance is created.

6. Control of Dogs

- 6.1 **Leash Control Areas** - The owner or any person for the time having charge of any dog shall ensure the dog does not enter or remain in any public place in the Urban, Industrial, Rural Settlement Resource Areas (as defined by the Clutha District Plan) or all public cemeteries unless it is kept on a leash, chain or lead which is secured or held so the dog cannot break loose.
- 6.2 The provisions of 6.1 shall not apply to a working dog carrying out the work in respect of which the dog has been registered.
- 6.3 Notwithstanding the provisions of 6.1, in any public place within the 'non-designated' area i.e. generally being the Rural, Transitional and Coastal Resource Area as defined by the District Plan (but excluding any Dog Prohibited area), or in any designated Dog Exercise Area (see Schedule A) a dog may be exercised without being restrained provided such a dog is kept under continuous control whilst being exercised.

For the purpose of this clause there shall be deemed to be sufficient control if such dog is under continuous surveillance of some responsible person and the dog does not give rise to any reasonable complaint as to its behaviour whilst being exercised.

- 6.4 **Dog Prohibited Areas** - Notwithstanding any other provision of this bylaw (with the exception of Clause 12) the entry of dogs on to any public place specified in Schedule A is prohibited.

7. Fouling by Dogs

No person (being the owner or a person having control or charge of any dog) shall permit or suffer the dog to foul with faecal matter any public place or any land or premises other than land or premises occupied by that person provided that no offence shall be deemed to have been committed against this bylaw where the owner or person having control or charge of the dog removes the faecal matter

immediately after the dog has deposited the droppings. Where a public litter bin or similar receptacle is used to dispose of the faecal matter, they must be suitably wrapped or contained to prevent fouling such receptacles.

8. Infectious or Infested Dogs

No person being the owner or having control or charge of any infectious or infested dog shall take the same into any public place or permit such dog to enter or remain in a public place except when being taken to a veterinary clinic.

9. Nuisances

9.1 The owner of any dog and the owner or the occupier of any premises on which any dog or dogs are kept shall:

- a) Take adequate precautions to prevent the dog or dogs or the keeping of dogs from becoming a nuisance.
- b) Keep every bitch in season confined but adequately exercised.
- c) Keep such dog or dogs tied up (or otherwise confined), unless they are being exercised off the premises on a leash.

9.2 If, in the opinion of Council, any dog or dogs, or the keeping thereof on any premises has become or is likely to become a nuisance, Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice, to do all or any of the following;

- a) Reduce the number of dogs kept on the premises
- b) Construct, alter, reconstruct or otherwise improve the kennels, places of confinement or other buildings used to house or contain such dog or dogs.
- c) Require such dog or dogs to be tied up or confined during specified periods.
- d) Take such other action as Council deems necessary to minimize or remove the likelihood of nuisance.

10. Licence to Keep More Than Two Dogs

10.1 No more than two dogs of registrable age (whether or not such dogs are registered) may be kept on any premises situated in the urban, industrial, or rural settlement resource areas as defined by the Clutha District Plan unless the owner or occupier is the holder of a licence to keep more than two dogs.

10.2 No licence shall be granted to the owner or occupier of any premises if such premises by reason of inadequate size, location or detrimental effect on any premises would be inappropriate for the housing of three or more dogs.

10.3 A licence issued under this clause is subject to the conditions set by Council. Any breach of such conditions or other terms, conditions or restrictions shall be a breach of this bylaw. Any licence may be revoked by Council for breach of conditions or in the event of change of circumstances relating to: -

- the premises
- the owner or occupier thereof
- the dogs kept or remaining on such premises

- 10.4 Applications for licences to keep more than two dogs shall be made on the form supplied by Council and shall provide such information in respect of the application as Council may reasonably require.
- 10.5 There shall be paid to Council upon application for every such licence such fee as Council from time to time by resolution publicly notified prescribe and every such licence shall remain in force for the period of twelve months following the date of issue unless revoked and may then be renewed at no ongoing cost.
- 10.6 The fee for such licence shall be payable in addition to the registration fees payable under the Dog Control Act 1996.

11. Impounding of Dogs

When any contravention of Clause 6 occurs, or where any dog (whether or not wearing the proper registration label or disc) is found at large in breach of any provisions of this Bylaw or the Dog Control Act 1996, the dog may be impounded in accordance with Section 52 of the Dog Control Act 1996.

12. Suspend

Council may by resolution suspend the provisions of any part of this bylaw for such periods and locations as may be specified for the operation of organised dog or animal events.

13. Breach of Bylaw

Any person contravening or offending against or committing, permitting, or suffering a breach of any of the foregoing provisions shall be liable to prosecution or infringement notice for an offence against this bylaw.

14. Penalty

Every person who commits a breach of this bylaw is liable to a fine not exceeding \$500 and, where the breach is a continuing one, to a further fine not exceeding \$50 for every day on which the breach has continued.

15. Repeals

All other Bylaws in force in the Clutha District prior to the 2nd day of July 2006 for the purposes of the control of dogs, are hereby repealed.

The foregoing Bylaw was duly made by the Clutha District Council by Special Consultative Procedure and adopted at a meeting held on 22 June 2006 and ordered to come into force on the 2nd day of July 2006.

Table 10.1 – Summary of First Round Submissions

Submitter	Address	Area	Content
Whisky Gully Domain Board Committee – Angela Diamond	54 Northumberland Street Tapanui 9532	Whisky Gully Tapanui	Would like : <ul style="list-style-type: none"> • The Domain Board wish to retain Whisky Gully domain as status quo – no financial burden to rate payers or Council • Volunteers will continue to look after the domain • The domain area is monitored by the lease holder.
Amanda Sullivan	2 Northumberland Street, Tapanui 9522	Whisky Gully Domain	Would like the following improvements to the Domain: <ul style="list-style-type: none"> • A new picnic table at the entrance to the walking track. • Playground equipment within the domain to encourage families to visit. • Small native plantings to beautify the new treatment plant buildings. • A new 'No dogs' sign for the Domain • No 'overnight camping'
David Edgar	75 Keys Road RD 1 Tapanui 9532	Whisky Gully Domain	Would like the Community Board to consider the following <ul style="list-style-type: none"> • Dogs in the domain – this has become a problem • The number of young people (Hoons) that destroy the area with the cars. • Adequate for current overnight camping use. • Would like the Reserve to remain as it is.
Submitter	Address	Area	Content
Peter McPherson	52 Sussex Street Tapanui 9532	Whisky Gully Domain	Would like the Community Board to consider <ul style="list-style-type: none"> • Motor Caravan Ass uses the reserve however; this traffic would be better directed to the domain or the camping ground. • Considerable drainage is required. • The Domain is adequate for the present as a starting and or finishing point for the Blue Mountain track. • The track can only be used in summer • Money would be better spent on developing the walking tracks as this attracts people to the area. • Consultation with DoC regarding weed control.

			<ul style="list-style-type: none"> • Encourage planting of native trees to enhance the area.
Tapanui West Otago Promotions Inc. – Colin Read	20 Dorset Street	Tapanui 9522	<p>Consider the following possibilities for future development at the Whisky Gully Domain and enhance the area with additional features e.g.</p> <ul style="list-style-type: none"> • Capitalize on the location, the views, birdlife and native flora • Construct a pathway to a lookout over West Otago • Picnic facilities • Children's playground with unique styles of equipment • Birdsong Park • Motor home parking • Upgrade toilet block • Environmental care (weed and pest control) • Re-establish a small rhododendron arboretum.