DOG CONTROL POLICY

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Adopted by	Full Council
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Responsible Department	Regulatory
Responsible Officer	Regulatory Services Manager
To be reviewed	With Dog Control Bylaw 2025 or 1 June 2035, whichever is sooner

1. Introduction

1.1. Dogs play a significant role in many people's lives, providing companionship and contributing to health and well-being. As such, dog control is an important job for all local councils. Our Officers not only enforce the laws but also educate and support both dog owners and non-dog owners.

1.2. However, dogs in the community can also cause issues such as wandering, aggression, barking, fouling, and harm to protected wildlife. The Council has established this policy and an accompanying bylaw to address potential problems and ensure dogs integrate well into our communities.

2. Purpose And Scope

2.1. This policy outlines how the Council will fulfil its responsibility under the Dog Control Act 1996.

2.2. This policy is a tool to create a mutual understanding of the roles and responsibilities of dog owners and the Council. The Council acknowledges that dog ownership contributes to people's health and well-being through companionship and the need to exercise dogs regularly.

2.3. This policy promotes good dog care and control through the use of education, registration, and enforcement measures.

2.4. This policy and the accompanying bylaw have effect in all areas of the Gore District.

3. Fees

3.1. The Dog Control Act 1996 allows the Council to set reasonable fees for the registration and control of dogs. In setting fees, the Council considers the relative costs of these activities described in this policy as well as other relevant matters.

3.2. The Council has given considerable thought to what level of fee is fair and reasonable, and the guiding considerations are:

- The policy follows a user-pays approach, ensuring fees are recovered from owners who fail to meet their legal obligations.
- The cost of registration should reflect the level of service required by the Act and expected by members of the public.

- Since most dog control services benefit the public, it's reasonable for ratepayers to make some contribution.

4. Definitions

4.1. To assist with the understanding of this policy the following definitions have been included. All definitions, except the definition of a 'roaming dog' are taken from the Dog Control Act 1996. All references made below to the 'Act' are in relation to the Dog Control Act 1996.

Act – the Dog Control Act 1996.

Disability Assist Dog – means a dog certified by one of the organisations listed in Schedule 5 of the Act as being a dog that has been trained (or is being trained) to accompany and assist a person with a disability. For information, the organisations listed in Schedule 5 as of 10 March 2025 are:

- Assistance Dogs New Zealand
- Hearing Dogs for Deaf People New Zealand
- K9 Medical Detection New Zealand
- Mobility Assistance Dogs Trust
- New Zealand Epilepsy Assist Dogs Trust
- Pawsible Service Dogs
- Perfect Partners Assistance Dogs Trust
- Royal New Zealand Foundation for the Blind Incorporated

Dog Control Fee – any fee prescribed under section 37 of the Act.

Dog Control Officer – a Dog Control Officer appointed under section 11 of the Act and includes a warranted officer exercising powers under section 17 of the Act.

Dog Ranger – a Dog Ranger appointed under section 12 of the Act and includes an honorary Dog Ranger.

Domestic Animal – includes:

- any animal (including a bird or reptile) kept as a domestic pet
- any working dog
- any other animal kept by any person for recreational purposes or for that person's occupation or employment.

Infringement Offence – has the meaning given to it in section 65(1) of the Act.

Leash - a lead that is capable of restraining a dog.

Neutered Dog – a dog that has been spayed or castrated but does not include a dog that has been vasectomised.

Owner – every person who:

- owns the dog; or,
- has the dog in their possession, whether the dog is roaming or confined, unless the person holds the dog for less than 72 hours solely to prevent it from causing injury, damage, or distress, or to return a lost dog to its rightful owner; or,
- the parent or guardian of a person under the age of 16 years who:

- is the owner of the dog pursuant to this definition, and,
- is a member of the parent or guardian's household living with a dependant on the parent or guardian.

but does not include any person who has seized or taken custody of the dog under this Act, the Animal Welfare Act 1999 or the National Parks Act 1980 or the Te Urewera Act 2014 of the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.

Poultry – any live bird (including a domestic fowl, duck, goose, turkey, guinea-fowl, pheasant, emu, ostrich, quail, or pigeon) that is kept or raised for the purposes of sale or of producing eggs, hatching eggs, or poultry products or for the purposes of rearing on behalf of another person.

Protected Wildlife –

- any animal for the time being absolutely protected pursuant to section 3 of the Wildlife Act 1953
- any animal for the time being partially protected pursuant to section 5 of the Wildlife Act 1953, other than an animal in such circumstances that it may be hunted or killed under the authority of subsection (2) of that section
- any animal that is a marine mammal within the meaning of the Marine Mammals Protection Act 1978.

Public Place – a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place and includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

Registration Year – has the same meaning as that given to the term 'financial year' by section 5(1) of the Local Government Act 2002. Currently this is defined as the 1st day of July in any one year to the 30th day of June the following year.

Roaming Dog – any dog that is found unaccompanied in any public place or on any land or premises other than that occupied by the owner.

Stock –

- any live horse, cattle, sheep, swine, alpaca, llama, bison, donkey, hinny, or mule that is not in a wild state
- any deer, goat, thar, or other animal that is kept within a fence or enclosure for domestic or farming purposes.

The Council – the Gore District Council.

Working Dog – any working as defined under Section 2 of the Dog Control Act 1996.

5. Dog Ownership Obligations

Community safety and wildlife protection

5.1. The Council is responsible for safeguarding community health and safety, as well as protecting native, indigenous, or protected wildlife. To achieve this, it is necessary to control dog activities to avoid potential conflicts, prevent danger, and to minimise distress caused by dogs to the community and protected wildlife populations and habitats.

5.2. The Council will implement the following measures:

- Access to Public Places – restrict dogs' access to public places where there is a likelihood of conflict with the community or protected wildlife.

- Education and Compliance – provide information to ensure that the community and dog owners are informed about the risks associated with dogs, how to identify them, how to avoid them, and the importance of protecting wildlife.
- Enforcement – when community health, safety, or wildlife protection is at risk, effective measures will be taken to address the issue and ensure compliance with dog control regulations. This includes actions such as:
    - Issuing a warning or infringement notice
    - Impounding roaming dogs
    - Impounding unregistered dogs
    - Prosecuting when the offence or its effects are significant.

Dog Welfare

5.3. It is important to recognise that dogs have certain physiological and psychological requirements. Owners of dogs need to be aware that they have a responsibility to provide for their dog's welfare. The owner of any dog must ensure that the dog receives proper care and attention, is supplied with proper and sufficient food and water, shelter and receives adequate exercise.

5.4. In managing dog welfare, the Council will implement the following measures:

- **Access to Public Places** – The classification of public places should provide sufficient opportunities for owners to meet the exercise and welfare needs of their dogs.
- **Education** – Information will be provided to owners about the welfare requirements of dogs.
- **Enforcement** – When welfare is not sufficiently provided for, the Council will ensure that appropriate action is taken. This includes investigating welfare complaints that relate to the provision of food, water and shelter. The Council can provide water, food and shelter as necessary should this be required. The Council will report all welfare issues to the SPCA or other agencies for investigation. To deter non-compliance with dog control laws related to dog welfare, the following measures may be put in place:
    - Refer to SPCA or other agencies for investigation
    - Issuing a warning
    - Issuing an infringement notice.

Registration

5.5. The maintenance of a registration system is both a statutory requirement and an essential component of the efficient running of a dog control service.

5.6. Every person in possession of a dog older than three months of age must register their dog annually with the Council. The dog owner must complete and sign the registration forms or complete the appropriate online acknowledgements. Registration commences for any given year on 1 July.

5.7. When a dog is re-homed from one owner to another, both owners are required to notify the Council of the change of ownership for registration purposes.

5.8. When a dog is relocated to the district from another council's district, the tag is to be surrendered to the Council, upon which a new tag containing Gore District Council details will be issued to the owner at no extra charge provided the registration is current.

5.9. In the event of the death of a dog, the owner must notify the Council in writing. On receipt of written notification, the Council will process a refund for the remainder of the registration year.

5.10. If owners do not meet the obligations to register their dogs or notify the Council of a change of address or ownership, enforcement action may be initiated, and fines may be imposed.

Microchipping

5.11. All dogs, except working dogs registered for the first time as of 1 July 2006, must be microchipped. A microchip certificate is to be provided for all newly registered dogs within 30 days of registering the dog. Failure to do so may result in the issue of an infringement notice. Any dog that is unregistered and is impounded will be required to be microchipped and registered prior to release.

5.12. The Council acknowledges that multiple separate microchip databases are maintained throughout New Zealand. The dog's microchip number and owner information will be uploaded to the National Dog Database by the Council. This is the database that all councils use throughout New Zealand to assist in the quick identification and the ability to reunite dogs with their owners. The Council also acknowledges the New Zealand Companion Animal Register (NZCAR), which is a voluntary database and is often used by vets and rescue organisations to help track lost pets.

Nuisances

5.13. Dog activities can annoy and cause discomfort to community members. Nuisances include barking, roaming dogs, dog faeces, etc.

5.14. It is important to identify these problems when they occur and take appropriate measures to minimise or mitigate their adverse effects.

5.15. To manage dog nuisances, the Council will implement the following measures:

- **Education and Compliance** – Educate owners about the nuisances associated with dog ownership and how to avoid them.
- **Registration discounts** – Owners who are responsible dog owners by avoiding complaints, impoundments, or infringements will receive a discount on their registration.
- **Enforcement** – When a nuisance exists, provide effective control to reduce the problem and sufficient deterrent against non-compliance. This includes:
    - Issuing a warning or infringement notice
    - Impounding roaming dogs
    - Impounding unregistered dogs
    - Prosecuting when the offence or its effects are significant

6. Dog Ownership Obligations

Controlled Public Places

6.1. All dogs must be kept under proper and effective control at all times in public places. A dog may be allowed to be unrestrained in any area that is not defined by a Council Bylaw as a leash control area or prohibited area provided that the dog is properly controlled. Council officers will monitor rules are being complied with, focusing on educating dog owners. If owners repeatedly ignore the rules, enforcement action may be taken.

Prohibited Areas

6.2. These are areas where it is important to control dogs to ensure the safety and comfort of people in public places. To prevent any potential issues and reduce the nuisance caused by dogs, they are not allowed in these areas.

6.3. The following areas are classified as Prohibited Areas in the Gore District Council's Dog Control Bylaw 2025.

- All playgrounds
- All school grounds
- The designated playing area of all marked sports grounds
- All cemeteries
- Gore Public Gardens
- Ardwick Street Reserve
- Newman Park
- Wayland Park (Gore Multisport Complex)
- Hyde Park
- Triangle Reserve (Trout)
- Dolamore Park Scenic Reserve
- Tulloch Park

6.4. This excludes any dog defined or being trained as a disability assist dog.

6.5. The Council may temporarily prohibit dogs in areas because of potential conflict with people, domestic animals, or wildlife, or at the advice of the Department of Conservation. Temporary prohibitions will be notified by signage placed at the points of entry to the areas and by way of public notice on the Council's website.

Leash Control Areas

6.6. Where a dog is in a public leash-controlled area, it must be on a leash and under control at all times. This is to protect public safety and help ensure the safety of dogs and other animals.

Dog Exercise Areas

6.7. Dogs within designated dog exercise areas may be exercised at large at all times while under direct control or on a leash according to the appropriate signage for that area.

Fouling in Public Places

6.8. Dog owners must immediately clean up after their dog in public places or on others' property and dispose of the waste hygienically. Where a public litter bin or similar receptacle is used to dispose of the faeces, the faeces must be suitably wrapped or contained to prevent fouling of the receptacle.

7. Education And Desexing

7.1. The Council emphasises the importance of education in raising awareness about dog control issues among both dog owners and the general community. By providing information about dogs and their requirements, the Council aims to avoid dog control problems before they occur. This education is crucial for ensuring that dog owners understand their responsibilities under the Act and know how to handle any issues that may arise.

7.2. The Council acknowledges that desexing can effectively reduce many negative dog behaviours and provides a discount to all dog owners who desex their pets.

9. Permit Required To Keep More Than Two Dogs

9.1. To ensure proper management of dog ownership, the Council has established guidelines limiting the number of dogs that can be kept on any premises. No more than two dogs of registrable age are allowed unless the owner or occupier holds a permit for three or more dogs, or the premises are zoned Rural, General Rural or Rural Lifestyle in the Council's district plan.

9.2. Permits will not be granted if the property is deemed unsuitable due to inadequate fencing, size, location, or potential negative impact on neighbouring properties. Additionally, if the property is leased or rented, written consent from the property owner is required before a permit will be considered. Permits are not transferable from property to property. If a permit has been issued for two or more dogs and the owner moves to another property, a new assessment of the property will be required before the permit is re-issued for the new property.

9.3. Permits are subject to conditions set by the Council, and any breach of these conditions or changes in property circumstances may result in permit review or revocation.

9.4. All dogs must be registered annually, and failure to do so will lead to permit cancellation.

9.5. The permit fee must be paid before a permit will be issued. Permit fees are per property and are in addition to any dog registration fees.

10. Custody Of Dogs

Impounding

10.1. Where any dog is found at large in a public place in contravention of a bylaw or on any property other than the owner's, it may be impounded. Where any dog is impounded, and the owner is known, the Council shall make all reasonable attempts to contact the owner. The owner has seven days from the date of impounding to recover the dog from the pound.

10.2. Where the owner of the dog is unknown, the Council must keep the dog for seven days. If the dog is not claimed after this time the dog may be disposed of or destroyed as the Council sees fit.

10.3. No dog will be released from the pound until all registration and pound fees are paid.

10.4. If a dog is repeatedly found wandering, the officer must ensure that appropriate measures have been implemented to prevent further wandering before the dog is returned to its owner.

Releasing Dogs

10.5. Dogs shall only be released by prearranged appointment during business hours from the Animal Care Facility under the following circumstances:

- All fees must be paid prior to release.
- An Officer is satisfied that the dog is registered.
- An Officer is satisfied that the dog is microchipped.
- An Officer is satisfied that the person obtaining the dog is the rightful owner of the dog or has been duly authorised by the rightful owner to act in that capacity.

10.6. Early release may be arranged with an Officer for out of hours by arrangement, if the dog has a medical condition that requires early release or other extenuating circumstances. There are additional costs for dogs released after hours.

Rehoming Unclaimed Dogs

10.7. An unclaimed dog deemed suitable for re-homing may be rehomed if an officer of the Council deems the person or organisation suitable for rehoming a dog.

10.8. The Council will microchip and register (for the remainder of the current registration year) any dog deemed suitable for rehoming. The Council will not be held responsible for any dog that has fallen ill after re-homing or found to be ill once it has been released.

Euthanasia of Dogs

10.9. Impounded dogs that are not claimed within seven days, and that are deemed unsuitable for re-homing, will be euthanised by humane means. Dogs deemed suitable for re-homing that have not found a suitable owner, may be euthanised by humane means at the discretion of the Council.

10.10. Where the owner wishes that their impounded dog be euthanised, it will be arranged at the owner's cost.

11. Dog Owner Classification

11.1. Under the Act, the Council can classify owners as probationary or disqualify them from owning a dog. These classifications apply in certain situations and carry restrictions on dog ownership.

11.2. If the Council determines that probationary ownership is an appropriate response to an offence, it has the authority to impose such a measure. This allows the Council to monitor and evaluate the owner's compliance with dog control regulations and ensure that corrective actions are taken to prevent future issues. Probationary ownership serves as a tool to promote responsible dog ownership and enhance public safety.

Probationary Owners

11.3. Section 21 of the Dog Control Act 1996 allows for classification as a Probationary Owner.

11.4. An owner may be included in this class if they have received three or more infringement notices in a 24-month period or if they have been prosecuted under the Act. The Chief Executive has the delegation to declare any owner probationary.

11.5. A person classified as a probationary owner may object to the classification by lodging, with the Council, a written objection to the classification; and shall be entitled to be heard in support of the objection.

11.6. Any owner classified as a probationary owner will remain so for 24 months unless terminated by the Council following an objection from the owner. However, no objection may be lodged within 12 months of the hearing of any previous objection to the classification.

11.7. The probationary classification has the following effect:

- The owner is not allowed to own any additional dogs other than the ones registered and in their possession at the time probationary status is given.
- The owner must dispose of any unregistered dogs.

11.8. In considering an objection, the Council will have regard to;

- the circumstances and nature of the offence(s); and
- the competency of the person in terms of responsible dog ownership; and
- any steps taken by the person to prevent further offences; and
- the matters advanced in support of the objection; and
- any other relevant matters.

11.9. In addition to the matters listed, the Council will encourage owners to undertake approved education and obedience courses.

Disqualification of Dog Owners

11.10. Section 25 of the Dog Control Act 1996 the Council must disqualify a person from owning a dog for a period of up to five years if:

- The person commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months ; or
- The person is convicted of an offence (not being an infringement offence) against the Act; or
- The person is convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 56I of the National Parks Act 1980.

11.11. However, the Council may determine that the circumstances of the offence or offences are such that disqualification is not warranted and may instead classify the person as a probationary owner.

11.12. The Chief Executive has the delegation to disqualify any person from owning a dog.

11.13. A disqualified dog owner has the right to object to the disqualification. Any objection must be made in writing, and the owner is entitled to be heard in support of that objection.

11.14. In considering an objection, the Council will have regard to;

- the circumstances and nature of the offence(s); and
- the competency of the person in terms of responsible dog ownership; and
- any steps taken by the person to prevent further offences; and
- the matters advanced in support of the objection; and
- any other relevant matters.

11.15. If an owner is classified as probationary and commits further offences, the owner will be disqualified from owning a dog. The disqualified owner must dispose of any dogs in their possession within 14 days and may not transfer ownership to another person residing in the same dwelling. The Council will provide any disqualified owner with a notice of the effects of the disqualification and information on how to object to the disqualification.

12. Dog Classifications

Dangerous Dogs

12.1. Dangerous Dog has the same definition as in section 31(1) of the Dog Control Act 1996.

12.2. The owner of any dog classified as dangerous must follow these additional obligations:

- The owner must ensure the provision of a secure area for the dog where it is possible to gain unrestricted access to at least one door of the dwelling.
- The dog must be muzzled in any public place when not confined in a vehicle or cage (in accordance with all regulations under the Animal Welfare Act 1999).
- The owner may not rehome the dog to any other person without the written consent of the Council.
- The dog must be desexed within one month of the dog being classified as dangerous.
- Pay 150% of the standard owner registration fee.

12.3. The Council has delegated to the Chief Executive the authority to classify dogs as dangerous.

Menacing Dogs

12.4. The Council considers a dog to be menacing either by a dog's behaviour or a specific breed or type.

Menacing by Behaviour:

12.5. The Council considers a dog menacing by behaviour if there have been reports or observations of menacing behaviour or the Council considers the dog poses a threat to people, protected wildlife, stock, domestic animals or poultry.

12.6. If the Council considers a dog to be menacing by behaviour, the owner is required to meet any or all of the obligations listed below:

- Ensure that the dog is muzzled in any public place when not confined in a vehicle or cage (in accordance with all regulations under the Animal Welfare Act 1999).
- Ensure the provision of a secure area where unrestricted access to at least one door of the dwelling is possible.
- Not rehome the dog to any other person without the Council's written consent.
- Desex the dog - the owner of the dog must produce to the Council, within one month after the receipt of notice of classification, a certificate issued by a registered veterinary surgeon certifying:
    - that the dog is or has been neutered, or
    - that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered.

Menacing by Breed or Type

12.7. The following breeds and types of dogs are automatically considered menacing under the Act:

Breeds:

- Dogo Argentino
- Brazilian Fila
- Japanese Tosa
- Perro de Presa Canario

Type:

- American Pit Bull Terrier

12.8. Any dog classified as menacing by breed or type must be desexed within one month of ownership, notice by the Council, or when a puppy has reached 12 months of age. The Council may consider an appeal to desexing a dog if the owner can produce a letter from a veterinarian specifying the medical reasons why the dog cannot be desexed within one month of notification.

12.9. Any owner of a dog classified as menacing by breed or type must follow these additional obligations:

- Ensure the provision of a secure area where unrestricted access to at least one door of the dwelling is possible.
- Ensure that the dog is muzzled in any public place when not confined in a vehicle or cage (in accordance with all regulations under the Animal Welfare Act 1999).
- The owner is required to notify the Council in writing within seven days of the dog being rehomed, providing the new owner's details and the address where the dog is living.

13. Enforcement

Enforcement

13.1. The Council acknowledges that most dog owners are responsible, and typically, explaining an issue is sufficient to resolve it. This will be the initial step in the Council's enforcement protocol, except in cases where the incident causes injury or distress to an animal or person.

13.2. In some cases, a written warning will be issued. If Council records show that two or more written warnings have been issued within a 12-month period, an infringement notice may be issued. Officers have the authority to issue an infringement notice at any time if they deem it necessary, either in the field or after further investigation without warning.

13.3. Enforcement actions are necessary to ensure community safety and to penalise and deter irresponsible dog ownership.

Abatement of Nuisance

13.4. Where in the opinion of the Council the keeping of any dog(s) on a premises is, or is likely to become, a nuisance or hazardous to the health, property or safety of any member of the public, the Council may issue the owner with a written notice requiring the owner to take specific steps to solve the problem.

Barking Dogs

13.5. When the Council receives a complaint about a barking dog, the Council will initiate a process to investigate the issue. For the barking or howling to be considered a nuisance, it must be persistent and loud. If the problem continues despite efforts to educate the owner and steps being taken to rectify the issue, the Council may issue the owner with a notice requiring reasonable steps to abate the nuisance.

13.6. The owner of the dog has seven days to either comply with the notice or object to the Council about its content. If, after seven days, the notice has not been complied with and further complaints are received, the Council may remove the dog from the land or premises. If an objection is received, the objector shall have the right to be heard by the Council, who will consider the notice and any evidence submitted with the objection and confirm, cancel, or modify the notice. If the notice is not complied with, the Council may undertake enforcement actions, including removing the dog from the property.

Wandering Dogs

13.7. Where an Officer sees a dog wandering in a public place, the Officer may uplift the dog. The dog will be handled in accordance with the Council's process for wandering dogs. Typically, the dog will be impounded, but at the Officer's discretion, the dog may be returned to its home address. A warning or infringement notice may be issued if a dog is returned.

13.8. Impounded dogs will be subject to impounding fees as set out in the Council's fees and charges.

Prosecution

13.9. Where an offence is considered to be serious enough, and sufficient evidence exists, the Council may prosecute an offender in the District Court. These offences include, but are not limited to, the following situations where the dog or their owner has:

- Caused significant damage to property.
- Caused significant damage or injury to any person or animal, domestic or wildlife.
- Caused severe distress.

- Caused danger, distress or nuisance to any person or the community on several occasions.
- Not complied with the dangerous or menacing classification requirements.

13.10. Prosecution will be considered for offences against the Act or any Council Bylaw. In all circumstances, the Council has delegated to the Chief Executive the authority to determine whether to proceed with prosecution.

Infringements and Penalties

13.11. Infringements and penalties are set by the Act. The Council does not have the authority to set or alter fines. Infringements are set out in Schedule 1 of the Act.

13.12. Please note if a person is prosecuted under the Bylaw or a breach of the Act, prosecution may have higher penalties associated.

14. Commencement Of Policy

14.1. This policy comes into effect on 14 May 2025.

14.2. This policy was adopted by the Gore District Council at its meeting held on 6 May 2025.



Debbie Lascelles
Chief Executive
12 May 2025

Document History and Version Control Table				
Version	Action	Approval Date	Approval Authority	Due for Review
1.0	Creation of original document			
2.0	Review of original document	6 May 2025	Full Council	2035