Dog Control Policy (2025)

Approved by:	Executive
Responsible for its Updating:	Planning Department
Final Approval by:	Council
Policy First Issued:	1/7/2015
Date of This Issue:	1/10/2025
Proposed Date of Review:	1/10/2030

1. Purpose

a) This policy forms the basis for the 'dogs' section of the Animals Bylaw made under section 10 of the *Dog Control Act 1996*.
b) The purpose of this policy is to provide clear guidance to the public and Council staff involved in the administration of the *Dog Control Act*. It sets out the variety of mechanisms that will be used in the day-to-day activity of dog control in the Kaikōura District.
c) The intended outcome of this policy is to provide for the care and control of dogs, leading to a safe and healthy environment for residents and visitors to the Kaikōura District, and an accommodating district for dogs and their owners. In addition, the appropriate enforcement of this policy, the Kaikōura Animals Bylaw 2025, and the *Dog Control Act* will minimise the possibility of dog attacks.

2. General responsibilities

a) Dog owners are required to comply with the *Dog Control Act*, and any regulations and bylaws established under it. These requirements include:

- promptly picking up their dog's faeces in public areas and properly disposing of it
- carrying effective means to remove of any dog faeces when in a public place with a dog
- ensuring that their dog does not cause any disturbance or public nuisance

- registering the dog with the Council and notifying the Council of any changes in address or ownership
- keeping the dog under control at all times or confined in such a manner that it cannot freely leave the property
- maintaining the dog's physical and mental wellbeing through proper nutrition, a suitable environmental and providing adequate health and behavioural stimulation
- taking reasonable measures to prevent the dog from causing annoyance to others, such as excessive barking, howling, or other disruptive behaviour
- taking reasonable precautions to prevent the dog from causing harm, danger, intimidation, or distress to any person
- providing adequate ventilation for dogs kept in a motor vehicle
- taking reasonable precautions to prevent the dog from causing harm, danger or distress to any stock, poultry, domestic animal, or protected wildlife
- taking reasonable steps to prevent the dog from damaging or endangering the property of others
- when the dog is off-leash in a public place, the owner or person in charge ensuring effective control

b) The remainder of this policy goes into the details of the above expectations and outlines how Council will facilitate and enforce them.

3. Registration and Microchipping

a) There is a legal requirement for puppies to be registered by the time they are three months old and microchipped within two months of being registered.
b) It is important to note that microchipping is not a substitute for other forms of identification, such as collars with tags. To streamline the registration process, the Council strongly recommends that owners have their microchipping certificate ready at the time of registration.

4. Control of Dogs

a) Dogs in public places (unless prohibited) shall be kept under continuous and effective control at all times. At all other times dogs shall be confined on private property in such a way that they cannot freely leave.
b) No dog should be tied up (tethered) or otherwise confined if that dog is showing two or more signs of prolonged tethering, unless the tether is used under constant supervision to prevent injury to any human or animal during veterinary treatment or handling.
c) *Signs of prolonged tethering* mean any of the following:
    1. heavily worn surfaces within the tether area:

2. an accumulation of faeces or a strong smell of ammonia within the tether area:
3. excessive destruction of the ground or objects within the tether area:
4. the dog has a collar or tether that is locked or cannot be released without the use of tools:
5. the dog has an injury (such as a pressure sore, skin abrasion, cut, or swelling) that is—
   (i) caused by the collar or tether; or
   (ii) otherwise, the result of the dog being tethered:
6. the dog has fly strike dermatitis:
7. the dog displays signs of excessive frustration (such as excessive barking, pacing, over-grooming, or self-mutilation).

d) Vulnerable dogs must not be tethered. A vulnerable dog means a means a dog that—
   1. is under 6 months of age; or
   2. is in heat; or
   3. is in its third trimester of pregnancy; or
   4. is in labour; or
   5. is giving birth; or
   6. is nursing; or
   7. a veterinarian has advised, in writing, should not be tethered.

e) However, restrictions on tethering vulnerable dogs does not apply if the tethering is temporary and:
   1. is reasonably necessary to enable the owner or person in charge (or a person acting under their direction) to carry out a temporary task or activity; or
   2. is for the purpose of preventing injury to any human or animal during veterinary treatment or handling; or
   3. is for the purpose of handling the vulnerable dog for therapeutic purposes, including preventative treatment; or
   4. is done by—
      - an inspector or auxiliary officer while performing or exercising their functions, duties, or powers under the *Animal Welfare Act 1999*; or
      - (a dog control officer, dog ranger, or warranted officer performing or exercising their functions, duties, or powers under the *Dog Control Act 1996*; or
   5. in relation to a vulnerable dog in heat, the vulnerable dog is—
      - a working dog involved in driving or managing livestock; and
      - working solo or as part of a team comprising only female dogs and neutered male dogs; or

6. in relation to a vulnerable dog that is under 6 months of age, the vulnerable dog is training to become a working dog.

f) If a person relies on an exception in subclause (e)(1), (2), (3), (5), or (6), the vulnerable dog must be under constant supervision during the period of temporary tethering.

g) If a dog is diseased or on heat, exercising must be carried out on the owner's property.

h) Uncontrolled dogs will be impounded where appropriate; owners will be infringed for repeat offences.

i) The owner of a dog will be disqualified if three infringement offences are incurred within a 24-month period.

4.1 Areas Where Dogs Are Prohibited

a) Dogs are prohibited within the following areas of the Kaikōura District at all times (refer to the maps in Schedule B for further detail):

- Gooches Beach Recreation Reserve within 10 metres of play equipment
- Recreation Reserve (next to 103 South Bay Parade) within 10 metres of play equipment
- Bayview Street Park within 10 metres of the play equipment
- Churchill Street Park within 10 metres of the play equipment
- Point Kean Seal Colony area and car park and the Peninsula walkway
- Jimmy Armers Beach and Recreation Reserve from 1 November to 31 March each year
- South Bay Domain fenced off sports areas (excluding any A & P Show activities)
- Wildlife reserve adjacent to Lyell Creek (Ludstone Road corner)
- South Bay commercial boat park, Moa Point and the small craft marine facility area
- Garden of Memories
- Reservoir Site Scarborough Street (the Lookout)
- Kaikōura Cemetery
- Gillings Lane / Beach Road Recreation Reserve within 10 metres of play equipment

b) The above areas are considered high use recreation areas where there is a need to minimise danger, distress and nuisance to the community generally.

4.2 Areas Where Dogs Must Be On a Leash

a) Dogs are allowed in the following areas as long as they are on a leash; (for the purpose of this policy leash means an adequate restraint not exceeding 2 metres in length and held by a person physically capable of restraining the dog.) Refer to the maps in Schedule B for further detail.

- West End (between State Highway 1 and Esplanade)
- Lydia Washington Walkway (West End to Deal Street)
- Annie Boyd Walkway (Torquay Street to Killarney Street)
- Takahanga Terrace to Killarney Street Walkway
- Dempsey's Track (Torquay Street to Scarborough)
- Tom's Track (Torquay Street to Scarborough Street)
- Churchill Street (West End to Scarborough Street)
- Beach Road (Mill Road to Ludstone Road/ Churchill Street intersection)
- Takahanga Domain
- The Recreation Reserve and the Foreshore from Moa Point to the stormwater drain opposite 107 South Bay Parade (north of Moa Road end).

b) To support the protection of birds, dogs are also not allowed off the leash on the beaches presented in the maps outlined in Schedule A of this document between 1 September and 1 December each year.

4.3 Areas other than Prohibited Areas or Leash Areas

a) Dogs are permitted in every other area within the Kaikōura District except for:

- Any areas specified as controlled or closed areas under the *Conservation Act 1987*
- Any other areas where dogs are prohibited from or restricted from in any other statute or policy
- Any private land (except with consent of the landowner).

4.4 Dog Exercise Areas

a) In having regard to the exercise and recreational needs of dogs and their owners and the need to minimise danger, distress and nuisance to the community generally dogs may be exercised in the following areas so long as it does not contradict any other part of this policy and the associated Animals Bylaw.

- South Bay Recreation Reserve (South Bay Foreshore)
- South Bay Recreation Reserve (near the start of the peninsula walkway)
- South Bay Domain (area from South Bay Parade / State Highway 1 corner to the Kowhai River on the seaward side of State Highway 1)
- Beach Foreshores (except Jimmy Armers Beach and South Bay Commercial Boat Park)
- Esplanade Reserves/Strips, Marginal Strips, and Road Reserve Adjoining rivers.
- Recreation Reserve on the South bank of the Kowhai River
- Churchill Park (Dogs are prohibited within 10m of play equipment).

4.5 Dogs on Vehicles

a) Dogs on open trays of vehicles must be confined by leashes or chains of a length adequate to prevent such dogs from falling from the vehicle or snapping at passers-by. This provision will not apply where any dog is adequately confined on the rear of a vehicle by means of a wire cage or similar device.

4.6 Dogs not Prohibited from Prohibited areas

a) The following working dogs are not prohibited from the areas listed as prohibited as long as the dogs are carrying out their function as working dogs:

- Disability assist dogs as defined in Section 2 of the *Dog Control Act*;
- Specialist rescue dogs; and
- Any dog kept by the Police or any Constable, the Customs Department or the Ministry of Defence, or any security officer or any employee of any governmental department solely for the purposes of carrying out their functions, powers and duties.

5. Prevention of Nuisances

a) Dog owners are required to keep their dog's facilities in clean and hygienic conditions and maintain these facilities in a good state of repair. Council shall prohibit the keeping of dogs in such conditions that could cause a health risk to the dog or a member of the community or create a nuisance to the community by persistent barking or other such unacceptable behaviour.

5.1 Removal of Faeces

a) The owner or person in charge of a dog in any public place must carry a suitable container for the removal of any faeces defecated by that dog. Every person whose dog defecates in a public place or on any land not owned or occupied by that person must immediately remove the faeces and dispose of it in a sanitary manner.

6. Dog Awareness and Education

a) Council may from time to time undertake education and promotional programmes which promote responsible dog ownership and other issues related to management and control of dogs.
b) Council will regularly review educational material to ensure it remains relevant.

7. Release of Impounded Dogs and Impounding Fees

a) The *Dog Control Act* sets out certain provisions for the impounding of dogs. Where any dog is found at large in a public place in contravention of a bylaw or on any property other than the owners' (without the consent of the owner/occupier in question) it may be impounded. Where any dog is impounded and the owner is known, the Council will make all attempts to contact the owner.

b) Impounded dogs will only be released when proof of ownership has been established and upon payment of impounding fees. The fees will be set at a level so as not to discourage retrieval of the dog. The fees shall increase to impose a greater penalty for each impoundment of any dog under the same ownership in any registration year.
c) Sustenance charges shall be set to recover the cost of all elements involved in the proper kennelling of dogs including the provisions of adequate food, water, shelter and exercise and shall be comparable to the fees charged by boarding establishments.
d) No unregistered dog shall be released until payment or arrangement for payment of registration fees has been made and the dog has been microchipped.

8. Fees

a) Registration fees are based on the actual costs incurred by Council for the registration and control of dogs. Dog registration fees are set by Council resolution and reviewed annually. A base registration fee is set for all dogs, and a discount fee is available for the following categories:

- Dogs which are neutered or spayed.
- Disability Assist Dogs as defined in section 2 of the *Dog Control Act*.
- Working Dogs as defined in the *Dog Control Act*.

b) A late payment penalty fee will be applied to encourage owners to register their dogs on time.

9. Number of Dogs Permitted in Urban Areas

a) No more than two dogs are allowed to be kept on any property in the residential areas within the Kaikōura Township and the outlying Township settlements of Oaro, Goose Bay, Peketa, Hapuku, Rakautara, Clarence and Kekerengu without a licence. Applicants will be required to demonstrate they meet set criteria.

10. Classification as a Menacing Dog and the Effect of Classification

a) The Council may classify a dog as menacing if the dog poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of: • any observed or reported behaviour of the dog; or • any characteristics typically associated with a prohibited dog breed or type.
b) The Council must classify dogs as menacing if they wholly or predominantly belong to the breeds of dogs listed in Schedule 4 to the *Dog Control Act*. As set out in sections 33E, 33EA and 36A of the *Dog Control Act*, a dog that is classified as menacing must be muzzled and on-leash in any public place, and microchipped within 2 months of classification.

c) Dogs classified as menacing under section 33A of the *Dog Control Act* may be required to be neutered. In exercising this discretion, the Council will consider the likely effectiveness of neutering in reducing the dog's aggressive behaviour.
d) Dogs classified as menacing under section 33C of the *Dog Control Act* are required to be neutered.
e) The process for objecting to a dog's classification as a menacing dog is set out in sections 33B and 33D of the *Dog Control Act*.
f) The above apply to any dog classified as menacing in another District if the owner wishes to register the dog in the Kaikōura District.

11. Dangerous dogs

a) As set out in section 31 of the *Dog Control Act*, the Council must classify a dog as dangerous where:

- an owner of the dog has been convicted of a specified offence;
- the territorial authority has reasonable grounds to believe the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal or protected wildlife based on sworn evidence that the dog has shown aggressive behaviour on one or more occasions; or
- the owner admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic or protected wildlife animal.

b) The process for objecting to a dog's classification as a dangerous dog is set out in section 31 of the *Dog Control Act*.
c) As set out in sections 32, 32A and 36A of the Act, a dog that is classified as dangerous:

- must be kept within a securely fenced portion of the owner's property (note: dog-free access to at least one door of the property must be available)
- must be muzzled and on-leash in any public place
- must be neutered within 1 month after receipt of a notice of classification
- must be microchipped within 2 months of classification
- is subject to a higher registration fee
- must not be disposed of to any other person without the written consent of the Council
- maintains its status as a dangerous dog no matter where it lives in New Zealand.

12. Issuing of Infringement Notices

a) Infringement notices shall be issued, as specified below, for offences under each of the following sections of the *Dog Control Act*. In relation to any of the offences specified, the Council may, in its absolute discretion, issue a warning (whether written or oral) in relation to the first offence followed by an infringement notice for any subsequent offending in respect of that offence. These notices will be issued pursuant to the Kaikōura Animals Bylaw.

Section	Brief Description of Offence	Infringement Fee
18	Wilful obstruction of Dog Control Officer or Dog Ranger	$750
19(2)	Failure or refusal to supply information or wilfully stating false particulars	$750
19A(2)	Failure to supply information or wilfully supplying false particulars about a dog	$750
20(5)	Failure to comply with any bylaw authorised by section 20 of the Act	$300
23A(2)	Failure to undertake dog owner education programme or obedience course (or both)	$300
24	Failure to comply with obligations of probationary owner	$750
28(5)	Failure to comply with effects of disqualification	$750
32(2)	Failure to comply with effects of classification of dog as a dangerous dog	$300
32(4)	Fraudulent sale or transfer of dangerous dogs	$500
33EC(1)	Failure to comply with the effects of classification of dog as menacing dog	$300
33F(3)	Failure to advise person of muzzle and leashing requirements	$100
36A(6)	Failure to implant microchip transponder in dog	$300
41	False statement relating to dog registration	$750
41A	Falsely notifying death of dog	$750
42	Failure to register dog	$300
46(4)	Fraudulent attempt to procure replacement label or disc	$500
48(3)	Failure to advise change of ownership of dog	$100
49(4)	Failure to advise change of address	$100
51(1)	Removal or swapping of labels or discs	$500
52A	Failure to keep a dog controlled or confined	$200
53(1)	Failure to keep dog under control	$200
54A	Failure to use or carry a leash in a public place	$100

54(2)	Failure to provide care and attention, to supply proper and sufficient food, water and shelter, and to provide adequate exercise	$300
55(7)	Failure to comply with barking dog abatement notice	$200
62(4)	Allowing a dog known to be dangerous to be at large unmuzzled or unleashed	$300
62(5)	Failure to advise of muzzle and leashing requirements	$100
72(2)	Releasing dog from custody	$750

Schedule A:

Note: these maps show the beaches where the 1 September to 1 December restriction of off-leash dogs and motor vehicles apply. The restriction only applies to the beaches in these areas. A beach is defined as the foreshore area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach including areas of sand, pebbles, and shingle; it does not include the adjoining park and roads.

Local Maps Print
Beaches - North

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Date:	15/09/2025
Scale:	
Print Size:	A4 Portrait
Projection:	NZTM
Produced by:	arcservice

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Beaches - Esplanade

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Beaches - South Bay

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Schedule B:

Note: These areas show where dogs are prohibited (shaded red) and where they are only allowed when on the leash (shaded orange). These apply all year around and are outlined in sections 4.1 and 4.2 of this policy. However, the area highlighted blue involves a prohibition between 1 November and 31 March each year.

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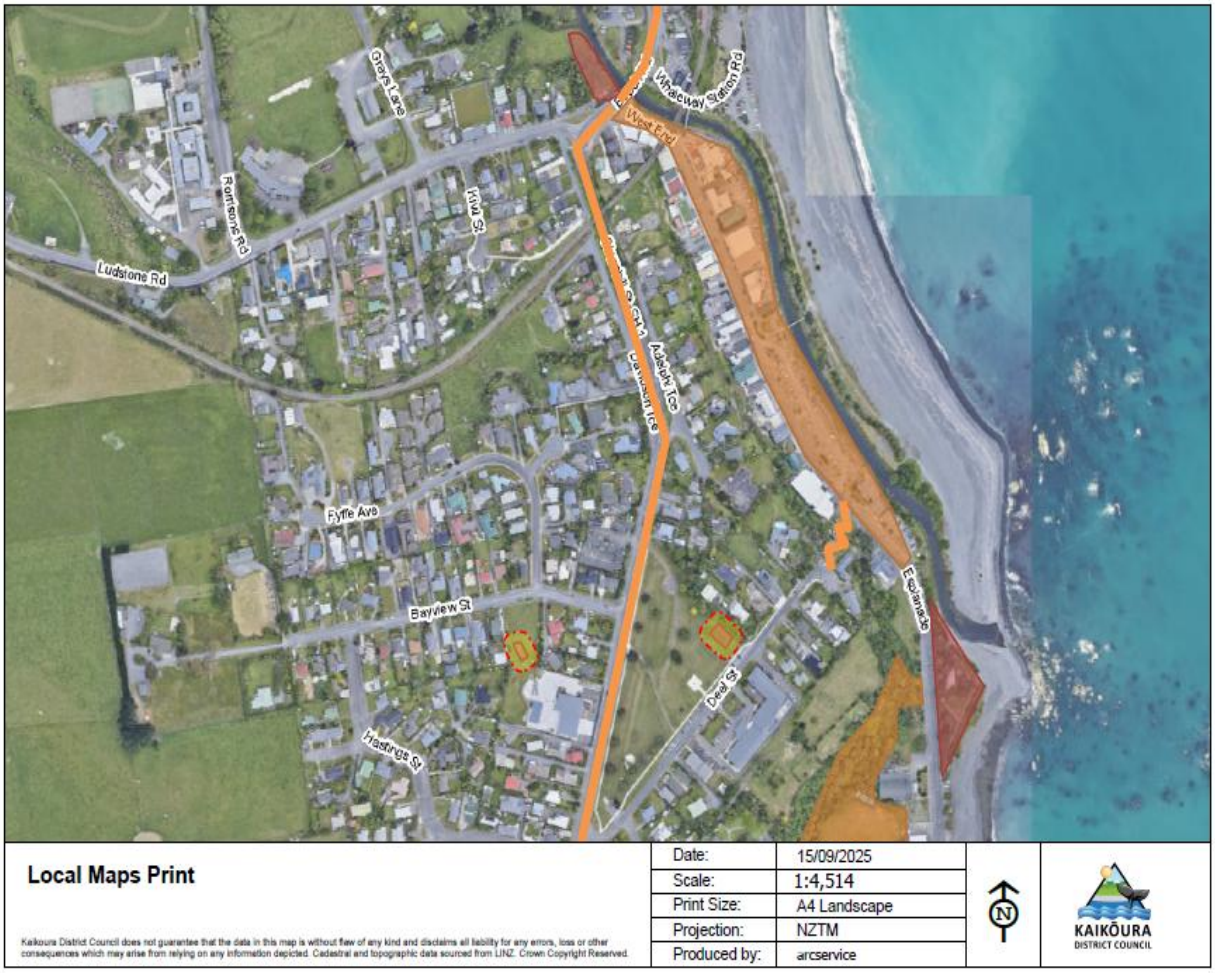

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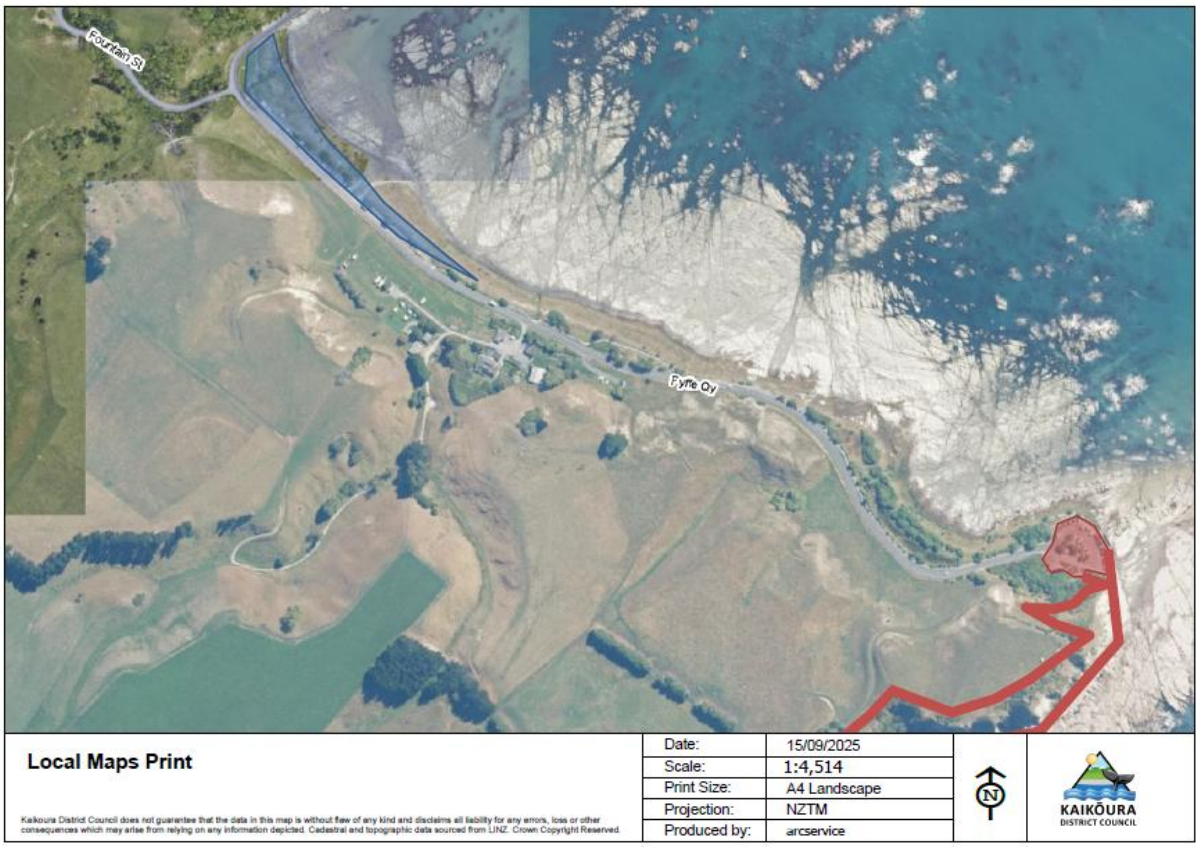

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