



chatham islands council

“Towards a Sustainable Future”

Chatham Islands Council Dog Control Policy 2017

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Section 1: Introduction

Preamble

Many people consider their dog(s) to be part of the family, and so it is important to have a range of public places that are accessible to dogs and their owners for fun and recreation.

However, we also need to acknowledge the reality that dogs can cause problems (such as barking), can cause injuries (such as bites, which can be particularly harmful and traumatic to children), and can even cause death (such as to protected wildlife or other animals).

Many of these scenarios can be prevented with good dog ownership, but others can happen unprovoked and with little or no warning, so we need to minimise the potential for such incidents and accidents by putting reasonable regulatory controls in place.

This policy seeks to balance the recreational needs of dogs and their owners with the need to minimise the potential for any danger, distress or nuisance that may be caused by dogs.

Reason for the Policy

The Dog Control Act 1996 requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy. The Chatham Islands Council Dog Control Bylaw 2017 has been developed with this policy.

Purpose of the Policy

The purpose of this policy is to outline how the Chatham Islands Council will address the requirements set out in the Act.

This policy balances regulatory controls to allow for the recreational needs of dogs and their owners with appropriate controls to minimise the danger, distress or nuisance that may be caused by dogs.

This policy is also designed as an educational tool to help encourage and facilitate good dog behaviour and good dog ownership.

Chatham Islands Dog Control Bylaw 2017

This policy should be read in conjunction with the Chatham Islands Dog Control Bylaw 2017 and the Dog Control Act. Some part of the Act are reiterated in this policy for the purposes of clarity.

Commencement and Lifespan of the Policy

This policy comes into force on 13 July 2017. This policy must be reviewed at least every ten years, together with the Dog Control Bylaw¹, or when applicable.

¹ The Local Government Act 2002 requires bylaws to be reviewed at least every ten years (s.159). The Dog Control Act 1996 requires a dog control policy to be reviewed when a dog control bylaw is reviewed (s.10AA). A review may be prompted at any time within this ten year timeframe due to operational needs, legislative change or for other reasons

The Policy

The Dog Control Policy and Dog Control Bylaw is the responsibility of the Chatham Islands Council. The primary focus of the policy is to provide a cost effective and professional animal management service through education, monitoring, compliance and enforcement activities.

The Council's principal involvement in dog control is in response to the legislative obligations set out in the Act. The legislation sets out Council's and dog owners' responsibilities.

The Council's approach to dog control is one of assisting owners to understand their responsibilities, rewarding those owners who exercise good control of their dogs and taking any necessary action against those who do not meet their obligations.

Community outcomes related to the Policy

The Chatham Islands Council has a number of Community Outcomes that guide decision-making. The main Community Outcomes related to this policy are:

<p>A Safe and Healthy Community People participate in a wide range of recreational activities</p>	<p>This policy:</p> <ul style="list-style-type: none">• provides for the recreational needs of dogs and their owners by allowing reasonable access to a wide range of public places• requires a leash in some areas to allow dogs, but to protect people, wildlife or the environment• allows children safe areas to play, free of dogs (such as playgrounds and swimming beaches in summertime)
<p>Communities are safe</p>	<p>This policy:</p> <ul style="list-style-type: none">• encourages good, responsible dog ownership• encourages responsible conduct around dogs, including offering training to children through schools• reduces the potential for harm by restricting or prohibiting dogs in some recreational areas and settings
<p>A Community that values its Taonga The Chatham Islands' unique landscapes and indigenous biodiversity are protected and enhanced</p>	<p>This policy:</p> <ul style="list-style-type: none">• prohibits dogs from certain places to protect wildlife values (particularly endangered birds)• prohibits dogs or requires a leash in certain places to protect conservation values (such as regenerating wetland or bush areas)

Section 2: Dog Control Bylaw

Under the Dog Control Act councils are required to develop a dog control policy, and must develop a bylaw to enforce the matters covered by the policy.² Section 10(3)(a) of the Act requires a dog control policy to set out the nature and application of its associated bylaw.

Nature and application of the Bylaw

The Council's Dog Control Bylaw:

- promotes the responsible management of dogs in public places;
- provides for the recreational needs of dogs and their owners; and
- minimises the potential for danger, distress or nuisance from dogs to the community, animals and wildlife.

The Council's Dog Control Bylaw covers the following matters:

- control of dogs in public places
- prohibiting dogs from specified public places or categories of public places
- requiring dogs to be on a leash in specified public places or categories of public places
- exempting certain types of dogs in certain situations
- designating specified areas for dog exercise areas
- placing limitations on the number of dogs that may be kept on properties
- placing limitations on the housing, movement and transportation of female dogs in season
- placing requirements on dogs on vehicle trays
- offences and penalties.

Section 3: Obligations of Dog Owners

The Dog Control Act sets out the national expectations of dog owners that are consistent across New Zealand. The Council's Dog Control Policy and Bylaw set out those matters that are specific to the Chatham Islands District, such as the public places where you can or cannot take your dog, or must have it on a leash.

All dog owners are required to understand the dog owner requirements and obligations set out in the Act, together with the dog owner requirements and obligations set out in this policy and in the Council's Dog Control Bylaw.

Dog owners should also be aware that animal welfare matters are covered by the Animal Welfare Act 1999, and in particular, by the Animal Welfare (Dogs) Code of Welfare, which sets out the minimum standards and recommendations relating to all aspects of the care of dogs. Animal welfare matters relating to companion animals are largely enforced by the Society for the Prevention of Cruelty to Animals (SPCA).

² Section 10 of the Dog Control Act 1996

Obligations of dog owners set out in the Dog Control Bylaw

The following subsections set out the obligations of dog owners that are required by the Council's Dog Control Bylaw.

Keeping your dog under effective control

Dog owners are required to keep their dog(s) 'under effective control' at all times when in public places.

The owner or person in charge of a dog in a public place must:

- be aware of where the dog is and what it is doing;
- ensure the dog is responsive to commands; and
- ensure it is not creating a nuisance.

Explanation

When a dog is under effective control, it means the dog is not creating any sort of nuisance to people, domestic animals or any other wildlife. Nuisance in this sense means things such as barking, rushing at, intimidating, attacking or otherwise causing injury, damage or harm.

Going for a walk with your dog unrestrained (not on a leash) is fine in areas where there are no dog restrictions. However, the dog must still be 'under effective control'. This means you can see the dog or you are aware of what it is doing, and you are close enough to prevent issues or quickly bring it to heel. Having your dog under effective control is as much about the safety of your dog as it is about the safety of others.

The Dog Control Act requires all dog owners to carry a leash when taking their dog into a public place, whether or not the public place is a leashed area (section 54A). This is because unexpected situations may arise that require a dog to be leashed to keep the dog under control or to keep it safe.

*Another requirement that is set out in the Dog Control Act is that the legal owner of the dog must be over the age of 16 (section 2). The owner or person in charge of a dog in a public place should also be physically capable of controlling the dog.*³

Carrying the means of removing dog faeces in public places

The person in charge of a dog must carry the means of picking up and removing any fouling (dog faeces) when in a public place (for example, plastic bags).

Explanation

Plastic bags are an ideal way of picking up and removing dog faeces and must be carried at all times when in public places with a dog. Dog toileting habits can be unpredictable and this requirement will prevent owners from being caught short. It is no longer an excuse to say you do not have any plastic bags with you.

³ Text in this Policy that is in italics (*italics*) is not part of the Policy, but is explanatory in nature.

Removing dog faeces from public places

The person in charge of a dog must remove any fouling (dog faeces) that their dog produces and dispose of it in a hygienic manner. Requirement to remove dog faeces applies not only to public places, but also to land that is not the dog owner's land.

Explanation

Dog faeces can harbour diseases and parasitic infection that can make other dogs or people unwell. It is also generally unpleasant and smelly. It is important that dog owners take responsibility for their own dogs so that dogs can continue to enjoy access to a wide range of public places.

Section 4: Registration of Dogs

All dogs in New Zealand must be registered in accordance with section 36 of the Act.

This means that all dogs must be registered by 30 June each year, and must be registered for the first time before they are three month's old.

Registered dogs must wear a registration tag at all times.⁴ The Council will replace a lost dog registration tag at no cost.

It is an offence not to register a dog that is over three month's of age.⁵ It is an offence to knowingly provide false information on a dog registration application form.⁶

Explanation

Dogs are required to be registered for three reasons. Firstly, to keep an up-to-date record of all dogs and their owners, secondly, to allow for the return of lost dogs, and thirdly, to generate revenue for providing dog control services across the district. See the section below on the setting of dog registration fees.

Dog registration classifications

The registration classifications are as follows:

- **Working dog registration**
This is the default dog registration classification
All dogs on Chatham and Pitt Island are deemed to be 'working dogs'
- **Dogs classified as dangerous**
This applies to dogs classified as 'dangerous' under the Dog Control Act. This Act requires a higher registration fee to be paid for these dogs.
- **Disability Assist Dogs**
These dogs need to be registered, but do not incur a dog registration fee.

⁴ Under section 44 of the Dog Control Act 1996

⁵ Under section 42(1) of the Dog Control Act 1996

⁶ Under section 41 of the Dog Control Act 1996

Disability Assist Dogs are generally dogs that are certified to assist someone with a visual, hearing, mobility or other disability.

The setting of dog registration fees

Registration fees are set through the Council's Annual Plan process and are notified to all registered dog owners at registration time and are listed on the Council's website.

In considering the dog registration fees, the Council will:

- set a standard working dog registration fee
- not set a fee for Disability Assist Dogs, and
- charge a penalty for the late registration of dogs.⁷

Explanation

Registration fees are set by councils to take into account the cost of providing dog control services and aim to strike a balance between dog owners bearing the costs of dog control and the benefits to ratepayers of having safe and well-controlled dogs in their community.

The Dog Control Act 1996 (section 9) requires that all money collected under the Dog Control Act can only be spent on dog control matters.

Change of dog ownership

Where the ownership of a dog changes, the registration continues, but both the old owner and the new owner must advise the Council's Animal Management Team. A new registration tag will be issued to the new owner at no cost.⁸

Transfer of dog registration between districts

Where a registered dog is moving to a different council district, the registration goes with it. Owners of dogs transferring between areas must advise both councils of the dog's move in writing, and within six weeks of the move. The owner should take the dog registration tag to their new local council office and it will be swapped for a registration tag for the new area, at no charge. No refund of the registration fee is made as a result of the transfer, and the dog is not required to be re-registered in the new area until 1 July next.⁹

Please refer to additional requirements for the exportation of Dogs into the Chatham Islands District.

Refund of registration fee in the event of the death of a dog

The Council will refund the applicable portion of a dog registration fee in the event of the death of a dog.¹⁰ The refund must be applied for on the appropriate form. This must be done within 14 days of the death of the dog.

⁷ In accordance with section 37(2)(f) and section 37(3) of the Dog Control Act 1996

⁸ This is set out in section 48 of the Dog Control Act 1996

⁹ This is set out in section 47, 48 and 49 of the Dog Control Act 1996

¹⁰ Required by section 39 of the Dog Control Act 1996

Section 5: Micro-chipping of Dogs

All dogs and Chatham and Pitt Islands are classified as 'Working Dogs'. Therefore no micro-chipping is required, however, in the event a dog is deemed a Dangerous dog or Menacing dog Council may impose the requirement to micro-chip.

Explanation

(2A) subsection (2) does not apply to a dog as defined in paragraph (b) (ii) of the definition of working dog in section 2 registered as a working dog under section 46(1) and wearing a collar, label or disc as provided in section 34(4) (b). 36A Microchip transponder must be implanted in certain dogs.

Requirement to supply information

Dog owners are required to supply their dog's information to the Council so that it can be recorded in the National Dog Database.¹¹

Explanation

What is the National Dog Database? The database is administered by the Department of Internal Affairs and holds details of all micro-chipped dogs in New Zealand, their owners and any infringements that may have been issued against an owner or person in charge of a dog. Details of all dogs within the Chatham Islands District are required to be lodged in the National Dog Database whether they are micro-chipped or not.

Section 6: Prohibited and leashed areas

Dogs may be prohibited from public places or required to be on a leash in public places.

If a public place is not listed in this policy, it means that dogs are allowed off-leash, but must be under effective control. 'Under effective control' is the default classification. When a dog is under effective control, it means the owner or person in charge of the dog is aware of where the dog is and what it is doing, the dog is close enough to be responsive to commands, and the dog is not creating a nuisance.

The public places may be a category of public place (e.g. all children's playgrounds) or a specific public place (e.g. named reserve or specified section of coastline).

These controls may be in place at all times, or at specific times of the day or year (e.g. between 9am and 7pm during swimming season at beaches).

Where restrictions or prohibitions are in place, they will be listed in the schedules attached to this policy, and signs should also indicate any controls where they apply. It may take the Council some time to ensure all signs are in place and up-to-date.

The following section sets out the categories of public places where controls are in place. The specific public places are listed in tables in the schedule attached to this policy.

¹¹ Required by section 36A of the Dog Control Act 1996

Section 6.1: Prohibited areas

There are some categories of public places in the district where dogs are prohibited (not allowed).

These areas are:

- all Council children's playgrounds (within one metre of playground surfaces, equipment or fencing)
- all Council skate parks (within one metre of skate parks)
- all Council swimming pools and paddling pools and associated fenced areas

See the sections below for more detail.

Children's playgrounds

Dogs are prohibited from being:

- within any fenced Council playground area; and
- on any specially surfaced Council playground area; and
- within one metre of any fenced or surfaced Council playground area; and
- within one metre of any Council playground equipment where there is no fence or special surface.

Explanation

Playgrounds are designed for the use and enjoyment of children. Children are disproportionately represented in dog bite and injury statistics. Ensuring dogs are not in playground areas makes them safer for children to use.

Dogs should also be on a leash near playgrounds when they are in use. This is good practice to prevent dogs rushing at children or intimidating them, which could cause an accident.

Cemeteries and Memorials

Dogs are prohibited in the grounds of Council-managed cemeteries and memorial areas.

Explanation

Cemeteries and memorial areas are places of contemplation, of serenity and prayer, of respect for our history and for the stories of our people. They are places to come to grieve, to remember and to give thanks.

Community Swimming Pools

Dogs are prohibited in the grounds of a community Swimming Pool.

Explanation

Community swimming Pools are a place for family recreation. 8. (D) Chatham Islands Council Bylaw.

Parks and Reserves

Dogs are prohibited on Council parks and reserves and from being within one metre of the perimeter of any Council park.

Explanation

Parks are designed for the use and enjoyment of children and teenagers. Children and teenagers are disproportionately represented in dog bite and injury statistics. Ensuring dogs are not in areas makes them safer for children and teenagers to use.

Section 6.2: Leashed areas

There are some categories of public places in the district where dogs must be on a leash. Dogs must be on a leash in the following areas:

- all roads (including footpaths)
- all boat ramps and slipways
- township of Waitangi
- township of Te One
- township of Owenga
- township of Kaingaroa.

Roads

Dogs must be on a leash on all roads. This includes footpaths and the margins alongside roads (such as verges and berms, whether sealed or not), private ways, state highways, and car parks, but excludes beaches and driveways on private land.

Explanation

Vehicles could harm a dog that is not under control, and equally, a dog could cause a vehicle to have an accident. Having your dog under control on and near roads is as much about the safety of your dog as it is about the safety of others.

Boat ramps and slipways

Dogs must be on a leash on and in the vicinity of all Council boat ramps and slipways, including associated car manoeuvring and car parking areas.

Explanation

Dogs are required to be on a leash in boat ramp areas and around slipways in order to prevent dogs from being injured by manoeuvring vehicles and to prevent dogs from causing accidents or injury to boat ramp users. 8. (F) Chatham Islands Council Bylaw.

Townships of Waitangi, Te One, Owenga and Kaingaroa

Dogs must be on a leash on and in the vicinity of all townships of Waitangi, Te One, Owenga and Kaingaroa including public shopping areas, schools, preschools, Te Kohanga Reo, and car parking areas.

Explanation

Ensuring dogs are effectively controlled by a leash makes them safer for the public to use.

Exemptions to prohibited and leashed dog areas – disability assist dogs, working dogs, hunting dogs and summer beach prohibition exemptions

Disability assisted Dogs

Dog controls do not apply to disability assist dogs or to working dogs (where a working dog is carrying out its duties and being actively managed by its handler).

Hunting Dogs

Dog controls do not apply to hunting dogs, where a hunter is carrying out a legal hunting activity and the hunting dog is under control and present solely for hunting-related purposes.

If a dog renders itself missing during a hunt it is the owner's responsibility to notify the Dog Control Officers and neighbouring property owners immediately. All endeavours must be made by the owner to find any missing dogs.

Explanation

It is a regular Chatham practice of Hunting Pigs and Weka, however, dogs are known to go missing, therefore the dog owner has failed to keep the dog under control. Penalties will apply if that dog becomes a menacing.

Section 7: Dog Exercise Areas

The Council recognises the importance of exercise for dogs and their owners, and endeavours to provide the opportunity for dogs and their owners to exercise and socialise together.

As with all public places, dog owners must have their dog under effective control when exercising and owners must carry a leash and the means to dispose of any fouling, and must remove any fouling.

Having your dog under control is as much about the safety of your dog as it is about the safety of other dogs and other people. Care should be taken if your dog is not used to socialising with other dogs, or is known to be aggressive. Dog exercise areas are deemed to be at beaches and coastal areas within the Chatham Island district.

Dogs are permitted at Public Beaches

Dogs are generally permitted at public beaches unless there are restrictions in place. Dogs must be under effective control and the person in charge of a dog(s) must carry the means of picking up and removing any fouling (dog faeces) when in a public place (for example, plastic bags)

Explanation

Dogs require recreation as part of Animal Welfare. Many dog owners take their dogs for exercise. Dogs must be under effective control as they may cause issues on beaches that are commonly used for swimming and recreation activities, ranging from hygiene (fouling or urinating on sand or belongings) to causing a nuisance to, or endangering, other people at the beach (especially children).

Section 8: Licence to Own More Than Two Dogs

Owners of more than two dogs over the age of three months must obtain a licence to keep the dogs on any property that is less than one hectare (10,000m²) in size.

The purpose of the licence is to minimise the potential for issues associated with having too many dogs on small properties, and where neighbours are in close proximity.

Multiple dog ownership does not present the same issues in a rural environment where there is a greater distance between properties and dwellings, so the requirement only applies to smaller properties (that are under one hectare / 10,000m²).

A licence to own more than two dogs may be granted, have conditions imposed or be refused at the discretion of the attending Dog Control Officer. The licencing process is set out in the Chatham Islands Dog Control Bylaw.

The licence fee is set through the Annual Plan process, together with dog registration fees.

Explanation

When a licence to own more than two dogs is applied for, a Dog Control Officer will visit the property to check that it is appropriate for the number and type of dogs that the applicant wishes to keep. They will check a number of things, including:

- *that there is enough room for the number and type of dogs*
- *that the fencing is appropriate for the number and type of dogs*
- *that the dogs are housed appropriately*
- *that there is dog-free access to the house.*

They may also offer advice on how to minimise the potential for the dogs to bark, howl or otherwise cause a nuisance.

These considerations relate largely to obligations for dog owners under the Dog Control Act, as well as animal welfare obligations under the Animal Welfare Act.

Section 10: Other Dog Matters

Animal welfare

Dog owners should also be aware that animal welfare matters are covered by the Animal Welfare Act 1999, and in particular, by the Animal Welfare (Dogs) Code of Welfare, which sets out the minimum standards and recommendations relating to all aspects of the care of dogs. Animal welfare matters relating to companion animals are largely enforced by the Society for the Prevention of Cruelty to Animals (SPCA).

- No person shall keep any dog under conditions which are offensive or likely to be injurious to the health of the dog or person.
- Any owner or person having control or charge of any diseased dog shall confine that dog to that person's property at all times
- No person shall tease, provoke or otherwise mistreat any dog in such a way that would cause, or may cause, that dog to become aggressive, unmanageable or a nuisance.

Barking dogs

When the Council receives a complaint about a barking dog, it will investigate, and if found to be a genuine problem, Dog Control Officers will work with the dog owner to understand the extent of the barking, the reasons for the barking and will encourage solutions and behaviour change, so that the dog is no longer causing a nuisance to neighbours or passers-by.¹²

If an owner is uncooperative, or the barking continues to be persistent and loud, a Barking Dog Abatement Notice may be issued under section 55 of the Dog Control Act. If the abatement is not complied with, an infringement notice (fine) may be issued to the dog owner.

Complaints about barking dogs may also impact on the dog owner's ability to have Responsible Dog Owner status or to hold a licence to own more than two dogs. Dogs can also be seized by Dog Control Officers due to loud and persistent barking.

Explanation

There are many reasons why a dog may bark. Often it is when their owner is absent, so an owner may not be aware that their dog is causing a nuisance. Four of the most common reasons a dog may bark are:

- *protective aggression, where dogs bark at people or animals they think are invading their territory;*
- *Stimulus-oriented barking, where dogs bark at a sound or movement, e.g. a cat running along the fence, a car horn or pedestrians walking past. This can be especially problematic for hunting breeds;*
- *separation distress, this barking is different to other types of barking because it is caused by anxiety, rather than aggression or playfulness;*
- *social, where dogs are barking to communicate with each other, and with us.*

¹² Under the Dog Control Act 1996 (section 5(e), dog owners must 'take all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means'.

Dog control Officers are happy to offer advice and to suggest solutions. In some situations, however, it may be appropriate to look at other options, including penalties. If a barking nuisance is serious and ongoing, or if an owner is uncooperative.

Dog owners should take particular care of their dogs during times when there are likely to be fireworks.

Female dogs in season

The Council requires owners of female dogs in season to keep their dog confined and to limit its movement while it is in season, in order to minimise the potential impacts on other dogs. This is covered in the Council's Dog Control Bylaw.

Explanation

The hormones released by a female dog in season can be detected by other dogs over long distances. This is why female dogs in season have to be securely confined on private property (ideally away from boundary fences) and the potential impacts on other dogs need to be minimised by limiting the likely hormone trail that would be left if the dog were to be exercised as normal in public places or if it were transported unnecessarily. Transport should be limited to veterinary or breeding-related travel.

This only applies to female dogs that have not been de-sexed. Unless your dog is intended for breeding, it should be de-sexed.

De-sexing of dogs

The Council supports owners having their dogs de-sexed, unless the dog is intended for breeding.

The Council supports the de-sexing of dogs as a means of effective control.

Explanation

De-sexing is important to reduce unwanted pregnancies and to reduce aggression. Unwanted puppies need to be cared for, re-homed or destroyed, and can become an unintended cost or cause animal welfare concerns if they are not cared for appropriately. Unless your dog is intended for breeding, we recommend de-sexing.

Dogs in outdoor dining establishments

The Council is supportive of food businesses allowing dogs in their outdoor dining areas, provided the business complies with all regulatory requirements.

As with all public places, dogs must be under effective control at all times. It is up to each individual business to decide if they want to welcome dogs and if so, to manage any issues that may arise.

Disability assist dogs are allowed in all customer areas of all food businesses in accordance with section 75(1) of the Dog Control Act 1996.

Explanation

New Zealand's way of regulating food has changed under the Food Act 2014, which allows food businesses to identify, mitigate and manage the risks that are specific to their business. Through this

new regime, food businesses are able to indicate in their Food Control Plans whether they wish to allow dogs in their outdoor dining areas, and if so, how they will manage any food safety risks that this may cause.

This means that each food business can decide whether or not to allow dogs into their outdoor dining (or other) areas, and what conditions to impose on dogs and their owners.

Exercising dogs at night

The Council encourages dog owners to use reflective, fluro or other lighting attached to dog collars or harnesses to help track dogs when exercising at dusk (when visibility is low) or in the evening (particularly in the darker winter months).

Explanation

It is safer for everyone if people can see their own and other dogs when out and about, particularly on unlit share pathways. Lighting your dog is a great way to keep track of them at night, especially if they are off-leash exercising at dusk or in the early evening. It also allows other public place users to see your dog, preventing any unwelcome surprises or accidents.

Dogs in vehicles over summer months

The Council is concerned about the health and welfare of dogs that are left in vehicles during the summer months.

The Council takes a strong stance on dogs suffering in hot cars and will act swiftly to release dogs that are clearly in distress. The Council's Dog Control Officers may work to release a dog that is in distress, either singly or with the assistance of the Police.

Explanation

Cars can quickly turn into ovens during summer, and also heat up surprisingly quickly on cloudy days.

Dogs keep cool by panting and by releasing heat through their paws, but without fresh air, the air and upholstery in your vehicle can heat up to high temperatures that make it impossible for dogs to regulate their temperatures and cool themselves.

Dogs (and particularly, small dogs) can suffer heat exhaustion quickly if left in a hot environment. Slightly winding windows down is not adequate on a hot day when a car is in full sun. Your dog will be more comfortable if left at home.

If your dog shows symptoms of heatstroke:

- *immediately move the dog to a cool, shady place*
- *allow the dog to drink some cool water*
- *wet the dog with cool water*
- *fan it vigorously to promote evaporation to cool the dog's blood, which will reduce its core temperature*
- *take the dog to a veterinarian as soon as possible for further treatment. Veterinarians may apply supportive measures such as intravenous fluids to rehydrate the animal, and oxygen to prevent brain damage.*

The SPCA has the power to protect all animals from abuse, neglect and abandonment, including prosecuting people under the Animal Welfare Act 1999. Dog owners who leave their dog(s) in a hot car can face a charge of animal cruelty.

Dogs at Council events and festivals

Dogs may not be welcome or may need to be on a leash at Council events and festivals, at the discretion of event organisers and promoters. This is not the same as dogs being prohibited or required to be on a leash through the Council's bylaw, but may be as a condition of entry to an event, or it may be good advice offered by event organisers and promoters.

Events may be held in places where dogs are prohibited or where dogs must be on a leash. Check the requirements before you leave home.

Explanation

It may not be appropriate for dogs to be at a Council event due to the expected visitor numbers, the nature of the event or for other reasons (such as planned fireworks). Where dogs are welcome at an event or festival, you should consider whether or not it is appropriate to take your dog into a crowded situation, based on your understanding of your dog's temperament and history.

Section 10: Education and Training

Teaching children about dogs

Increased public awareness of safety around dogs, particularly for children, is one of the best ways to reduce dog attacks in the long term.

Toddlers and young children should be supervised around dogs at all times. Most dog attacks happen to children in their own home or the home of a relative or friend.

The Council offers a free school bite prevention education programme. This programme delivers information to children about how to be safe around dogs. A further programme involves having children read to dogs in libraries, while learning about dog safety.

Contact the Council for more information or to ask about booking a session.

Explanation

One of the main messages for children is 'if a dog's on its own, leave it alone'. Children are also taught to ask a dog's owner if their dog is friendly or not before approaching it.

Learning how to be a good dog owner

Responsible dog ownership and good behaviour from both dog owners and their dogs is another important part of reducing dog attacks, as well as reducing any danger, distress or nuisance that may be caused by dogs.

The Council is supportive of people undertaking dog training courses of all types. There are many offered by private organisations. As well as behaviour and discipline courses, dog agility courses can be a great way to understand and bond with your dog.

The Council encourages new dog owners to attend puppy or dog training courses to learn how to train the dog to understand simple commands. The first year of a puppy's life is a very important time to establish good behaviours.

In order to have your dog off-leash in a public place, you must have it under effective control. This means the owner or person in charge of the dog is aware of where the dog is and what it is doing, the dog is close enough to be responsive to commands, and the dog is not creating a nuisance.

All dogs need to be able to understand and appropriately respond to simple commands if they are to be off-leash in a public place.

Teaching dog safety for workers

Some employment roles require people to enter private property, and this can be dangerous if the property has an aggressive dog or a dog defending its territory. For example, common roles may include couriers, metre readers and census deliverers.

The Council offers an occupational dog safety course that helps employees in these types of roles to recognise and understand threatening dog behaviour to avoid injury or accidents.

Section 11: Ways of Managing Troublesome Dog Owners and Dogs

Under the Dog Control Act, the Council can classify an owner as probationary and must classify an owner as disqualified under certain circumstances. The Council can also classify a dog as dangerous or menacing under certain circumstances.

These tools are contained in the Dog Control Act to help councils to manage dangerous or troublesome dog-related situations in order to make our communities safer.

There are a range of other tools that can be used before these measures are undertaken. These may include education or training, or the issuing of infringement notices (instant fines). There are a range of offences under the Dog Control Act that can result in fines, and breaching the Council's Dog Control Bylaw can also result in an instant fine.

Dog owner status can be reduced due to infringements and offences

When a dog owner has committed a series of dog-related infringement offences (has been ordered to pay a fine) or has been convicted of dog-related offences¹³ (has been convicted through the District Court), the Council may classify that owner as a probationary owner, and in some cases must classify the owner as a disqualified owner.

¹³ Offences may relate to other acts, including the Animal Welfare Act 1999, the Conservation Act 1987 or the National Parks Act 1980

These dog owner classifications restrict a person's right to own dogs, can last for several years, and may require the undertaking of education or training that relates to the responsible care and management of dogs before they can own another dog.

The dog owner status applies across the whole country (even if the offender moves away from the Chatham Islands Council district, they will not be able to own dogs elsewhere in New Zealand).

For more information, see sections 21-29 of the Dog Control Act 1996.

Probationary dog owners

Sections 21-24 of the Dog Control Act set out matters relating to dog owners being classified as probationary owners, including the process for objecting to the classification.

A probationary owner cannot become the owner of any new dogs (but may keep any registered dogs they already have), and must dispose of any unregistered dogs.¹⁴ Probationary owners may be required to undertake dog owner education or a dog obedience course, or both.¹⁵

Probationary dog owner status generally applies for up to two years, but may end sooner.

Dog status can be reduced due to breed or behaviour

Dangerous dogs

The Council must classify a dog as dangerous based on the owner being convicted of certain offences, or based on sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, as set out in section 31 of the Dog Control Act. The Act sets out the process for objecting to a dog's classification as a dangerous dog (in sections 31(3) and 34(4)).

Dangerous dogs:

- must be kept within a securely fenced section of the owner's property (and dog-free access to the house must be available at all times)
- must be muzzled and on a leash in all public places and private ways
- must be de-sexed
- incur a registration fee that is higher than a standard dog registration fee
- must not be sold or given away without the written consent of the Council
- maintain their status as a dangerous dog no matter where they live in New Zealand.¹⁶

Menacing dogs

The Council can classify a dog as menacing if it constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, based on the dog's behaviour or characteristics typically associated with the dog's breed or type, as set out in section 34A of the Dog Control Act.

¹⁴ Sections 23 and 24 of the Dog Control Act 1996

¹⁵ Section 23A of the Dog Control Act 1996

¹⁶ Sections 32 and 32A of the Dog Control Act 1996

The Council must classify dogs as menacing if they belong wholly or in part to the breeds of dogs listed in the Dog Control Act (these are: Brazilian Fila, Dogo Argentina, Japanese Tosa, Perro de Presa Canario and American Pit Bull Terrier).

The Dog Control Act sets out the process for objecting to a dog's classification as a menacing dog (in sections 33B and 33D).

Menacing dogs must be muzzled and on a leash in all public places and private ways. The Council may require dogs classified as menacing to be de-sexed.

De-sexing of menacing dogs

Any dog classified as menacing by the Chatham Islands Council or any other Council in accordance with section 33A or 33C of the Dog Control Act must be de-sexed¹⁷, unless:

- there is a veterinary reason for not de-sexing it,¹⁸ or
- there would be a demonstrated potential financial loss to the owner from de-sexing (such as a loss related to breeding or showing the dog).

The Council has discretion as to whether or not to waive the requirement to de-sex, on a case-by-case basis, and will also consider the seriousness and type of attack leading up to the classification.

The owner of a dog classified as menacing must, if required by the Council, produce a veterinary certificate showing the dog has been de-sexed or that it is unfit to be de-sexed. Owners must comply within one month of the classification.

Section 12: Seizing Dogs, Impounding dogs and Adopting Dogs from the Council Dog Shelter Facility

The Dog Control Act gives warranted Dog Control Officers the legal power to seize a dog in certain circumstances.

Dog Control Officers can seize dogs that are found to be in breach of the Dog Control Act or any bylaw made under the Act. This may include things such as:

- a dog not being supplied with sufficient food, water or shelter (s.15)
- a dog that is unregistered and more than three months old (s.42(2))
- failing to have a dog wear a collar with a registration label or disc attached (s.50) or having a dog wear an incorrect or counterfeit registration label or disc (s.51)
- dogs not securely confined in private property (s.52A)
- failing to comply with requirements when a dog is classed as a dangerous dog (s.32)
- failing to comply with requirements when a dog is classed as a menacing dog (s.33EC)
- a dog not being under anyone's control in a public place, i.e. wandering at large

¹⁷ This is enabled by sections 33E and 33EB of the Dog Control Act 1996

¹⁸ The requirement to neuter applies to all dogs classified as menacing, except where, on written veterinary advice, conducting this procedure will present a significant health risk to the dog

- a barking dog where complaints have been laid, a notice has been issued to the owner and the dog continues to bark and cause a nuisance (s.56)
- a dog attacks a person or animal (s.57)
- a dog rushes at a person, animal or vehicle in a manner that causes death, injury or endangerment, or the damage of property (s.57A)
- a dog at large in the vicinity of protected wildlife (s.59)
- a dog at large among stock or poultry (s.60)

This is not an exhaustive list, but gives some examples of situations where dogs may be seized and impounded by Dog Control Officers.

Returning a seized dog to its owner

The release of a dog back to its owner will depend on the circumstances under which it was seized.

All fines and fees must be paid before a dog is released back to its owner.

A dog will not be released back to its owner unless it is registered and all other Dog Control Act requirements are met.

Where a dog's owner cannot be established, it will be impounded and made available for adoption or destruction after seven days.¹⁹

Fees and releasing dogs that have been impounded

Infringement fees (fines) are set in the Dog Control Act and are consistent across the country. Dog shelter fees are set locally and are included in the Council's Annual Plan processes.

The costs of housing a dog in the shelter will be recovered from the dog's owner before the dog is released (some examples of costs may include dog food and veterinary fees). If a dog is adopted, destroyed, or otherwise disposed of, fees will still be recovered from the owner.²⁰

Adoption and rehoming of unclaimed dogs from the dog shelter facility

Where a dog is released from the Council's dog shelter to a new owner, the new owner is not required to pay a standard release fee, but is required to pay the cost of registration fee any other associated fees.

No dog will be released from the shelter into the ownership of any person or organisation which may use the dog for the purposes of research in which the dog is subjected to physical operations or treatment causing changes, whether temporary or permanent.

¹⁹ This is set out in section 69 of the Dog Control Act

²⁰ In accordance with section 69(6) of the Dog Control Act

Section 13: The Issuing of Infringement Notices

The Council will issue warnings, at a Dog Control Officer's discretion, and / or infringement notices (instant fines), for infringement offences as set out in Schedule 1 of the Dog Control Act 1996.

Explanation

The Council aims to encourage people to comply with regulatory requirements through education and working with people, rather than by taking a hard enforcement approach.

Dog Control Officers will consider each situation on an individual basis and have discretion as to what approach they choose to take. The powers of Dog Control Officers are set out in the Dog Control Act 1996.

Section 14: Controlled or Open Dog Areas under the Conservation Act

The Dog Control Act requires, under section 10(5), that a dog control policy identifies any areas in the district where there are dog restrictions on Department of Conservation land, including any national parks. Refer to Schedule 5.

For further information about dog access on public conservation land managed by the Department of Conservation, please contact the Department of Conservation directly.

Schedule 1 – Leashed Dog Control Areas

Township of Waitangi
Township of Owenga
Township of Te One
Township of Kaingaroa
Owenga Wharf

Schedule 2 – Prohibited Dog Control Areas

Waitangi Playground
Norman Kirk Memorial Reserve Playground
Te One Community Swimming Pool
Kapito Cemetery
Owenga Cemetery

Schedule 3 – Dog Exercise Areas

Waitangi Beach
Beaches that have public access

Schedule 4 – Prohibited Importation of Dogs Types

Breed and type of dog subject to ban on Importation and muzzling

Schedule 4: added, on 1 December 2003, by section 50 of the Dog Control Amendment Act 2003 (2003 No 119).

Part 1 - Breed of dog

Brazilian Fila
Dogo Argentino
Japanese Tosa
Perro de Presa Canario

Part 2 - Type of dog

American Pit Bull Terrier

Schedule 4 Part 1: amended, on 18 August 2011, by clause 3 of the Dog Control (Perro de Presa Canario) Order 2010 (SR 2010/369).

Schedule 5 – Infringements, Offences and Fees s 65(1)

Schedule 1: substituted, on 28 June 2006, by section 28 of the Dog Control Amendment Act 2006 (2006 No 23).

Section	Brief description of offence	Infringement Fee (\$)
18	Wilful obstruction of dog control officer or ranger	750
19(2)	Failure or refusal to supply information or wilfully providing false particulars	750
19A(2)	Failure to supply information or wilfully providing false particulars about dog	750
20(5)	Failure to comply with any bylaw authorised by the section	300
23A(2)	Failure to undertake dog owner education programme or dog 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 dangerous dog	300
32(4)	Fraudulent sale or transfer of dangerous dog	500
33EC(1)	Failure to comply with 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 procurement or attempt to procure replacement dog registration label or disc	500
48(3)	Failure to advise change of dog ownership	100
49A	Failure to advise change of address	100
51(1)	Removal, swapping, or counterfeiting of registration label or disc	500
52A	Failure to keep dog controlled or confined	200
53(1)	Failure to keep dog under control	200
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300
54A	Failure to carry leash in public	100
55(7)	Failure to comply with barking dog abatement notice	200
62(4)	Allowing 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 6 – Conservation Areas (DOC)

Please contact the Chatham Islands Department of Conservation for 'List of Conservation Areas'. P: 03 305-0098 E:chathamislands@doc.govt.nz