

Statement of Proposal

Draft Palmerston North Dog Control Policy 2024

Submissions close 12 February 2024

DRAFT Palmerston North Dog Control Policy 2024

This Statement of Proposal provides information that will help you to make a submission on our draft Policy.

Statement of Proposal

Background

We are reviewing our Dog Control Policy. We regularly review our policies to ensure that they are fit for purpose, and are meeting the needs and expectations of the community.

We previously asked for your feedback to help us develop our draft. You told us that you were generally happy with the controls we have for dogs, so we've kept most things the same, with a few key changes that we've highlighted in this document. Now we're asking if you think we've gotten the changes to our draft Policy right. Let us know what you think by making a submission.

Reason for the Proposal

There are three main reasons for our proposal. They are:

- To ensure our Dog Control Policy is fit for purpose and meeting the needs of our community;
- To confirm the approach that the Council chooses to take for dog control in Palmerston North, and to indicate how the Council will exercise its discretionary functions under the Dog Control Act 1996;
- To review our Dog Control Policy so that we can revise and adopt a new Dog Control Bylaw before the current Bylaw expires in 2025.

Purpose of the Dog Control Policy

The Dog Control Act requires that Council implement controls for matters related to dogs through a dog control policy. The Dog Control Policy explains the Council's approach to dog control in Palmerston North, and indicates how the Council will exercise its discretionary functions under the Act.

The Policy has information about:

- The nature and application of any Bylaw made by the Council for the dog control activity;
- Areas where dogs are prohibited, required to be on-leash, off-leash and dog exercise areas;
- Whether dogs classified as menacing are required to be neutered;
- Whether dogs not under proper control are required to be neutered;
- Information on proposed fees related to dogs, education and obedience programmes; and
- Information on the issuing of infringement notices.

The Policy also outlines the responsibilities of dog owners in Palmerston North, and includes information for:

- The registration and microchipping requirements for dogs;
- The provision of adequate shelter or housing, exercise, and other needs for dogs and required actions of their owners.

Our legislative requirements

When making a policy and bylaw for the dog control activity, the Council considers the requirements set out in s.10(4) of the Dog Control Act, which are:

- Minimising danger, distress, and nuisance to the community;
- Avoiding the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
- Enabling the public (to the extent that is practicable) the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- The exercise and recreational needs of dogs and their owners.

The Council uses the special consultative procedure set out in s.83 of the Local Government Act if a matter has been identified as being of significant interest to the community, or if there will be a significant impact on the community as a result of the proposal.

Because of the requirements of the Dog Control Act (s.10(1)) for making the Dog Control Policy, and the Council's own approach to community engagement and consultation outlined in the Significance and Engagement Policy, we use the special consultative procedure to share our proposal and collect your views.

Once we've amended and adopted our Policy, we'll revise our Dog Control Bylaw to match it, and adopting the Bylaw by making determinations required under S.155 of the Local Government Act 2002.

What we're proposing

We are proposing to make a few changes to our Policy. Some of the changes are more significant than others, which we've highlighted and explained below.

Change we are proposing	Reason for our proposed change
Clause 10 Dogs Classified as Menacing	
<p>An addition is proposed to Clause 10 Dogs Classified as Menacing that will align it with the requirements of the DCA. The proposed addition is:</p> <p>10. Dogs classified as menacing must not be allowed to be at large or in any public place or private way, except when the dog:</p> <ul style="list-style-type: none"> (a) is confined completely within a vehicle or cage; or (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction. 	<p>Aligning the clause with the legislation will assist owners of dogs classified as menacing with understanding their responsibilities when their dogs are in shared public spaces.</p>
Change to Clause 11 – Dangerous Dogs	
<p>An additional clause is proposed for dogs which have been classed as Dangerous under the DCA. The proposed addition is:</p> <p>11. Dogs classified as dangerous under Section 32 of the Act must be securely fenced on a portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property, and must not be allowed to be at large in a public place or private way, except when the dog:</p> <ul style="list-style-type: none"> (a) is confined completely within a vehicle or cage; or (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction; or (c) is controlled on a leash (except for when it is in a specified dog exercise area, and it is appropriately muzzled to prevent it from biting). 	<p>Aligning the clause with the legislation will assist owners of dogs classified as dangerous with understanding their responsibilities when their dogs are in shared public spaces, as well as their responsibility to ensure safe access to dwellings located on private property is available where the dangerous dog is kept.</p>
Change to Clause 13 Barking Dogs	

<p>We are proposing to change Clause 13 so that it reads:</p> <p>13. Council's process for dealing with barking complaints is to determine if # the barking or howling is loud and persistent and is causing a nuisance or distress to any person. It will then take the appropriate action under the provisions of the Act.</p>	<p>Changing the wording of the clause will assist Dog Control Officers by providing additional guidance when they are responding to complaints of barking or howling dogs.</p>
<p>Change to Clause 17 Prohibited Public Places</p>	
<p>An addition is proposed to clause 17.1 that states the Council will engage with the community before making an area which would usually be prohibited to dogs, a dog on-leash area. The proposed addition is:</p> <p>17.1 From time to time, the Council may engage with the community to identify the suitability of areas which would otherwise be considered prohibited public places under this policy to make them a dog on-leash area.</p>	<p>Clause 17.1 (a-d) of the Policy outlines the reasons why the Council will make a public place prohibited to dogs. The reasons include if the area has a high density of pedestrian traffic, if vulnerable people are likely to be at that location, if it is a sensitive natural environment, or if the nature of the place makes it unsuitable for dogs to be present there.</p> <p>For example, Te Marae o Hine The Square is an area that has high pedestrian usage where vulnerable people often are. However, following a trial period in 2018-2019 that included consultation with the community, a change to the control for dogs from prohibited to on-leash was made.</p>
<p>Change to Clause 18 Temporary Areas of Control</p>	
<p>Additional wording is proposed for the clause which reads:</p> <p>18. The Council may have reason to temporarily lift or change specific controls for dogs in public places i.e.: for an event where dogs may need to be off-leash in an area that is otherwise prohibited to dogs, or to prohibit dogs in an areas that they are not usually prohibited from.</p> <p>The Council may from time to time declare any public place that is a prohibited public</p>	<p>Occasionally the Council may have reason to change the control for dogs in certain areas.</p> <p>For example, the Council may want to host a dog pool party event at one of its aquatic facilities before the pool is drained at the end of the season. Pools and other aquatic facilities are currently prohibited to dogs.</p>

<p>place to be a dog on-leash or dog off-leash area for a specified time.</p>	<p>Having clarity about when, why, and how the Council would temporarily suspend or change a control area for dogs will ensure that the community is aware of the temporary change, and how it might impact their experience in our public spaces.</p>
<p>Change to Clause 23 Preferred Owner Scheme</p>	
<p>Additional wording is proposed to Clause 23, which outlines the responsibilities of owners to adequately prepare for the care for their dog in an emergency situation. The proposed wording is:</p> <p>(e) In case of an emergency event, the owner is prepared and has a plan or arrangements in place so that the food, water, shelter, and exercise requirements of their dog can be met</p>	<p>The reason for the change is to ensure that in an emergency (such as an owner experiencing a medical event that takes them away from their home), or an emergency event (such as an earthquake), the owners dog will still be receiving the appropriate level of care required to meet its needs.</p>
<p>Change to Clause 26 Care and Management of Dogs - Housing</p>	
<p>Additional wording is proposed to Clause 26.2. The proposed wording is:</p> <p>26.2 Owners Dogs must be provided their dog with adequate accommodation that:</p> <p>(a) is large enough in size for the dog to stand, turn, and lie down in a natural position;</p> <p>(b) is, for example a kennel on a hard surface;</p> <p>(c) is raised off of the ground;</p> <p>(d) is dry and water is prevented from entering;</p> <p>(e) is ventilated;</p> <p>(f) allows the dog to access water for drinking;</p> <p>(g) is suitable to protect the dog from excessive heat or excessive cold;</p> <p>(h) allows the dog to urinate or defecate in an areas away from its lying area; and</p> <p>(i) faeces and urine are not allowed to accumulate in the area where the dog is kept.</p>	<p>The proposed change aligns the requirements of the Policy more closely with the Code of Welfare for Dogs (2018), particularly the minimum standards for kennelling, shelter, and ventilation.</p>

Alternatively, dogs may be provided with access to the interior of a building with an adequate sleeping area at night.

Additional information on recommended practice and minimum standards for kennelling, shelter, and ventilation for dogs is available in the Code of Welfare: Dogs 2018. Recommended practice for kennelling includes:

- kennels being constructed of solid, non-permeable materials raised above ground level which are stable and sufficient in size to accommodate the dog comfortably;
- dogs should not be required to sleep on concrete or metal surfaces. Where kennels are made of these materials, dogs should be provided with a raised platform or shelf or other type of bed made of a softer material;
- housing or kennelling should provide shelter from cold, wet, and windy weather, as well as shade on hot sunny days. Artificial shade should be provided if there is no natural shade available.
- if more than one dog is being kept in the kennel, ventilation should be controlled to manage dampness and odour, as well as to minimise the spread of infectious disease such as kennel cough;
- dogs should only be housed communally if they are known to interact well, or are under observation to ensure they do not fight; and
- kennels and kennels with runs attached should be of

<p>appropriate size for the dog or dogs being housed in them.</p>	
<p>Changes to various clauses</p>	
<p>A number of more minor revisions are made throughout the Policy.</p>	<p>The changes are to improve interpretation and readability of the Policy, including the addition of new definitions. Changes have also been made to bring the Policy up-to-date with current Council information and process, align the Policy with the appropriate legislation and Codes of Welfare, and to remove unnecessary duplication.</p>

Let us know what you think – have your say

Have we gotten our draft Policy right? Did we miss anything?

Anyone can make a submission about the proposals described in this document. We encourage people with an interest in the issues raised to give feedback.

This Statement of Proposal, and the submission form can be found:

- on the Palmerston North City Council website;
- at the Customer Service Centre, Te Marae o Hine The Square, Palmerston North;
- at the Central Library, Te Marae o Hine The Square, Palmerston North; and
- the libraries at Ashhurst, Awapuni, Roslyn, Linton and Te Pātikitiki/Highbury.

Hard copies of the Statement of Proposal and the submission form are also available on request.

To get your feedback to us, you can:

- Submit it online via our website www.pncc.govt.nz/Participate-Palmy/Have-your-say
- Mail it to: Dog Control Policy Submission, Democracy and Governance Team, Palmerston North City Council, Private Bag 11034, Palmerston North 4442
- Deliver it to: Palmerston North City Council Customer Service Centre, 32 Te Marae o Hine The Square, Palmerston North
- Email it to: submission@pncc.govt.nz (subject "Dog Control Policy Submission")
- Phone us: 06 356 8199

Speaking to your submission

You are entitled to appear before the Council and speak to your submission. Please indicate on your submission form whether you wish to do this. The Council intends to hear submissions on this proposal at a Committee meeting likely to be held in early 2024. The date and time for hearings will be confirmed in the letter acknowledging your submission and will also be advertised in the Manawatū Standard and Guardian newspapers.

**The submission period runs from
10 January to 12 February 2024**

Making a good submission

We welcome your feedback in any form – via our online submissions form, in a letter or email, over the phone, or by using our hardcopy submission forms.

To make a good submission, we encourage you to point to the particular areas of the proposed Policy you are commenting on, letting us know why you do or do not support it, and what you think we should consider changing (if anything). Matters outside of the scope of the Policy review aren't able to be considered as part of this process. If you need help with making a submission, get in touch and we can assist you.

Privacy Statement

All submissions are made publicly available on our website and at Council libraries. Your contact details (but not your name) are confidential and will not be published. Elected members will receive all submissions, without contact details, so they can consider the views and comments expressed. We collect your contact information so that we can keep you up to date with the proposal.

For more information, see our privacy statement: www.pncc.govt.nz/privacy



PALMERSTON NORTH CITY

**DRAFT PALMERSTON NORTH
DOG CONTROL POLICY 2018 2024**

~~(incorporating amendments as at 23 September 2019)~~

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OVERVIEW

PURPOSE AND SCOPE

The Dog Control Act 1996 (the Act) requires all territorial authorities to adopt a policy for dog control, as well as to develop and adopt a bylaw that provides the legal instrument for the Council to implement and give effect to that policy. This Policy fulfils Council's obligations and requirements under section 10 of the Act, and includes all mandatory content as required by the Act.

The ~~overall~~ purpose of dog control is to maintain and improve public safety by minimising or avoiding the danger, distress, or nuisance that can be caused by the ownership and keeping of dogs in Palmerston North. The Council recognises that most dog owners in the City are responsible, and that most interaction between dogs and the community is positive. This policy aims to balance regulatory controls required for dog control that are needed to ensure ~~and~~ public safety, while recognising the health, well-being, and wider community benefits of dog ownership.

~~This Policy is a requirement of the Dog Control Act 1996 (the Act) that requires some mandatory content. The Policy should be read alongside the Palmerston North Dog Control Bylaw that gives effect to and provides the legal instrument to implement the Policy. This Policy applies to all of Palmerston North City.~~

~~A key aim of the This Policy is to~~ explains Council's approach to dog control ~~to~~ for the community as well as providing a basis for internal operational policy and practice. It also indicates how Council will exercise its discretionary functions under the Act.

The Policy applies to all of Palmerston North City, and should be read alongside the Palmerston North Dog Control Bylaw.

OVERVIEW

Every year the Council is required to report to the Department of Internal Affairs under Section 10A of the Act on the administration of its dog control policy and dog control practices. ~~as well as a variety of dog control related statistics.~~

The Council received the 2022/23 Section 10A Dog Control Report at its meeting on 4 October 2023. The ~~2016/17~~ report showed that:

- There are an increasing number of registered dogs in Palmerston North (9,636 in 2022/23) ~~(over 8,000 in 2016/17).~~
- Palmerston North has a high compliance rate for dog registration.
- There is a decreasing number of dog owners within the city.
- There ~~continues to be are~~ a high number of complaints about roaming/~~uncontrolled~~ secured dogs ~~and barking dogs.~~
- Complaints about barking dogs are increasing.

- While reported dog attacks decreased in 2022/23, the five-year average shows an overall increase in dog attacks. ~~While trends over the last six years show that there is a decreasing number of complaints about aggressive and rushing dogs, and dog attacks,~~

~~Animal-Dog~~ control activities are almost fully funded from registration fees and impoundment fees and charges, ~~which are found in the Revenue and Financing Policy~~. The Council's ~~animal management dog control~~ service is prioritised based on risk. Reports of dog attacks, and aggressive and/or secured dogs receive an immediate response and are considered 'p~~riority 1 ene~~' activities. Roaming dogs are considered ~~Priority 1 ene~~ afterhours (5pm – 8am)-~~only, on weekends, and on public holidays~~. All other tasks, ~~including and assessment of applications and property checks~~ are planned and carried out around the ~~Ppriority 1 ene~~ activities.

An out of hours service for ~~Ppriority 1 ene~~ activities ~~and roaming dogs~~ is undertaken by a contractor on behalf of the Council.

The Council ~~also~~ operates an animal ~~pound~~ shelter within the City, which has kennelling for 36 dogs and six puppies alongside a designated dog exercise area and administrative space for two staff members. A new shelter facility (under construction in 2023) will have capacity to house 45 dogs, distributed among three kennel blocks. These kennel blocks will include space for pregnant dogs and their whelping needs, as well as eight kennels for small dogs or puppies. Additionally, there will be 11 purpose-built kennels to safely house and manage dangerous dogs.

Council provides education through its Animal ~~Management Control~~-Team, ~~as well as and~~ through the provision of information on its website.

Council continues to work with other agencies to achieve the objectives of the Dog Control Act 1996 and the Animal Welfare Act 1999, including Nga Pririhimana O Aotearoa - the New Zealand Police, the Society for the Prevention of Cruelty to Animals (SPCA), and other local and regional animal welfare groups and societies.

Summary of Legal Requirements for Dog Control

Dog Control Act 1996 - dog control is regulated by this Act that focuses on managing risk and enabling the Council to take action to mitigate unreasonable risk. The regime created by the Act is based on dog owners being responsible for the control of their dogs and complying with the Act. The Council's role is to administer, implement and enforce the Act.

Dog Control Policy - explains Council's approach to dog control to the community and provides the basis for internal operational policy and practices. The Policy indicates how Council exercises discretion under the Act (e.g. for neutering menacing dogs, determination of probationary owners) and covers mandatory requirements set out in Section 10 of the Act.

Dog Control Bylaw – gives effect to the Policy by specifying the legal requirements for the keeping of dogs in Palmerston North. The requirements are necessary to ensure compliance with the Dog Control Act 1996 and the Palmerston North Dog Control Policy 2011, and to give effect to the objectives of that Act and that Policy.

PART 1 INTRODUCTION

1. PURPOSE

The purpose of this Policy is to ~~explain~~ ~~express~~ how Palmerston North City Council will fulfil its responsibilities under the Dog Control Act 1996.

The Policy identifies areas ~~where dogs:~~

- ~~where dogs~~ are prohibited;
- where dogs ~~are permitted but~~ must be controlled on a leash;
- ~~areas~~ where dogs ~~are permitted and~~ can be exercised ~~in exercise areas or in public spaces~~ without being controlled on a leash.

The Policy also outlines the obligations and responsibilities of dog owners.

2. OBJECTIVES

The objectives of the Policy are guided by Section 10 of the Dog Control Act ~~and seek to~~. ~~When adopting the Policy, the Council gives regard to:~~

- ~~The need to M~~minimise danger ~~and distress~~ ~~and nuisance dogs may cause~~ to the community generally ~~that may be caused by dogs~~; and
- ~~The need to A~~avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children ~~or other vulnerable members of the community~~, whether or not children might be accompanied by adults; and
- ~~The importance of enable~~ing, as far as practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- ~~Provide for t~~he exercise and recreational needs of dogs and their owners.

~~In addition to the requirements of Section 10 of the Dog Control Act, in adopting the Policy, the Council has given further regard to:~~

- ~~Ensure~~ing all dogs within the city boundary are registered, and ~~dogs that are required to be~~ are micro-chipped; and
- ~~Encourage~~ing responsible dog ownership so that owners take all reasonable steps to ensure that their dogs do not cause a nuisance to other people or other animals.

3. **REVIEW**

This Policy will be reviewed ~~by 2023~~ no later than 2029.

4. **DEFINITIONS**

All definitions used in this Policy are in Appendix One.

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PART 2 ADMINISTRATION AND ENFORCEMENT

5. EFFECT OF POLICY

The Policy is given effect and implemented through the Palmerston North Dog Control Bylaw ~~2018~~ 2024.

6. NATURE AND APPLICATION OF DOG CONTROL BYLAW

Section 20 of the Act lists the matters for which bylaws may be made. The Council's Dog Control Bylaw covers the following matters:

General control of dogs in public places including:

- exempting certain types of dogs (working and disability assist dogs) from control areas
- prohibiting dogs from specified public places
- requiring dogs to be on a leash in specified public places
- designating specified areas as dog exercise areas/off-leash areas

Keeping of dogs including:

- placing limitations on the number of dogs that may be kept on private properties
- requirements for dogs to be kept or housed a minimum distance from a boundary, or where they are not likely to cause nuisance
- requirements to provide exercise, standards for the accommodation of dogs, confinement of bitches in season, responsibility to remove faeces, responsibilities of owners with diseased dogs, and dogs becoming a nuisance or injurious to health
- dogs not kept under proper control (i.e.: dogs being prevented for roaming)
- dogs classified as menacing must be neutered
- dog and owner education

The Enforcement approach of the Council, including:

- seizure of dogs in public places that are in contravention of the bylaw
- offences and penalties.

7. ENFORCEMENT TOOLS

There are a range of enforcement tools available to the Council including:

- Seizure of dog/s
- Issue of infringement notices and fines
- Prosecution with fines being possible

- Declaring a dog as menacing or dangerous
- Limiting dog ownership by classifying an owner as 'Probationary' for a period of 2 years
- Prohibiting dog ownership by classifying an owner as 'Disqualified' for a period of no more than 5 years

Prohibiting dog ownership by classifying an owner as 'Disqualified'. Non-regulatory methods, such as education and a registration fee schedule that recognises responsible dog ownership, are also covered in this Policy.

8. SEIZURE OF DOGS

A warranted Animal Dog Control Officer or a Dog Ranger may seize and impound any dog at large in a public place in contravention of this Policy and in accordance with the powers contained in the Act.

9. INFRINGEMENT NOTICES

Infringement offences, with associated fees or penalties fines, are set by the Dog Control Act 1996. Council has no discretion to alter these fees.

Where an owner or person in charge of a dog is in breach of the Act, or a the Bbylaw, a Dog Control Officer may issue an infringement notice.

Where, in the opinion of an Animal Control Officer, the keeping of dogs on a premises is, or is likely to has become, a nuisance, or injurious or hazardous to health, property or safety, the owner may be served with an infringement notice to:

- reduce the number of dogs on the premises,
- alter, reconstruct or improve the accommodation for dogs,
- require the dogs to be tied-up-appropriately and safely tethered or confined,
- take such other precautions as may be considered necessary.

10. DOGS CLASSIFIED AS MENACING **MUST BE NEUTERED**

Dogs classified by Palmerston North City Council as menacing under sections 33A or 33C of the Dog Control Act 1996, or any dog classified as menacing which is transferring to Palmerston North City Council, are is required to be neutered.

Dogs classified as menacing must not be allowed to be at large or in any public place or private way, except when the dog:

- (a) is confined completely within a vehicle or cage; or
- (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction.

11. **DANGEROUS DOGS**

Dogs classified as dangerous under Section 32 of the Act must be securely fenced on a portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property, and must not be allowed to be at large in a public place or private way, except when the dog:

- (a) is confined completely within a vehicle or cage; or
- (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction; or
- (c) is controlled on a leash (except for when it is in a specified dog exercise area, and it is appropriately muzzled to prevent it from biting).

12. **DOG ATTACKS**

Dog attacks and dangerous dogs are responded to as an immediate priority. ~~Dog Animal~~ Control Officers will conduct an investigation following a dog attack using best practice guidance.

13. **BARKING DOGS**

Council's process for dealing with barking complaints is to determine if ~~it~~ the barking or howling is loud and persistent and is causing a nuisance or distress to any person. It will then take the appropriate action under the provisions of the Act.

14. **ROAMING DOGS**

Upon notification of a roaming or stray dog the Council will respond as soon as practical to locate the dog. If the dog is caught, the Animal Management ~~Control~~ team will ensure the dog is ~~R~~registered, ~~M~~microchipped and had not more than one substantiated complaint in the preceding 12 months. Where this is the case, they will endeavour to reunite the dog with its owner. If ~~this is~~ reuniting the dog with its owner is unsuccessful the dog will be impounded.

Frequent roaming will result in impoundment and further enforcement action.

15. **DOGS NOT KEPT UNDER PROPER CONTROL**

Dogs not kept under proper control may be required by the Council to be neutered or for owners to complete a dog obedience course approved by the Council. Notice that a dog is required to be neutered or complete an obedience course will be served on the owner.

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PART 3 AREAS OF DOG CONTROL

16. CONTROL OF DOGS IN PUBLIC PLACES

Three categories of control areas in the City are identified:

- (a) Prohibited Public Places
- (b) Dog On Leash Areas
- (c) Dog Exercise Areas

The general rule in Palmerston North is that all dogs should be on a leash in a public place at all time unless those public places are prohibited to dogs entirely, or are designated dog exercise areas.

Dog owners must carry a leash at all times in all of the control areas as required by the Act. Dog owners must also carry a dog waste bag at all times in any of the control areas to collect and properly dispose of dog faeces in Council provided rubbish bins or at the owner's premises.

In all public places where dogs are not prohibited or required to be on a leash, dogs must be under the control of their owners or person in charge at all times. This means when referring to a dog, either controlled on a leash, or controlled by voice command where the dog obeys the commands of its controller without hesitation. Dogs should otherwise always be accompanied by their owners and not be left unattended in any public place at any time.

Control areas will be publicised-signalled through appropriate-signage at the control area, as well as on the Council website.

The Council will periodically review its areas of dog control, considering factors such as population and density change, changing community needs, and community feedback before making decisions on areas of dog control.

These control areas are shown on maps available on Council's website. <https://www.pncc.govt.nz/local-regulations-and-licences/dogs-and-other-animals/dogs/exercising-your-dog/>

17. PROHIBITED PUBLIC PLACES

- 17.1 Prohibited public places are locations in the City where dogs are not allowed at any time for a number of reasons, including, but not limited to, areas where:

- (a) There is high density of pedestrian traffic where dogs may compromise the health, safety and comfort of people;
- (b) Children or other vulnerable people gather or play, and the presence of dogs may pose a risk to their health and safety;
- (c) It is a sensitive natural environment;
- (d) The nature of the public place or facility makes it inappropriate to have dogs present.

From time to time, the Council may engage with the community to identify the suitability of areas which would otherwise be considered prohibited public places under this policy to make them a dog on-leash area.

17.2 Subject to clauses 17.3 and 17.4 all dogs are prohibited from the following places:

- (a) Any swimming pool, aqua play features or splashpads, paddling pool, or aquatic facility owned or controlled by the Council, including all areas within the fenced boundary of the swimming pool;
- (b) Within 30 metres of any child's play equipment or play area or paddling pool in any park or reserve, or of any aviary in any park or reserve;
- (c) Palmerston North Holiday Park (the camping grounds);
- (d) Any marked grass playing surfaces or artificial sports surfaces of sportsgrounds or sportsfields owned or controlled by the Council;
- ~~(e) (deleted by amendment 23 September 2019)~~
- (e) The Council Crematorium and all Council Cemetery grounds;
- (f) Memorial Park;
- (g) The Ashhurst Domain Playground and adjacent picnic area;
- (h) The Ashhurst Domain Wetlands Conservation Area;

- (i) The central Victoria Esplanade area (which includes the children's playground and paddling pool, the scenic railway station, Peter Black Conservatory, Central Energy Trust Wildbase Recovery Centre, aviary and the cafe, also known as Victoria House);
- (j) The Junior Road Safety Park in the Victoria Esplanade;
- (k) The walkway around the Awapuni racecourse between ~~5am~~ 4:30am and ~~10am~~ 10:30am daily
- (l) Turitea Controlled Water Catchment Area, subject to clause ~~17.6~~ 16.5;
- (m) Central Energy Trust Arena Manawatū;
- (n) The Urban Eels platform.

17.3 Nothing in clause 17.2 shall apply to a working dog that is working at the time it is in a prohibited public place.

17.34 Where the only pedestrian access to either the owner's residence, or a dog groomers place of business, or a dog day-care facility, or a veterinary surgery, is through a prohibited public place the owner may lead the dog through the prohibited public place provided that:

- (a) the owner and dog take the most direct route across the prohibited public place, and
- (b) the dog is controlled on a leash.

17.45 Where a dog is being exercised in a dog exercise area (as specified in clause 20) that borders a prohibited public place, the owner may lead the dog through the prohibited public place provided that:

- (a) there is no reasonable alternative access, and
- (b) the owner and dog take the most direct route across the prohibited public place, and
- (c) the dog is controlled on a leash.

17.56 A dog may only be allowed within the Turitea Controlled Water Catchment Area if it is registered and under the control of a person holding a valid Hunting Permit issued by the Council for the Turitea Water Catchment Reserve, and subject to conditions the Council may apply to that Hunting Permit.

18. **TEMPORARY PROHIBITED PUBLIC PLACES AREAS OF CONTROL**

The Council may have reason to temporarily lift or change specific controls for dogs in public places i.e.: for an event where dogs may need to be off-leash in an area that is otherwise prohibited to dogs, or to prohibit dogs in an areas that they are not usually prohibited from.

~~Notwithstanding any provisions allowing for dog on-leash areas or dog exercise areas,~~ The Council may from time to time ~~by resolution~~ declare any public place that is not already a prohibited public place to be a prohibited public place for a specified time.

The Council may from time to time declare any public place that is a prohibited public place to be a dog on-leash or dog off-leash area for a specified time.

The Council will give public notice of its intention to declare any area to be a temporary prohibited public place ~~or a temporary dog on-leash or dog off-leash area,~~ specifying a reason. Appropriate signs shall be posted in the area and prior notice shall be published in a newspaper circulating in the District and on Council's website.

~~19. TRIAL OF CENTRAL BUSINESS DISTRICT AREA TO DOG ON LEASH CONTROL AREA (deleted by amendment 23 September 2019)~~

19. DOG ON LEASH AREAS

Dog on leash areas are locations where dogs are permitted on a leash in public places.

The owner of a dog (~~other than working dogs that are working at the time~~) shall not allow the dog on any public place (not being a prohibited public place or a dog exercise area) unless the dog is kept under ~~direct~~ control on a leash.

The following are public places in which dogs are to be kept under control on a leash:

- (a) All streets, roads and footpaths within the District except those within prohibited areas or dog exercise areas;
- (b) All parks, reserves and walkways within the District except those within prohibited areas or dog exercise areas;
- (c) All public places within the Central Business District;

- (d) The walkway around the Awapuni Racecourse except for the prohibited time between ~~5am~~ 4:30am and ~~10am-10:30am~~ daily;
- (e) Ashhurst Domain Camping Grounds;
- (f) ~~The Manawatū River Shared Pathway and adjoining reserve land~~ (Manawatū Riverside Walkway and Bridle Track) between the Fitzherbert Bridge and the Palmerston North Holiday Park;
- (g) ~~Caccia Birch House.~~

20. DOG EXERCISE AREAS

Dog Exercise areas are locations where dogs can be run at large, that is, ~~the dog may be~~ off the leash but under the ~~immediate~~ control of their owners at all times.

The ability to exercise dogs without a leash does not absolve owners from their obligations under the Act, to ensure their dog is kept under control, and to carry a leash at all times with the dog in a public place. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property.

~~Dog Exercise Areas are generally recreational areas, such as parks, reserves and walkways, where people can expect to encounter dogs being exercised under proper control.~~

Council will review the need for specified dog exercise areas, including the provision of Dog Parks, and suitable locations, as necessary.

The following areas are dog exercise areas:

- (a) Drainage Reserve area off Rugby Street;
- (b) Ashhurst Terrace Walkway;
- (c) Frederick Krull Reserve and Walkway;
- (d) Schnell Wetland Walkway;
- (e) Manawatū Riverside Walkway and Bridle Track excluding the section between the Fitzherbert Bridge and the Palmerston North Holiday Park;
- (f) Mangaone Stream Walkway (except where it passes around the Awapuni Racecourse);

- (g) Upper Celaeno Park (between Frederick Krull Reserve and Shakespeare Way);
- (h) The Ruamahanga Wilderness area;
- (i) Edwards Pit Park;
- (j) Ahimate Reserve (previously Waitoetoe Park);
- (k) Durham Street Park;
- (l) Linklater Reserve (only the part ~~open to the public~~ which is designated as a dog exercise area, and not within 30m of children's play equipment);
- (m) Awatea Terrace Reserve;
- (n) "Railway" land, bounded by Pitt Street, Church Street, Pioneer Highway, and Cook Street (excluding the Skate Park that is defined as a play area under clause 1617.2(ab));
- (o) Turitea Stream Esplanade Reserves (Green Corridors);
- (p) The Upper Circuit of the Ashhurst Domain, except for those parts of the walkway which pass through Prohibited Public Places or Dog on Leash areas as designated in clauses 16 and 19 of this Policy.
- (q) Summerhill Reserve
- (r) Poutoa Walkway;
- (s) Titoki Walkway;
- (t) Pari Reserve and Walkway (previously known as Mangaotane);

21. CLASSIFICATION OF AREAS UNDER OTHER LEGISLATION

Access for dogs may be controlled by other legislation, for example the Conservation Act 1987 or the National Parks Act 1980 can declare any part or parts of land managed and administered by the Department of Conservation as "controlled dog areas" and "open dog areas".

Dogs are not allowed in the Manawatū Gorge Scenic Reserve.

PART 4 DOG OWNERSHIP

22. RESPONSIBLE DOG OWNERSHIP

Dog owners have the following responsibilities:

- registering dog/s(~~s~~) and informing Council of any changes of address;
- keeping dog/s(~~s~~) under control at all times;
- ensuring dog/s(~~s~~) get **daily** care and attention, and **have access to sufficient ~~has enough~~** food, water, shelter and exercise;
- ensuring dog(s) do not disturb people with repeated barking or howling **that is loud and persistent and causing distress**;
- ensuring dog/s(~~s~~) do not hurt, endanger or distress people, animals or protected wildlife;
- ensuring dog/s(~~s~~) do not damage or endanger property belonging to someone else;
- complying with the requirements of the Dog Control Act and all regulations and bylaws made under the Act;
- providing the Palmerston North City Council with details of dog/s(~~s~~) microchipping and neutering.

Dog owners should familiarise themselves with the **Animal Welfare Act 1999 and the underlying regulations and codes of welfare, which includes the** Animal Welfare (Dogs) Code of Welfare 2010. The purpose of this code is to encourage all those responsible for dogs to adopt the highest standards of husbandry, care and handling.

23. PREFERRED OWNER SCHEME

To reward responsible dog ownership a dog owner may apply to the Council to be a preferred owner. Preferred owner status **is renewed reassessed on registration of the owned dog/dogs** each year and will qualify owners for a reduced dog registration fee.

Application to retain preferred owner status will be made using the registration fee demand. The application will be approved at the discretion of ~~an Animal~~ Dog Control Officer, taking into account the following criteria:

- (a) the previous ownership history of the applicant including registration compliance;
- (b) an interview or completion of a self-administered test **based on information** contained in the **preferred owner application form Dog**

~~Owners Handbook~~ (or both, at the discretion of the ~~Animal Dog~~ Control Officer);

- (c) the premises, inspected from time to time, where the dog is kept including approval of fencing, sleeping quarters and exercise space;
- (d) There is access to a door on the property without your dog/~~s(s)~~ being able to approach people when they enter.
- (e) In case of an emergency event, the owner is prepared and has a plan or arrangements in place so that the food, water, shelter, and exercise requirements of their dog can be met.

Preferred owner status may be lost where any of the criteria ~~is~~ are no longer met, such as failing to register on time, repeated ~~substantiated~~ offences ~~for roaming, and or~~ moving to a property without adequate fencing.

~~For more information refer to: <https://www.pncc.govt.nz/local-regulations-and-licences/dogs-and-other-animals/dogs/preferred-owner-scheme/>~~

Information on preferred ownership can be found on the Council website.

24. REGISTRATION FEES

Dog registration fees are set annually by Council resolution. A schedule of fees for Dog Registration is available ~~from the Customer Service Centre of the Council and is available~~ on Council's website, or on request.

Registration fees are issued before the end of each registration year (30 June) and shall take into account:

- (a) the classification of the dog as a dangerous dog;
- (b) the classification of the dog as a working dog;
- (c) if the dog is desexed;
- (d) if the owner of the dog is a preferred owner.

~~—(b) number of dogs owned (see clause 26)~~

If the registration demand is unpaid by 1 August of any year 50% of the registration demand will be added to all fee types ~~the fee~~;

If a preferred owner fails to pay the registration demand by 1 August of any year, preferred ownership will be removed for a period not less than

~~2 years the registration fee will revert to the standard fee for the classification of the dog together with an additional 50% of the standard registration fee, and the owner will lose preferred owner status for that year.~~

The Council reserves the right to invoice a dog owner for the cost of registering any dog which is not validly registered by 1 August each year. Unpaid invoices may be subject to debt collection.

25. OTHER FEES

These fees are also set by Council resolution and include, but are not limited to:

~~(a) Impounding fees (set down under the Impounding Act 1955);~~

(a) Sustenance and board during period of impounding (set down under the ~~Dog Control Act 1996 Impounding Act 1955~~);

(b) Micro-chipping (set down under the Dog Control Act 1996).

Animal Control fees and charges are available on Council's website. ~~<https://www.pncc.govt.nz/plans-policies-and-public-documents/fees-and-charges/>~~

26. CARE AND MANAGEMENT OF DOGS

26.1 Number

No more than two dogs may be kept on premises of less than 2000m² provided that:

- a. not more than one unspayed bitch may be kept on the property.
- b. ~~the number of dogs on a property does not include dogs under the age of three months.~~ provision is made available for the care of all dogs on the premises in an emergency situation.

~~The number of dogs on a property does not include dogs under the age of three months.~~

26.2 Housing

Dogs shall not be housed, confined or restrained within 1.8 metres of a boundary fence, ~~or where they are likely to cause nuisance.~~

~~Owners Dogs must be provided their dog~~ with adequate accommodation that:

- (a) is large enough in size for the dog to stand, turn, and lie down in a natural position;
- (b) is, ~~for example a kennel~~ on a hard surface;
- (c) is raised off of the ground;
- (d) is dry and water is prevented from entering;
- (e) is ventilated;
- (f) allows the dog to access water for drinking;
- (g) is suitable to protect the dog from excessive heat or excessive cold;
- (h) allows the dog to urinate or defecate in an areas away from its lying area; and
- (i) faeces and urine are not allowed to accumulate in the area where the dog is kept.

Alternatively, dogs may be provided with access to the interior of a building with an adequate sleeping area at night.

Additional information on recommended practice and minimum standards for kennelling, shelter, and ventilation for dogs is available in the Code of Welfare: Dogs 2018. Recommended practice for kennelling includes:

- kennels being constructed of solid, non-permeable materials raised above ground level which are stable and sufficient in size to accommodate the dog comfortably;
- dogs should not be required to sleep on concrete or metal surfaces. Where kennels are made of these materials, dogs should be provided with a raised platform or shelf or other type of bed made of a softer material;
- housing or kennelling should provide shelter from cold, wet, and windy weather, as well as shade on hot sunny days. Artificial shade should be provided if there is no natural shade available.
- if more than one dog is being kept in the kennel, ventilation should be controlled to manage dampness and odour, as well as to minimise the spread of infectious disease such as kennel cough;
- dogs should only be housed communally if they are known to interact well, or are under observation to ensure they do not fight; and
- kennels and kennels with runs attached should be of appropriate size for the dog or dogs being housed in them.

26.3 Exercise

Owners must provide their dogs with adequate exercise. An in-season bitch must be confined but adequately exercised.

26.4 Removal of faeces

Owners must **immediately** remove their dog's faeces from public land or premises other than that occupied by the owner.

To avoid nuisance such as odour or flies, owners must ensure that their private premises are kept free from excessive dog faeces that may be hazardous or injurious to health, or cause nuisance.

Dogs suffering from an infectious disease must not be taken into any public place or allowed to wander free.

27. EMERGENCY PREPAREDNESS

All owners are expected to plan and prepare for the care and welfare of their dog/s(~~s~~) in anticipation of an emergency event (such as a flood, earthquake, or fire). ~~While a state of emergency is in place~~ Dog owners must:

- (a) Keep their dog/s under effective control at all times; **and**
- (b) Ensure their dog/s does not injure, endanger or cause distress to any person; **and**
- (c) **Continue to provide adequate food, water, and shelter for their dog/s.**

28. EXEMPTIONS

An owner may apply to the Council for an exemption from the requirements of clauses 26.1 (multiple dog permit) and 26.2 (housing permit).

The Council may grant an exemption for a specified duration under clause 26 provided that -

- (a) there is insufficient space on the property to house, confine or restrain the dog in accordance with clause 26.2, and
- (b) **the owner of the dog/s can demonstrate that the dog/s will receive adequate exercise suitable for it's breed or type;**
- (c) the neighbour whose boundary adjoins the proposed area for housing, restraining or confining the dog does not object on reasonable grounds to the granting of an exemption, and
- (d) the Council may impose such conditions as may be necessary to ensure compliance with this Policy, the Dog Control Act and for the avoidance of nuisance.

29. DOG AND OWNER EDUCATION

To support and encourage responsible dog ownership, the Council makes available free of charge a range of informative material on its website which is useful for dog owners.

The Council encourages dog owners to attend dog obedience courses, particularly puppy training classes, to assist in the training and socialisation of dogs.

The Council may from time to time, by resolution, approve education programmes for dogs and their owners.

30. PROBATIONARY OWNER'S EDUCATION

Where a person is convicted of any offence (not being an infringement offence) under the Act or any offence under the Animal Welfare Act 1999, Conservation Act 1987 or National Parks Act 1980 the Council may classify that person as a probationary owner.

If a person is classified as a probationary owner under the Act the Council ~~will~~ may require the person to undertake a dog owner education programme or dog obedience course approved by the Council. The probationary owner will be notified in writing of the obligation to attend the programme or course.

The probationary owner will undertake the programme or course at ~~his or her~~ their own expense.

~~The Council shall be furnished with satisfactory evidence of completion of the programme or course.~~ The probationary owner may apply for early termination of classification as a probationary owner six months after they were classified as a probationary owner provided that they can demonstrate that the offending will not continue and that they have ~~completion of the programme or course provided that the applicant has~~ not committed any further offences or infringements to which section 21 of the Act applies.

The Council shall consider the application for removal of classification as probationary owner in accordance with this Policy, including all the relevant circumstances of the applicant as a dog owner and may, at its discretion terminate the classification.

APPENDIX ONE

DEFINITIONS

Except as described below all definitions used in the Policy are the same as those contained in the Dog Control Act 1996 and amendments.

Act means the Dog Control Act 1996.

Bylaw means the Palmerston North Dog Control Bylaw ~~2018~~ 2024.

Central Business District means from the mid-line of the road reserve for the roads that form the Inner Ring Road, namely the area bounded by and including from the intersection of Grey and Princess St along Princess Street, to the intersection with Ferguson Street, along Ferguson Street to the intersection with Pitt Street, along Pitt Street and Bourke Street to the intersection of Bourke and Walding Streets, along Walding Street and Grey Street to the intersection with Grey and Princess Streets.

Council means the Palmerston North City Council.

Dangerous Dog means a dog classified as dangerous under Section 31 or 33ED of the Dog Control Act 1996.

Disability assist dog means a dog ~~defined~~ certified as a disability assist dog by one of the organisations listed in Schedule 5 of ~~under~~ the Dog Control Act 1996 ~~and specifically includes a dog certified by one of the following organizations as being a dog that has been trained to assist (or ais being a dog in-training) to assist) a person with a disability.∴~~

~~Hearing Dogs for Deaf People New Zealand~~

~~Mobility Assistance Dogs Trust~~

~~New Zealand Epilepsy Assist Dogs Trust~~

~~Royal New Zealand Foundation of the Blind~~

~~An organisation specified in an Order in Council made under section 78D of the Dog Control Act 1996.~~

District means the area within the territorial boundary of the Palmerston North City Council.

Dog Exercise Area means a public place identified in this Policy as an area where dogs may be exercised at large without being controlled on a leash. Dogs must still be under control within Dog Exercise Areas.

Dog on Leash Area means the areas identified in this Policy where dogs must be controlled on a leash.

Leash means a lead which is capable of restraining the dog.

Menacing Dog means a dog classified as menacing under Section 33A, 33C, or 33ED of the Dog Control Act 1996.

Nuisance means anything which interferes with or threatens the health or enjoyment of people, and in this context may involve things such as barking, causing distress via intimidating behaviour (such as aggressive barking or rushing), or attacking people, wildlife or other animals.

Owner has the same meaning as under the Dog Control Act 1996 and includes every person who owns a dog or has a dog in his or her possession, or the parent or guardian of a person under the age of 16 years who owns a dog.

Policy means the Dog Control Policy.

Premises includes any recreation ground, yard, building or enclosed space whether separately occupied or not and whether public or private.

Probationary Owner means an owner classified as probationary under Section 21 of the Dog Control Act 1996.

Prohibited Public Place means a public place identified in this Policy as a place where dogs are prohibited, except as provided for in this Policy or the Act.

Public Place has the same meaning as in section 2 of the Dog Control Act 1996, and generally means a place that is open to the public whether or not it is private property.

Roaming Dog means any dog which is found in a public place or on land or premises which are not those regularly occupied by the owner of that dog, and which is unaccompanied by its owner.

Under control means, when referring to a dog, either controlled on a leash, or controlled by voice command where the dog obeys the commands of its controller without hesitation. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property.

Working Dog means a dog defined as a working dog under the Dog Control Act 1996. For clarity, working dog includes any disability assist dog, as defined in the Act.

and specifically includes:

any disability assist dog;

Any dog—

~~Kept by the Police or any constable, the Customs department, the Ministry of Agriculture, the Ministry of Fisheries or the Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the~~

~~purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that constable, officer, or employee; or~~

~~Kept solely or principally for the purposes of herding or driving stock; or~~

~~Kept by the Department of Conservation or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or~~

~~Kept solely or principally for the purposes of destroying pests or pest agents under any pest management strategy under the Biosecurity Act 1993; or~~

~~Kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or~~

~~Kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service; or~~

~~Certified for use by the Direction of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the Civil Defence Emergency Management Act 2002; or~~

~~Owned by a security guard as defined in section 4 of the Private Investigators and Security Guards Act 1974 and kept solely or principally for the purposes of carrying on the business of a security guard; or~~

~~Declared by a resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.~~