
Wellington Dog Policy

ADOPTED 2016





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1

Introduction

The Dog Control Act 1996 referred to as ‘the Act’, requires the Council to develop a policy on dog control. The Dog Policy specifies:

- the nature and application of any bylaws made to give legal powers to implement the Dog Policy and determine what is considered to be an offence
- public places where dogs will be controlled on a leash, prohibited or allowed off leash (exercise areas)
- whether dogs classified as menacing must be neutered and the criteria used to decide whether to neuter
- fees and expenditure
- education programmes (for dogs and owners)
- when owners may be classified as probationary owners or disqualified from owning dogs
- infringements set by the Dog Control Act 1996.

The Council recognises that the majority of dog owners in Wellington are responsible and that most interaction between dogs and the public is positive.

This policy aims to achieve a balance between the control of dogs and recognition of the community health benefits of dog ownership. The policy will be implemented in conjunction with the Wellington Consolidated Bylaw 2008 - Part Two: Animals.



2

Purpose

- To ensure that the owners of dogs comply with their obligations under the Act, that dogs are well cared for and Wellingtonians are able to enjoy dog ownership.
- To prevent any potential danger caused by dogs to the public, wildlife and natural habitats.
- To minimise the risk of distress and nuisance caused by dogs to the public, wildlife and natural habitats.
- To actively promote the responsible ownership of dogs.
- To provide for the reasonable exercise and recreational needs of dogs and their owners.





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Definitions

Central area means the area zoned “central area” the Council’s operative District Plan.

Dangerous dog means any dog classified as dangerous by the Council under section 31 or 33ED of the Act.

Disability assist dog means a dog trained (or in training) to assist a person with a disability as defined under the Act, including any guide dog, hearing ear dog, or companion dog.

Domestic animal means any animal (including a bird or reptile) kept as a domestic pet; any working dog; any other animal kept by any person for recreational purposes or for the purposes of that person’s occupation or employment.

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

Menacing dog means any dog classified as menacing under sections 33A or 33C or 33ED of the Act.

Neutered dog means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

Nuisance refers to the dictionary definition (a person, thing, or circumstance causing trouble or annoyance; anything harmful or offensive to the community or a member of it and for which a legal remedy exists) or to a statutory nuisance as defined in Section 29 of the Health Act 1956.

Owner has the meaning as defined under the Act including 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.

Probationary owner means any owner classified as probationary under section 21 of the Act.

Protected wildlife means any animal for the time being absolutely or partially protected under the Wildlife Act 1953, and has the same meaning as defined under the Act.

Public place means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or

occupier of the place is lawfully entitled to exclude or eject any person from that place; and includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

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

Stock means any animal that is kept within a fence or enclosure for domestic or farming purposes.

Under control a dog can be kept under control by a person by physically limiting its movements, or by using direct commands.

Working dog means any dog that works for the Government, the Police, is a disability assist dog, or is part of commercial activity.



4

Responsibilities

4.1 Responsibilities of the Council

Dog owners have a responsibility to provide for their dog's welfare. To support dog owners and the welfare of dogs in Wellington, the Council will:

- provide dogs and their owners with a reasonable level of access to public places, however this will be balanced with the need to protect public safety and to minimise distress and nuisance to the public at large.
- provide designated exercise areas enabling dog owners to exercise their dogs off-leash provided the dogs are kept under control at all times
- consider restricting or prohibiting dog access to public places where the likelihood of conflict exists between dogs and the public, while considering existing and previous use of the area
- restrict or prohibit dog access to public places where the likelihood of conflict exists between dogs and wildlife
- actively encourage responsible dog ownership through the promotion of the Responsible Dog Owner (RDO) status
- promote public safety, responsible dog ownership and provisions of the Act and the Council's Dog Policy through education programmes for dog owners and the public
- encourage the use of approved education and obedience courses for dogs.
- ensure their dog does not cause any public nuisance
- ensure that the dog is registered with the Council, and that the Council is notified of any change of address or ownership of the dog
- ensure that the dog is kept under control at all times or confined in such a manner it cannot freely leave its premises
- ensures that the dog has adequate physical well-being through acceptable nutrition, environmental, health and behavioural stimulus, and adequate mental well-being
- 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
- take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person
- take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife:
- take all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person
- comply with the Act, and any regulations and bylaws made under the Act.

When dogs have not received proper care and attention the Council will ensure that the appropriate action is taken and may:

- issue a warning or infringement notice
- prosecute where it considers the offence or the effects of the offence are significant.

4.2 Responsibilities of Dog Owners

The responsibilities of dog owners are to:

- immediately pick up the faeces of their dog if it defecates in a public place. Failing to pick up dog faeces and properly dispose of it could result in a \$300 infringement



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Access to public places

5.1 Designated public places

Under the Act, councils can designate public places where dogs are prohibited or allowed on or off-leash. These areas are enforced using the related bylaws.

Designated public places are classified as follows:

- Controlled public places - dogs are allowed on a leash
- Exercise areas - dogs can exercise and socialise off-leash
- Prohibited places - dogs are not allowed in these areas at any time

Dogs must be under the control of their owner at all times on or off-leash. A list of exercise areas and prohibited places are attached in Appendix A.

Wellington City has the additional classifications of:

- **Beach exercise areas** - beach areas where dogs can exercise off-leash.
- **Beach areas restricted during summer** - dogs are prohibited from these areas from 10am to 7pm every day during summer (from 1 December until 1 March the consecutive year). These areas are classed as controlled public places where dogs can be on-leash before 10am and after 7pm in summer and on-leash at all times in winter.
- **Exercise area (specified times)** - dogs are allowed off-leash before 10am and after 7pm in summer (from 1 December until 1 March the consecutive year) and off-leash at all times in winter.
- **Prohibited place (specified time)** - where dogs are prohibited during the times specified.

5.2 Controlled public places

Dogs must be on-leash and under the control of their owners at all times in public places, unless in an exercise area or exercise area (specified times).

5.3 Exercise areas

The Council provides designated off-leash exercise areas and beach exercise areas across the city. The city also has exercise areas where dogs are allowed

off-leash before 10am and after 7pm in summer (from 1 December until 1 March the consecutive year) and off-leash at all times in winter.

Dogs can exercise and socialise off-leash in these areas as long as they remain under the control of their owner. In an exercise area, dogs must be verbally under direct control.

A list of all exercise areas is provided in Appendix A. Maps of all exercise areas are provided in Appendix B.

Dog exercise areas may be considered for other uses over time. This intends to allow for continued improvement in the quality of the areas available for dogs and other park users, and to allow for the protection of wildlife. If this occurs, the existing and previous use of the area will be considered. Consultation will take place before any decisions are made and, where possible, compensatory areas will be provided.

5.3.1 Criteria to determine exercise areas

The criteria used to determine exercise areas for dogs include:

- the area is not used extensively for sporting or other purposes
- the area is of significant size and has appropriate access
- there are sufficient sight lines
- the area is well bounded from adjacent areas
- no potential risk to other groups.
- new areas must be made safe, where appropriate, if they are adjacent to a road
- the potential risk to wildlife

5.3.2 Criteria to determine if a designated exercise area is suitable for fencing

The criteria that may used to determine if an exercise areas is suitable for fencing includes:

- that the area is a suitable size
- its location and proximity to other exercise areas
- parking and accessibility



5.4 Prohibited places

Dogs will be restricted or prohibited in places that are used frequently by the public and areas where there is the presence of significant wildlife and/or wildlife habitat.

Prohibited places are listed in Appendix A, Table 5. The city also has areas that are classified as “Prohibited places (specified times)” where dogs are prohibited during the times specified. These places are listed in Appendix A, Table 6.

5.4.1 Right of access to a prohibited place

Dog owners are allowed:

- to move through a play area specifically to move from one side to the other if there is no alternative route but they cannot stop with their dog in the play area
- access to Wellington International Airport if they intend to transport their dog
- to access the side-line of a sportsfield, if the marked sports surface is not in use.

5.4.2 Seal colony restrictions

Areas where seals congregate and “haul out” in the area of Sinclair Head and on the south coast will be classed as prohibited public places.

5.5 Unattended dogs

Dogs are not allowed to be left unattended in any public place, including the Central Area of the city. Dog must be on-lead and with their owners at all times.

Dogs under the control of their owner may stop in public places, including the Central Area of the city.

5.6 Exemptions

Disability assist dogs are exempt from all public place restrictions specified in this policy. They do not need to be on-leash in controlled or prohibited public places.

Disability assist dog exemptions require written authorisation from the appropriate organisation.

Working dogs will also be exempt from the restrictions specified, if they are working at the time.

5.7 Classification of areas under other legislation

Access for dogs can be controlled by other legislation, for example the:

- Conservation Act 1987 - “controlled dog areas” and “open dog areas”
- National Parks Act 1980 - “national park”

At present there are no areas in Wellington City that are classified according to these provisions.



6

Registration, fees and expenditure

6.1 Registration

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

Information will be provided to dog owners and potential owners about their obligation to register their dog.

Registration will be monitored and the following action taken against owners who fail to register their dog:

- issuing of a warning or infringement notice
- impounding of unregistered dogs (Note: all dogs will be required to be registered before they are released from the shelter).

6.2 Fees

6.2.1 Registration fees

Registration fees are due on 1 July each year. There are penalties for late dog registration.

Dog registration fees are set by Council resolution in accordance with the Revenue and Financing Policy. They are consulted on through the Annual Plan or Long-term Plan. When appropriate, this consultation may also cover levels of service.

A full registration fee must be paid for dogs that have not been neutered. A discounted dog registration fee is available for owners who:

- hold Responsible Dog Owner status
- have a neutered dog
- have a working dog(s).

There is no registration fee for disability assist dogs.

6.2.2 Other fees

Fees are also charged by the Council for:

- dogs who have been impounded (impounding fees and daily sustenance fees)
- permission to keep more than three dogs (in urban premises not rural)

- collection or delivery of a dog on behalf of an owner
- euthanasia of a dog at the owner's written request
- replacement registration tags
- Responsible Dog Owner status (this includes site inspection fees).

Fees are set and advertised before the beginning of each registration year. The registration year runs from 1 July to 30 June the consecutive year.

6.3 Dog revenue and expenditure

The Council recovers approximately 75 percent of the total cost associated with dog control through registration and control fees, and enforcement. Residential rates are used to meet the approximate remaining 25 percent of dog-related costs. The exact split is set in the Revenue and Finance Policy in the Annual Plan process.

The Council may seek appropriate sponsorship to offset its capital or operating costs. A report on revenue, expenditure and activities undertaken is within the Council's annual dog control report.

Funds generated from dog registration fees are used to provide: facilities and maintenance of dog exercise areas; signs and advertising about dog bylaws; education programmes and campaigns for schools; community groups and businesses; dog control including law enforcement and attending to complaints and incidents; administering the shelter at Moa Point; and administering the dog control programme.



7

Microchipping dogs

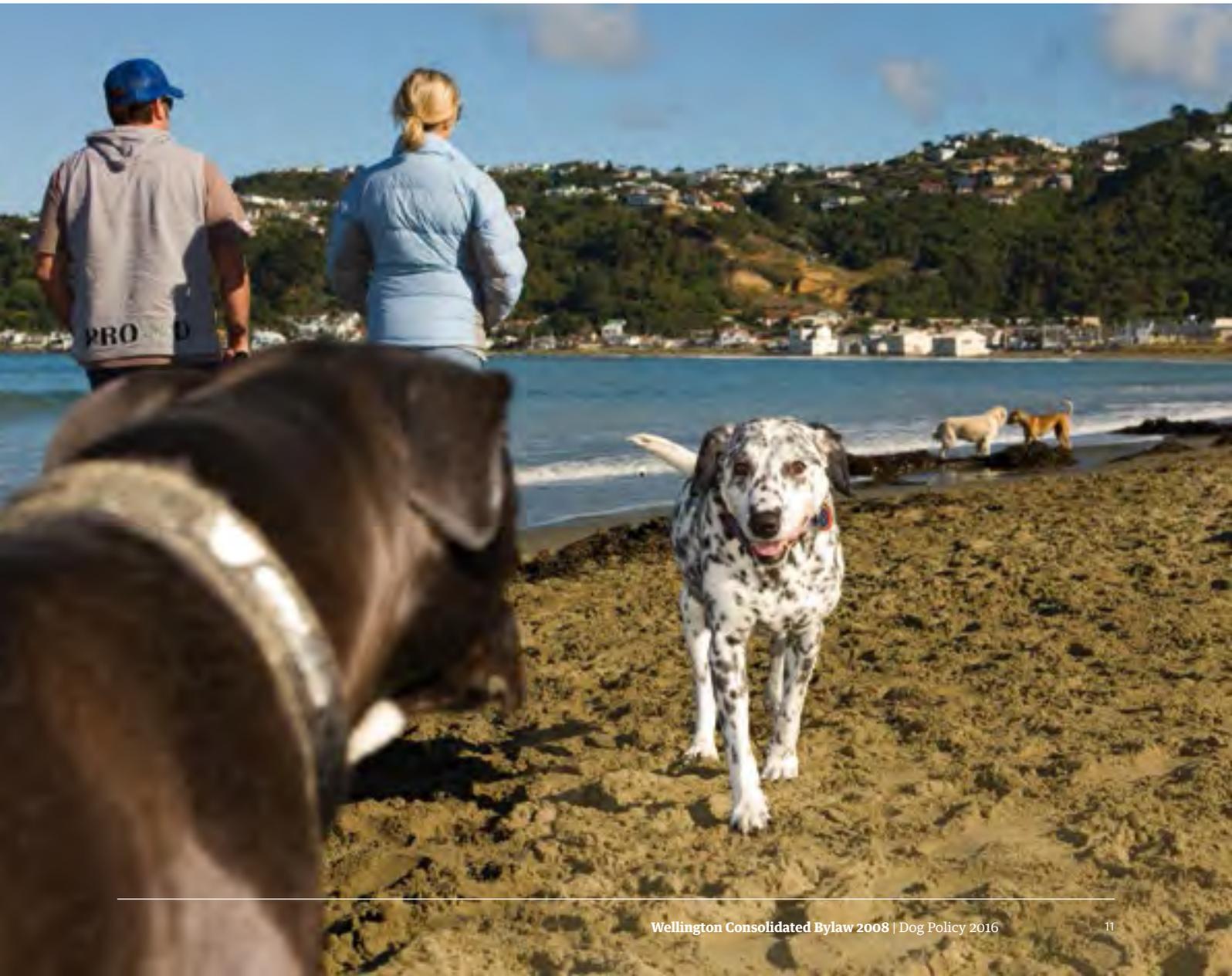
Owners must provide permanent identification of their dog (other than a working dog) by arranging for the dog to be implanted with an approved microchip when the dog is:

- registered for the first time on or after 1 July 2006
- classified as dangerous or menacing on or after 1 December 2003
- impounded and not registered
- registered and impounded twice.

Where microchipping has not occurred the Council may:

- issue a warning or an infringement notice
- prosecute the owner
- if the dog has been impounded, microchip the dog and recover the costs from the owner or person taking possession of the dog.

The Council requires a copy of the implantation certificate at the time of registration.





8

Actively promoting responsible dog ownership

8.1 Responsible Dog Owner status

The Council encourages responsible dog ownership through the promotion of its Responsible Dog Owner (RDO) status. The Council will actively encourage dog owners to achieve RDO status, with the goal of having 40 percent of owners registered as RDO by 2019.

Dog owners can apply for RDO status if they meet the criteria listed at 8.1.1. Once RDO status is obtained owners receive a discount on their annual registration fee. Unless cancelled for one of the reasons set out at 8.1.2, an owner can retain their RDO status for as long as they require it.

Additional payment for RDO status will only occur if:

- a) the owner moves house and requires another site inspection
- b) the owner's RDO status is cancelled for reasons detailed.

Note: Responsible dog owners still require permission from the Council to keep more than three dogs.

An owner's RDO status can be held in suspension for up to 24 months if the owner is travelling away from Wellington or their dog dies. Responsible Dog Owner status will only be reinstated if the owner still lives at the same property or until the new property has been approved.

8.1.1. Criteria for Responsible Dog Owner status

To be classified as a Responsible Dog Owner the following criteria must be met:

- a) The owner must comply with the Council bylaw requirements as they relate to dogs (e.g. dogs must be under control at all times, owners must remove their dog's faeces in public places);
- b) The owner must provide the Council with a pass certificate for an approved Responsible Dog Owner Education and Obedience course;
- c) The owner must not have:
 - received a conviction under the Act
 - received an infringement notice in the last year
 - had a dog impounded in the last year

- been the subject of a substantiated public complaint in the last year
- been classified as a Probationary or Disqualified owner, or
- received a conviction under the Animal Welfare Act 1999;

d) The area of the property that the dog has free access to a fully enclosed containment area (not necessarily a fully fenced garden/yard)

e) Any outside kennels must be weatherproof and hygienic

An application and payment of the prescribed fee must be made to Council, and approved before the benefits of the RDO status can be gained.

8.1.2 Cancellation of Responsible Dog Owner status

An owner's Responsible Dog Owner status will be cancelled if the owner:

- a) Is convicted of an offence under the Act. The owner will never be permitted to be reinstated as a RDO.
- b) Is issued with an infringement notice. The owner will not be permitted to be reinstated as a RDO for a year.
- c) Has their dog impounded. The owner will not be permitted to be reinstated as a RDO for a year.
- d) Has one substantiated complaint. The owner will not be permitted to be reinstated as a RDO for a year.
- e) Fails to pay dog registration fees by the 31 July penalty deadline. Registration fees are due on 1 July each year but an owner will lose their RDO status if they fail to pay their registration fee by 31 July. If this occurs, the owner will not be permitted to be reinstated as a RDO until after one registration payment is made by the due date.

If the owner moves from the approved property, then the owner will not be permitted to be reinstated as a RDO until the new property is approved by the Council.

The Council will offer an education programme free of



9

Education

charge to promote public safety and responsible dog ownership as defined under Act and the Council's Dog Policy. The programme will include:

- presentations to schools on dog behaviour and safety
- educational materials to dog owners on dog welfare, dog control problems and their avoidance, dog safety, the handling of dogs and the rights of the general public.

Media publicity will be used to promote public awareness of the:

- responsibilities of dog owners, including:
 - that dogs must be on-leash at all times, unless at a designated off-leash exercise area
 - failing to pick up dog faeces and improperly disposing of them can lead to a \$300 fine
- responsibilities of Council
- need to ask permission from owners before members of the public approach unknown dogs
- Council's Dog Policy and related bylaws.

A copy of the Council's Dog Policy and related bylaws will also be available to every dog owner through the Council website. These publications will also be available in hard copy on request.

9.1 Dog obedience

The Council will encourage the use of approved education and obedience courses by promoting them as a criterion to attain Responsible Dog Owner status and for probationary owners. A list of Wellington dog trainers will be provided on the Council website.



10

Minimising nuisance

10.1 Nuisance

Nuisance caused by dogs can include:

- barking dogs
- dog faeces
- roaming dogs.

In managing nuisance caused by dogs the Council will:

- educate owners about major nuisances associated with the ownership of dogs and how to avoid them
- require owners to take steps considered necessary to abate dog nuisance such as removing faeces left by their dog in public places and properly disposing of them
- provide appropriate deterrents against non-compliance with dog control laws by issuing warning or infringement notices, prosecuting where the offence or the effects of the offence are significant, impounding roaming or unregistered dogs
- control the number of dogs kept on a property
- provide incentives such as Responsible Dog Owner status to encourage responsible dog ownership.

If the notice is not complied with, the Council may issue an infringement notice to the owner. If the nuisance notice is not complied with and further complaints have been received, a Dog Control Officer may remove the dog from the land or premises.

10.2 Abatement of nuisance

Where a complaint has been received and a Dog Control Officer considers that a nuisance exists the officer may issue the owner with a notice requiring the owner to stop the nuisance. These notices will be issued pursuant to the Wellington Consolidated Bylaw 2008: Part 2 - Animals.

10.3 Barking Dogs

Where a dog is considered to be causing a nuisance through persistent and loud barking or howling a Dog Control Officer may issue the owner of the dog with a notice requiring the owner to make such reasonable provisions to stop the nuisance.

The owner of the dog has 7 days to either comply with the notice or object to the Council about the content of the notice. The process for objections is set out in section 55 of the Act.



11

Menacing and dangerous dogs

11.1 Classification as a menacing dog

The Council may classify a dog as menacing if the dog: poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- any observed or reported behaviour of the dog; or
- any characteristics typically associated with a prohibited dog breed or type.

The process for objecting to a dog's classification as a menacing dog is set out in sections 33B and 33D of the Act.

The Council must classify dogs as menacing if they wholly or predominantly belong to the breeds of dogs listed in Schedule 4 to the Act.

As set out in sections 33E, 33EA and 36A of the Act, a dog that is classified as menacing:

- must be muzzled and on-leash in any public place
- must be microchipped within 2 months of classification
- maintains its status as a menacing dog no matter where it lives in New Zealand.

11.2 Neutering of menacing dogs

Under sections 33E and 33EB of the Act when a dog is classified as menacing the Council will order the owner to have the dog neutered, unless the owner provides a certificate from a vet that the dog is not in a fit condition to be neutered. The Council has a discretion to waive the requirement for neutering on a case by case basis. It will consider the likelihood of the dog posing a threat in public and whether neutering is likely to curb the menacing behaviour when requiring a dog to be neutered.

11.3 Dangerous Dogs

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

- an owner of the dog has been convicted of a specified offence;

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

The process for objecting to a dog's classification as a dangerous dog is set out in section 31 of the Act.

As set out in sections 32, 32A and 36A of the Act, a dog that is classified as dangerous:

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



12

Enforcement

12.1 Impounding and seizing

The Act sets out certain provisions for the impounding of dogs. Where any dog is found at large in a public place in contravention of a bylaw or on any property other than the owners' (without the consent of the owner/occupier in question) it may be impounded.

Where any dog is impounded and the owner is known, the Council will make all attempts to contact the owner. The owner then has 7 days to recover the dog from the pound.

Where the owner of the dog is unknown the Council must keep the dog for 7 days. If the dog is not claimed, after this time the dog may be disposed of (eg a new owner found) or destroyed as the Council sees fit.

Where the owner of a dog does not comply with registration or microchipping requirements or the requirements of a menacing or dangerous dog classification the dog(s) may be seized and impounded. The dog may also be seized and impounded if not under proper control or it has attacked.

All registration requirements, fees and pound fees must be paid and the dog microchipped before a dog will be released from the pound.

12.2 Impounding fees

Under section 68 of the Act the Council can set fees for the impounding of dogs. Fees are set for seizure, sustenance, and the destruction of a dog. These fees can be varied for registered and unregistered dogs and may be graduated for repeated impounding of the same dog.

Impounding fees are listed on the Council's website.

12.3 Infringement notices

The Act empowers Dog Control Officers to issue infringement notices that impose fine on the recipient. Infringement notices can only be issued for particular offences (called infringement offences) as listed in Appendix D.

Fine amounts are set in the Act and range from \$100 to \$750. The Council has no discretion to alter these fees.

Once a fine has been issued the recipient has 28 days to pay it. After this period of time a reminder notice is issued. Twenty-eight days after issue of a reminder notice the infringement can be filed with the court. The court can then serve proceedings to recover any outstanding fines and any additional costs incurred.

The use of infringement notices is considered an efficient method of enforcement and allows the Council to fulfil its objectives under this policy. The Council may consider issuing an infringement notice rather than referring an offence to the court. As part of this system the Council may issue warning notices for particular infringement offences.

12.4 Prosecution

Where an offence is considered to be serious and sufficient evidence exists, the Council will consider prosecuting an offender. This includes situations where a dog has:

- caused significant damage to property
- caused significant damage or injury to any person or animal
- caused severe distress
- caused danger, distress or nuisance to any person or the community on a number of occasions.

Situations for which a person can be prosecuted are defined in the Act and are set out in Appendix C.

12.5 Probationary owners

When an owner is convicted of an offence under the Act (or other Act specified in section 21 of the Act) or has committed three infringement offences not related to a single incident within a continuous 24-month period, the Council will classify that owner as a probationary owner for a period of 24 months. The 24-month period will start from either the date of the offence or the date of the third infringement offence.



The probationary classification has the following effects within 14 days of being classified as a probationary owner:

- the owner is not allowed to own any dogs other than those that were owned at the time the classification was made
- the owner must dispose of any unregistered dogs.

A probationary owner has the right to object to the classification. The Act sets out a number of matters whereby the 24-month probationary period can be reduced. In considering an objection the Council will have regard to:

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

The Council will encourage all owners classed as probationary to undertake approved dog education and obedience courses.

12.6 Disqualification of ownership

Any owner convicted of an offence under the Act (or other Acts specified in section 25 of the Act), or who has committed three infringement offences not related to the same event within 24 months, can be immediately disqualified from owning or possessing any dog.

A probationary owner who is convicted of a further offence, or receives three further infringement notices, can be disqualified from owning a dog. It is not necessary for an owner to be classified as a probationary owner before being disqualified.

The disqualified owner must dispose of all dogs they own within 14 days of being notified of the decision. Disqualified owners cannot own any more dogs for up to 5 years. A disqualified owner has the right to object to the classification.



13

Bylaws

Under the Act the Council is required to create bylaws to give effect to the Dog policy. The Act lists the particular matters for which bylaws can be made. Bylaws relating to this policy are contained in the Wellington Consolidated Bylaw 2008 - Part Two: Animals.

The purpose of the Wellington Consolidated Bylaw 2008 - Part Two: Animals is to specify the requirements for the keeping of animals (including dogs) in order to protect the public from nuisance, maintain and promote public health and safety, and safeguard the welfare of animals. The following are in that bylaw.

Breaching the bylaw could result in a result in a \$300 infringement under the Dog Control Act.

13.1 Notice to abate dog nuisance

Where a Dog Control Officer considers that any dog or the keeping of any dog has become a nuisance, injurious or hazardous to the health, property or safety of any member of the public, an officer may in writing require the owner to:

- reduce the number of dogs kept on a premises
- construct, alter, reconstruct or improve the kennels or other buildings used to house or contain the dog or dogs
- take such action as an officer deems necessary to minimise or remove the likelihood of nuisance, or injury or hazard to health, property, or safety to any member of the public.

13.2 Restriction on diseased dogs or dogs on heat

A dog is not allowed to enter or be in a public place when it is infected with an infectious disease, or it is a bitch in season.

13.3 Fouling of public places

The owner or handler of the dog will immediately remove and properly dispose of their dog's faeces

if the dog defecates in a public place or on land or premises other than that occupied by the owner.

13.4 Dogs in public places

The bylaw identifies that the Council may, by publicly notified resolution, declare any additional public place to be one of the following classifications and may impose prohibitions and restrictions in respect of that area:

- controlled public place
- exercise area
- exercise area (specified times)
- beach exercise area
- beach area (restricted during summer)
- prohibited public place
- prohibited place (specified times).

Tables listing these areas are attached in Appendix A.

Any working dog that is working at the time may enter any public place off-leash if required.



13.5 Council permission required for more than three dogs

The bylaw requires that any household (other than in the rural area) that keeps more than three dogs in total on the property must obtain prior Council permission to do so. Permission will be required for more than three dogs over the age of 3 months, whether or not the dogs are registered or the owner/occupier is the registered owner of the dogs.

The Council will have the right to impose terms and conditions on the granting of permission, including:

- specifying the number of dogs that may be kept at any one time
- specifying the duration of the permission

- restrictions as to the purpose for which such dogs may be kept
- provision for hygiene, control, confinement and regular inspection
- provision for the protection of other persons or property from being affected in any way by the dogs
- provision for emergencies, including food, muzzles, leads for all dogs, and carriers.

On application, dog owners will have to pay the associated fee for permission to keep more than three dogs on a property.

Any person who faces an infringement or prosecution under the Animal Welfare Act 1999 will have any permission to keep more than three dogs revoked.





Appendix A: Schedules of public place classifications

Table 1: Exercise areas

Dogs must be under control of their owners at all times but can exercise and socialise off-leash in these areas.

Exercise Area	Location of exercise area
Alexander Road West	Alexandra Road
Ataturk Memorial	Eastern Walkway, grass valley on left arm of walkway heading north from the Memorial
Arthur Carman Park	Collins Avenue, Linden
Bann Street	Orchy Cres/Bann St, Island Bay - Hill top between Orchy Cres and Bann St
Cashmere Park	Onslow Road, Khandallah
Charles Plimmer Park	Palliser Road/Majoribanks Street, Mt Victoria - area above petanque to Palliser Rd entrance
Chelmsford Reserve	Chelmsford Street, Ngaio
Churton Park Reserve	Halswater Drive, Churton Park - southern side of Halswater Drive up to sports field area
Cliff Gaskin Reserve	Makara Road, Makara Village
Cummings Park	Ottawa Road, Ngaio - area to east of stream in central part of reserve
Dorrie Leslie Park	Queens Drive, Lyall Bay - open space along coast north from Arthurs Nose to residential area
Duncan Park	Linden Avenue, Tawa - area between stream and Nathan Street
Edward Wilson	Churton Drive, Churton Park - hill slopes to Middleton Road
Ellice Street Quarry	Ellice Street, Mt Victoria
Finnimore Terrace	Walking track from Finnimore Terrace down the 4WD track to the grassed areas above MacAlister Park. Replacing the area on corner of Liardet and Balfour Street.
Flinders Park	Flinders Place, Johnsonville - area to south of carpark
Grasslees Reserve	Main Road, Tawa - western side of stream to Main Rd
Hataitai Park	Ruahine Street/Alexandra Road Hataitai - open area along Ruahine Street from badminton hall to park entrance. Open area from Alexandra Road to behind badminton hall
Ian Galloway Park	Curtis Street, Northland - bottom area adjacent to BMX track and skateboard ramp
Izard Park	Wilton Road, Wilton - area north and east of play equipment
Karori Park	Karori Road, Karori - area north of sports fields
Khandallah Park	Entrance off Sirsi Crescent including the grassed areas above the reservoir and the track to the gate below Mt Kaukau.
Kowhai Park	Mitchell Street, Brooklyn
Liardet and Balfour Street Corner	Berhampore
Lower portion of Treasure Island/ Kainui Road Reserve (land opposite Cog Park)	Evans Bay Parade, Hataitai



Exercise Area	Location of exercise area
Macalister Park	Adelaide Road, Berhampore - area south of sports field area
Maupuia Walkway (Old Prison Road)	Maupuia Road/Akaroa Drive, Maupuia - open walkway accessed from Maupui Road and Akaroa Drive
Meekwood Reserve	Ohariu Road, Johnsonville - Ohariu Road side of reserve up to crest of hill
Monaghan Road Reserve	Monaghan Road, Karori
Mt Albert	Mt Albert Road, Melrose - hill areas behind hockey stadium and Chinese Sports and Cultural Centre
Newtown Park	Russell Terrace - pine plantation at top end of Newtown Park
Odell Reserve	Punjab Street, Khandallah - area up to reservoir
Ohiro Park (aka Tanera Park)	Ohiro Road, Brooklyn - open area on ridge
Owen Street	Lower terrace on southern end of Owen Street
Polhill	Aro Street, Aro Valley - grassed entrance area to Polhill reserve
Reef Street	Reef Street/The Esplanade, Island Bay - corner opposite Shorland Park
Seton Nossiter	Mark Avenue, Paparangi/Newlands - valley floor, not including the Mark Avenue access path, up to the stream crossing adjacent to the Paparangi School boundary and the titoki grove
Silverstream Road Reserve	Silverstream Road, Crofton Downs - part of Huntleigh Park, area south of play area
Sinclair Park	Houghton Valley Road, Melrose - terraced areas in park down from Houghton Valley School excluding bottom field
Spenmoor Street Park	Spenmoor Street, Newlands
Stebbing's Dam	Stebbing's Dam detention dam area at Westchester Drive, Churton Park.
Tawa Tawa Reserve (Prestons Gully)	Murchison Road, Happy Valley
Taylor Park	Taylor Terrace, Tawa - southern area of park behind badminton hall
Te Ahumairangi (Tinakori) Slopes	Wadestown Road, Thorndon - hill slopes from summit to Wadestown Road
The Terrace	The Terrace behind numbers 230-242, grassed area above motorway entrance to Terrace Tunnel
Top of Te Ahumairangi (Tinakori Hill)	Weld Street, Wadestown - open areas along summit
Trellisick Park	Kaiwharawhara Road (bottom of Ngaio Gorge) to Waikowhai Street (by Crofton Downs Railway Station), Ngaio
Tukanāe Street Reserve	Tukanāe Street, Strathmore - reserve accessed from Tukanāe Street
Vice Regal North	Coromandel Street
Waihinahina Park in Memory of Dennis Duggan	Ladbrook Drive, Newlands - large flat area to the south on right-hand side of car park
Willowbank Park	Main Road, Tawa - area north of Scout hall and area on eastern side of stream
Worser Bay/Awa Road intersection	Awa Road, Seatoun - corner of Awa Road and Marine Parade opposite Worser Bay Beach
Wrights Hill	Wrights Hill Road, Karori - parade ground area



Table 2: Beach Exercise Areas

Beach areas where dogs must be under control of their owner at all times but can exercise off-leash.

Beach Exercise Area	Location of exercise area
Houghton Bay Beach	Houghton Bay and Elsdon Point
Island Bay Beach	From the pier to the western end of the beach
Kio Bay Beach	Evans Bay Parade
Little Karaka Bay	Evans Bay Parade
Lyllall Bay Beach	From the steps in the seawall, opposite no. 30 Lyall Parade (200 metres from the eastern side of the children's playground) to the airport end of the beach
Makara Beach	Makara Beach Foreshore & Reserves
Weka Bay Beach	Evans Bay Parade

Table 3: Exercise Areas (Specified times)

Dogs must be under control of their owner at all times but can exercise off-leash in these areas in the specified times.

Exercise Areas (Specified Times)	Specified time	Location of exercise area
Kaiwharawhara Park	1 November to 31 January only. Prohibited the rest of the year.	Hutt Rd, Kaiwharawhara
Oriental Bay Beach	1 May till 31 October. Prohibited the rest of the year.	Oriental Parade, Oriental Bay. Does not include Freyberg Beach
Seatoun Beach	Prohibited from 10am – 7pm every day during summer. Off leash before 10am and after 7pm. All the time during winter.	Marine Parade, Seatoun. Area north of pier prohibited to dogs.
Worser Bay Beach	Prohibited from 10am – 7pm every day during summer. Off-leash before 10am and after 7pm. All the time during winter.	Marine Parade, Seatoun.

Table 4: Beach areas restricted during summer

These areas are classed as controlled public places where dogs can be on-leash before 10am and after 7pm in summer (from 1 December until 1 March the consecutive year) and on-leash at all times in winter. Dogs are prohibited from these areas from 10am to 7pm every day during summer (from 1 December until 1 March the consecutive year).

Beach Areas Restricted During Summer	Location of exercise area
Churchill Park	Marine Parade, Seatoun.
Hataitai Beach	Esplanade Reserve – 393 Evans Bay Parade



Table 5: Prohibited Public Places

Dogs are prohibited from these public places at all times.

Prohibited Public Place	Exemptions	Location of area
Areas of Children's Play Equipment	Exemption to move through a play area on leash specifically to move from one side to the other if there is no alternative route but they cannot stop with their dog in the play area.	
Balaena Beach		Evans Bay Parade, Roseneath
Freyberg Beach		Oriental Parade, Oriental Bay.
Island Bay Beach		Prohibited from the east of the breakwater/ pier. Dunnes in western end of beach are prohibited.
Karori Wildlife Sanctuary (Zealandia)		Waiapu Rd, Karori
Lyllall Bay Beach		From the steps in the seawall, opposite no. 30 Lyall Parade (200 metres from the eastern side of the children's playground) to the western side of the beach.
Palmer Head		Wahine Park to Tarakena Bay (penguin nests)
Princess Bay Beach		Te Raekaihau Point and Princess Bay
Scorching Bay Beach		Massey Road, Karaka Bays
Seal Colony Restrictions Sinclair Head and South Coast 'haul out' areas		The area of Sinclair Head and seal 'haul out' areas along the South Coast.
Seatoun Beach		Area north of the Pier prohibited to dogs.
Sports fields: Marked sports surfaces and artificial sports surfaces	Dogs are allowed to access sports fields on-leash, but only if the field is not being used for sports. Dogs are prohibited in artificial sports surfaces.	
Tapu te Ranga Island		Island Bay
Tarakena Bay Beach	Dogs are allowed on-leash on the coastal track between Palmer Head and Moa Point.	To Moa Pt including Hue Te Taka - boat launching ramp and protected area.
Wellington International Airport	Exemption if need to access to Wellington International Airport if owner intends to transport dog.	Rongotai
Wellington Zoo		Daniell Street, Newtown



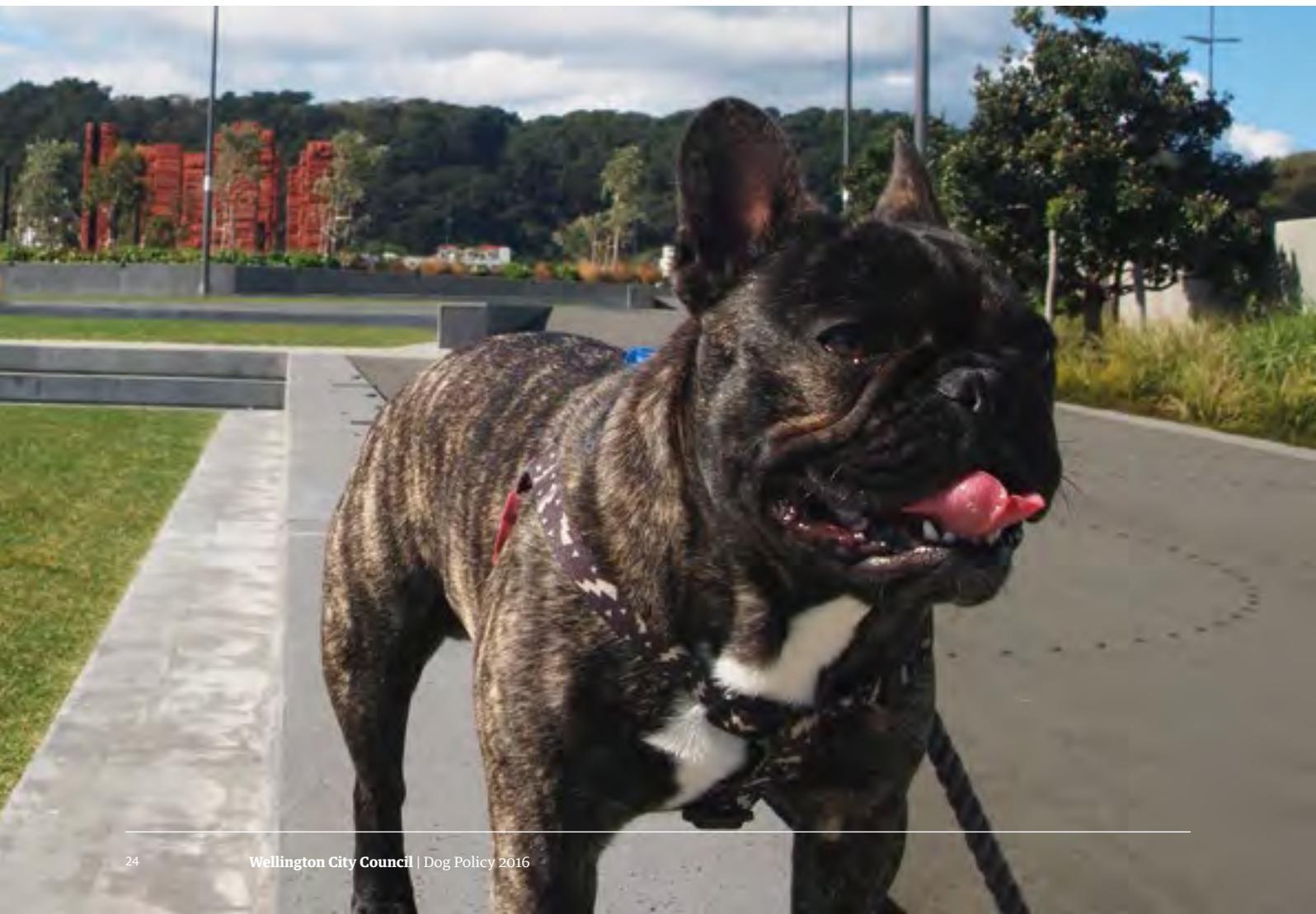
Table 6: Prohibited public place (specified times)

Dogs must be under control of their owner at all times but can exercise off-leash in these areas in the specified times.

Prohibited Public Place (specified times)	Specified times	Location of area
Kaiwharawhara Park	Prohibited: 1 February to 31 October Exercise Area: 1 November to 31 Jan	Hutt Rd, Kaiwharawhara
Oriental Bay Beach	1 May till 31 October. Prohibited the rest of the year	Oriental Parade, Oriental Bay. Does not include Freyberg Beach

Appendix B: Maps

Maps of all public places classified as dog exercise areas, beaches restricted during summer and prohibited places can be seen at wellington.govt.nz/dog-exercise





Appendix C:

Offences under the Dog Control Act 1996

Name of Section	Description of the offence	Section of the Act
Wilful obstruction of dog control officer or dog ranger	Obstructing an officer	18
Power of constable, dog control officer, or dog ranger to request information about owner	Failure or refusal to supply information	19
Power of constable, dog control officer, or dog ranger to request information about dog	Failure or refusal to supply information about dog	19(A)
Dog Control Bylaws	Failure to comply with a bylaw made under this section	20
Territorial authority may require probationary owner to undertake training	Failure to undertake training	23A
Obligation of probationary owners to dispose of unregistered dogs	Failure to dispose of unregistered dog	24
Effect of disqualification	Failure to comply with the requirements of a disqualified owner classification	28
Effect of classification as dangerous dog	Failure to comply with requirements of a dangerous dog classification. Selling a dog classified as a dangerous dog without disclosing the information to the other person that the dog is classed as dangerous	32
Offence to fail to comply with section 33E(1) or 33EB	Failure to comply with requirements of menacing classification	33EC
Owner must advise person with possession of dangerous or menacing dog of requirement to muzzle and leash dog in public	Failure to advise person of muzzle and leash requirements	33F
Microchip transponder must be implanted in certain dogs	Failure to implant microchip transponder in dog	36A
Penalty for false statement relating to application for registration	Supplying false information in application for registration	41
Dead dogs	Supplying false information that dog has died	41A
Offence of failing to register dog	Failure to register dog	42
Issue of label or disc and completion of registration	Procuring or attempting to procure a replacement registration tag for a dog that has not lost its current tag	46
Change of ownership of registered dog	Failure to notify territorial authority of change of ownership within 14 days	48
Transfer of dog from one address or district to another	Failure to notify territorial authority of change of address	49
Offences relating to collars labels, and discs	Removal of registration tag, use of another dogs tag or making counterfeit tags	51
Control of dog on owner's property	Failure to keep dog under control	52A
Offence of failing to keep dog under control	Failure to keep dog under control	53
Obligations of dog owner	Failure to comply with the obligations of an owner	54



Name of Section	Description of the offence	Section of the Act
Owner must use or carry leash in public	Failure of owner to carry a leash in a public place	54A
Barking dogs	Failure to comply with a barking notice issued under section 55	55
Dogs attacking persons or animals or rushing at vehicles	Dogs attacking persons or animals; dogs rushing persons, animals or vehicles causing an accident	57 & 57A
Dogs causing serious injury	Dogs causing serious injury to any person or death of protected wildlife	58
Orders relating to dog seen worrying stock	Failure to comply with a notice issued under section 61	61
Allowing dogs known to be dangerous to be at large unmuzzled	Allowing dog known to be dangerous to be in a public place unmuzzled	62
Offence to release dog from custody	Releasing a dog that is under the custody of a territorial authority other than in accordance with the Act	72
Regulations	Failure to comply with regulations made under the Act	78



Appendix D: Infringement offences under the Dog Control Act 1996

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 stating 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 section 20 of the Act (For a more detailed description of bylaws within Wellington City see section 4.6 of this Policy)	\$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 registration	\$750
41A	Falsely notifying death of dog	\$750
42	Keeping unregistered dog	\$300
46(4)	Fraudulent attempt to procure replacement label or disk	\$500
48(3)	Failure to advise change of ownership	\$100
49(4)	Failure to advise change of address	\$100
51(1)	Removal or swapping of labels or discs	\$500
52A	Failure to keep dog controlled or confined	\$200
53(1)	Failure to keep dog under proper 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	\$300
62(5)	Failure to advise of muzzle and leashing requirements	\$100
72(2)	Releasing dog from custody	\$750

