P22-001 Dog Control Policy 2022

Approved by the Council on 8 March 2022, effective 9 April 2022
Amended by Council on 29 October 2026, appendix one, to allow leashed control dogs in New Plymouth Central Business Area, effective 7 November 2026

1. Purpose

1.1. The purpose of this policy is to outline how the Council will regulate the keeping of dogs for the protection of the health and safety of the public.

1.2. This policy meets the requirements of the Dog Control Act 1996 ('the Act'). The Council is required to adopt a Dog Control Policy under section 10 of the Act.

1.3. The Council's obligations in relation to dog control are set out in the Act, and this policy should be read in conjunction with the Act.

Note: This Policy will be supplied to the owner of every registered dog.

2. Scope

2.1. The policy applies to all dogs within the district, including those not registered by the New Plymouth District Council.

2.2. The policy should be read and implemented concurrently with the Dog Control Bylaw 2022.

3. Application of the Bylaw

3.1. The Council gives effect to this policy by adopting the New Plymouth District Council Dog Control Bylaw 2022 ('the Bylaw').

3.2. The Bylaw includes the following provisions:

a) Keeping of dogs.
b) Off-leash areas.
c) Leashed control areas.
d) Prohibited areas.
e) No exercising dogs with vehicles.
f) Menacing dogs.
g) Urgent safeguarding of protected wildlife.
h) Temporary exemptions from dog controls.
i) Nuisances.
j) Fouling in public places.
k) Offences and penalties.

Note: The Council will report on the administration of this Policy annually and will make this report publicly available.

4. Definitions

4.1. In this Policy, unless the context otherwise requires:

Act means the Dog Control Act 1996.

Animal means any member of the animal kingdom, including birds, reptiles, livestock and poultry, but it does not include human beings.

Beach means the foreshore and any adjacent area that can reasonably be considered part of the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation, but not including any grassed areas or other green spaces that are adjacent to the beach. For clarification, estuary areas that fit this definition are considered a beach under this policy.

Bylaw means the New Plymouth District Council Dog Control Bylaw 2022.

Council means the New Plymouth District Council.

Dog Control Officer has the meaning given to that term by section 2 of the Act.

Dog Ranger has the meaning given to that term by section 2 of the Act.

Owner in relation to any dog, has the same meaning given to that term in section 2 of the Act.

Policy means the New Plymouth District Council Dog Control Policy 2022.

Protected wildlife includes the definition of 'protected wildlife vulnerable to dogs' in the Conservation Act 1987.

Public place has the meaning given to that term by section 2 of the Act and, to provide certainty, includes any road under the control of the Council.

Reserve has the meaning given to that term by section 2 of the Reserves Act 1977.

Under control means having a dog off leash under command control of a person (for example, by voice, signal, whistle or other similar means) who is in fact controlling the dog so as to prevent it being an annoyance or a nuisance.

5. Fees and Infringement Notices

5.1. Fees for the registration of dogs are set by the New Plymouth District Council from time to time, pursuant to sections 37 and 38 of the Dog Control Act 1996. When setting fees, the Council may take into consideration the following outcomes:

a) Promoting responsible ownership by all dog owners.

b) Recognising and rewarding good behaviour in dogs.

c) Recognising that working dogs are an integral and necessary part of the rural community and setting the fees accordingly.

d) Encouraging owners to de-sex their animals to reduce the incidence of roaming, aggressive behaviour and abandoned dogs.

e) Supporting the funding of the animal control activities of the Council primarily from the registration fee for dogs, while recognising that rates funding is appropriate for those costs which should not be borne by registered dog owners or where there is a direct community benefit from the activities.

5.2. Pound fees are set by the New Plymouth District Council from time to time, pursuant to section 68 of the Dog Control Act 1996. These fees can include:

a) The seizure of dogs by dog control officers or dog rangers.

b) The sustenance of any dog impounded under this Act.

c) The destruction of any dog impounded under this Act.

5.3. In setting pound fees the New Plymouth District Council may:

a) Set different fees for registered and unregistered dogs;

b) Set a graduated scale of fees for the repeated impounding of the same dog;

c) Require the fee to be paid before the dog is released from the pound.

5.4. The New Plymouth District Council considers the issuing of infringement notices to be a valuable tool toward encouraging responsible ownership and control of dogs. The use of infringement notices is to be used additional to or in place of Court action alternatives. Infringement fees are set out in Schedule 1 of the Dog Control Act 1996.

6. Objectives

Objective 1

6.1. Encourage responsible dog ownership.

Objective 2

6.2. Minimise danger, distress and nuisance to the community generally.

Objective 3

6.3. Avoid the inherent danger in allowing dogs uncontrolled access to public places that are frequented by children.

Objective 4

6.4. Enable as far as is practicable the public to use the streets and public amenities without fear of attack or intimidation by dogs.

Objective 5

6.5. Minimise the negative impact of dogs on protected wildlife and their habitats, including in coastal areas.

Objective 6

6.6. Recognise the exercise and recreational needs of dogs and their owners.

7. Policy Statements

7.1. Welfare of Dogs

7.1.1 The New Plymouth District Council recognises the benefits of good and proper dog care. Owners have an obligation to ensure their dog is kept within the minimum standards as described in the Bylaw. This includes a requirement of dog owners to provide a dog with:

a) Adequate housing;

b) Access to sufficient food and clean water at all times; and

c) Regular and adequate exercise.

7.1.2 Where vehicles are driven into or through dog prohibited areas, and dogs are therefore not allowed out of vehicles, consideration should be given to the welfare of dogs left in vehicles and whether it would be more appropriate to leave the dog(s) at home.

7.1.3 All dog owners are expected to plan and prepare for the care and welfare of their dog(s) in anticipation of an emergency. While a state of emergency is in place dog owners must keep their dog under effective control at all times and ensure that their dog(s) does not injure, endanger or cause distress to any person.

7.2. Responsible dog ownership

7.2.1 The Council will encourage responsible dog ownership within the New Plymouth District through public education and enforcement of the Council's Bylaw, and other relevant legislation.

7.2.2 Responsible ownership requires owners to have an understanding of how to appropriately care for their dogs and how to control their dogs in public places as to not cause a nuisance or risk to the safety of other animals, or members of the public.

7.2.3 The Council encourages dog obedience courses to dog owners.

7.2.4 New Plymouth District is a carry leash community. This means every dog owner in a public place with a dog must carry a leash with them at all times. This includes in off-leash areas.

7.2.5 The Act sets out specific obligations of all dog owners. These are also enforced through the Bylaw. In summary, every dog owner is obligated to ensure the dog:

a) is registered;

b) is under control at all times;

c) has proper care, attention, food, water, and shelter;

d) has adequate exercise

e) does not cause a nuisance;

f) does not injure, endanger, intimidate or distress any person; and

g) does not injure, endanger or distress animals.

7.3. Areas of dog control in public places

7.3.1 The New Plymouth District Council may designate dog exercise areas (off-leash areas) for the adequate recreational and exercise needs of dogs and their owners. Dogs in exercise areas must at all times be kept under control of a person responsible for the dog.

Note: At the time of writing there are no designated dog exercise areas.

7.3.2 All public places are designated as off-leash exercise areas, unless they are specified as leashed control or prohibited areas in Schedule 1 of the Bylaw.

7.3.3 The Council designates specific public places within the District where dogs must be kept on a leash at all times (leashed control areas). This is for the safety of the public and protected wildlife, and to ensure dogs do not cause an unnecessary nuisance. Dogs in leashed control areas must at all times be kept under control of a person responsible for the dog.

7.3.4 The Council designates specific areas within the district where dogs are prohibited (prohibited areas) This is for the protection of public safety, to ensure dogs do not cause a public nuisance in areas of high community use, and to safeguard protected wildlife. Dogs must not be allowed within prohibited areas.

7.3.5 General areas where dogs are prohibited, where dogs must be on leash, or are designated as off leash dog exercise areas are listed in the table at Appendix 1.

7.3.6 The Bylaw gives effect to these controls stipulated for each of the areas.

7.4. Temporary changes to dog controls

7.4.1 The Council recognises that protected wildlife may not always be in the areas we expect them to be. As a result, the Council may need to temporarily alter the dog control areas to ensure adequate protection of protected wildlife. The Council may, in accordance with clause 12 of the Bylaw, install temporary dog restrictions in areas for the urgent safeguarding of protected wildlife.

7.4.2 From time to time, it may be desirable to make temporary changes to dog control rules in specific areas to hold specific events. The Council may, in accordance with clause 13 of the Bylaw, lift certain dog controls, or introduce new dog controls, for a limited period of time.

7.4.3 Any person is able to apply to the Council for a temporary change to dog control area rules. The process for doing this is outlined in the Dog Control Bylaw clause 13.

Identification of 'Controlled' and 'Open' dog areas

7.4.4 The Council recognises the need to inform all dog owners of lands administered by the Department of Conservation which may be declared as:

a) A controlled dog area, where dogs are banned unless provided with a permit from the Department of Conservation. National Parks are controlled dog areas.

b) An open dog area, where permits are not required, but conditions may be imposed.

7.4.5 For clarity, Te Papakura o Taranaki (Egmont National Park) is a National Park and is a controlled dog area.

7.5. Control of menacing dogs

Note: Problems exist with a small section of the dog population, which pose a significant threat to the community through aggressive behaviour. These are dogs that attack or threaten people, animals, or protected wildlife. It is important to the Council that where dogs are identified as menacing, the appropriate actions are taken to control them.

7.5.1 The Council must classify those dogs listed in Schedule 4 of the Act as menacing.

7.5.2 Dogs that are identified and classified as menacing by the New Plymouth District Council may be required to be neutered.

7.5.3 Dogs that are identified and classified as menacing by another territorial authority may be required to be neutered once they become registered within the New Plymouth District boundary, or are found to be residing within the boundary without being registered.

7.5.4 When deciding whether or not to require a menacing dog to be neutered, the Council will take into account the following matters:

a) Whether the Council considers that the dog may pose a threat to any person animal, or protected wildlife because of:

i) Any observed or reported behaviour of the dog; or

ii) Any characteristics typically associated with the dog's breed or type.

b) the history of the owner of the dog, including (but not limited to) any relevant history about the behaviour of dogs kept by the owner, any impounding records, and any previous offences under the Dog Control Bylaw;

c) any safety risk posed to the public by the dog; and

d) anything else the Council considers relevant.

8. Review of Policy

8.1. This policy shall be reviewed from time to time in accordance with the Act, including any time that the Bylaw is reviewed.

Appendix 1: Area Rules

The table below lists general areas of dog control in the District. The Bylaw gives effect to these controls for each of the areas.

Note: Refer to Dog Control Policy clause 4 for relevant definitions including beach, public place, and reserve.

Area and description	Rules
District wide	
All public places not described elsewhere in this table	Off leash and under control
Playgrounds – as defined in the Bylaw	Prohibited
Sports parks – the area defined in the Bylaw	Leashed control
Cemeteries and Crematorium – as defined in the Bylaw (excluding the Te Henui Cemetery which remains off-leash and under control)	Leashed control
New Plymouth	
New Plymouth Central Business Area – as defined in the Bylaw - dogs classified as dangerous or menacing	Prohibited
New Plymouth Central Business Area – as defined in the Bylaw – all other dogs, excluding dogs classified as dangerous or menacing	Leashed control
Liardet Street from Leach Street to Molesworth Street/St Aubyn Street	Leashed control
Coastal Walkway areas - as defined in the Bylaw	Leashed control
Lake Rotomanu - the island in the middle of Lake Rotomanu	Prohibited
Peringa Park/Lake Rotomanu wetlands – the area defined in the Bylaw	Leashed control
Lake Mangamahoe – lake waters and grassland as defined in the Bylaw	Prohibited
Lake Mangamahoe - Lake Mangamahoe Road (the access road near the lake)	Leashed control
Te Henui Walkway – the area defined in the Bylaw	Leashed control
Fitzroy shopping area - as defined in the Bylaw	Leashed control
Moturoa shopping area - as defined in the Bylaw	Leashed control
Westown shopping area - as defined in the Bylaw	Leashed control
Pukekura Park/Brooklands Park – playgrounds and event areas - as defined in the Bylaw	Prohibited
Pukekura Park/Brooklands Park – all other areas as defined in the Bylaw	Leashed control
Rotokare (Barrett) Domain – pond and wetland areas as defined in the Bylaw	Prohibited

Area and description	Rules
Rotokare (Barrett) Domain – access road as defined in the Bylaw	Leashed control
Fitzroy	
Fitzroy Seaside Park swimming pool and adjacent playground – the area defined in the Bylaw	Prohibited
Fitzroy and East End beaches – foreshore and beach area defined in the Bylaw	Prohibited at certain dates and times as specified in the Bylaw
Fitzroy and East End beaches – dune area as defined in the Bylaw	Prohibited
Back Beach/Centennial Park	
Back Beach - the beach area as defined in the Bylaw	Prohibited at certain dates and times as specified in the Bylaw
Back Beach – the area defined in the Bylaw	Leashed control
Back Beach/Centennial Park to Tapuae Stream	
Tapuae Marine Reserve – the area defined in the Bylaw	Leashed control at certain dates and times as specified in the Bylaw
Port Taranaki	
Ngāmotu Beach and Reserve – the area defined in the Bylaw	Prohibited
Lee Breakwater/Port area – as defined in the Bylaw	Leashed control
Bell Block	
Hickford Park cycling facilities – area as defined in the Bylaw	Prohibited
Bell Block shopping area - as defined in the Bylaw	Leashed control
Bell Block Beach – the area defined in the Bylaw	Leashed control at certain dates and times as specified in the Bylaw
Waitara	
Waitara main shopping area - as defined in the Bylaw	Leashed control
Inglewood	
Inglewood shopping area - as defined in the Bylaw	Leashed control
Ōākura	
Ōākura Beach – foreshore and beach area as defined in the Bylaw	Prohibited at certain dates and times as specified in the Bylaw
Ōākura River/Corbett Park – the area defined in the Bylaw	Prohibited at certain dates and times as specified in the Bylaw
Ōākura shopping area as defined in the Bylaw	Leashed control
Ōkato	
Ōkato shopping area - as defined in the Bylaw	Leashed control

Area and description	Rules
Onaero	
Onaero Domain and adjoining beach – the area defined in the Bylaw	Prohibited at certain dates and times as specified in the Bylaw
Pukearuhe	
Parininihi Marine Reserve – the area defined in the Bylaw	Leashed control at certain dates and times as specified in the Bylaw
Urenui	
Urenui Domain and beach – the area defined in the Bylaw	Prohibited
Waiiti	
Waiiti Beach – the area defined in the Bylaw	Leashed control at certain dates and times as specified in the Bylaw
Tongapōrutu	
Tongapōrutu Domain – the area defined in the Bylaw	Leashed control
Te Papakura o Taranaki (Egmont National Park)	
Te Papakura o Taranaki (Egmont National Park) – the area defined in the Bylaw *Note: Dogs are banned from Te Papakura o Taranaki (Egmont National Park) under the National Parks Act 1980, administered by the Department of Conservation*	Prohibited