2 November 2026

Review of the Dog Control Act 1996
Ministry for Cities, Environment, Regions and Transport
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Tēnā koutou katoa

Issues paper: Review of the Dog Control Act 1996

The Kāpiti Coast District Council (Council) welcomes this opportunity to provide comment on the Ministry's Issue Paper reviewing the Dog Control Act 1996.

Overall, we support a focus on owner responsibility in the legislative framework, and in relation to cost implications associated with managing more challenging cases. To support this, we would like to see changes focused on additional and proportionate tools to help resolve emerging issues before they result in harm. In line with this, supports a stronger graduated enforcement pathway between low-level infringements and prosecution.

There are two parts to this submission:

I. The first part, below, includes key points we would like to highlight against the parts of the discussion document.
II. The second part, in the attached survey form, sets out more detailed feedback against the questionnaire the Ministry has issued alongside the discussion document.

Part 1: What should dog control in New Zealand achieve?

Council supports a stronger focus on owner responsibility

1. The Act's legislative framework should recognise and incentivise responsible ownership, including through lower registration fees, while giving dog control officers (DCOs) more effective tools to intervene early when owners do not meet their obligations.

Part 2: Is the current regulatory system fit for purpose?

Earlier intervention and enforceable requirements for repeated issues

2. Council's experience in implementing the Act is that the current tools available to DCOs limit their ability to effectively resolve emerging problems before they become persistent

or result in harm. To remedy this, the Act should:

a) provide clear, proportionate powers to issue enforceable notices requiring an owner to remedy unsatisfactory/unsafe behaviour or inadequate containment, within a specified period, and

b) where a dog owner has failed in controlling a dog or the dog has roamed or escaped repeatedly, provide powers to seize and retain the dog, or require the owner to surrender it temporarily, until the control or containment issue has been remedied and verified (fencing built, dog control training undertaken), and

c) explicitly provide for rehoming or other measures if the owner declines to meet training and control requirements, or if the dog cannot be returned to adequate containment. The owner should be liable for the costs of the dog's upkeep during retention and/or rehoming.

3. These powers should be supported by clear statutory thresholds, notice requirements, review rights and safeguards to ensure they are used consistently and proportionately. The powers would allow officers to combine education and practical support with an enforceable requirement, reducing repeated wandering and the need to wait for a more serious incident to occur before effective action can be taken.

Council recommends that the Act be amended to:

1. Empower dog control officers to issue enforceable notices requiring owners to remedy unsafe behaviour or inadequate containment within a specified period.
2. Authorise seizure and temporary retention, or compulsory temporary surrender, where control failures or repeated roaming occur, until remedial action is verified.
3. Provide for rehoming or other measures where owners decline training and control requirements or adequate containment cannot be provided, with owners liable for upkeep and rehoming costs.

All three powers should be subject to clear statutory thresholds, notice requirements, review rights and safeguards to ensure consistent and proportionate use.

Infringement regime

4. The infringement schedule should:

a. be comprehensively reviewed, indexed or regularly updated, and structured so that penalties increase with the seriousness, persistence and consequences of non-compliance

b. provide for additional infringement offences to be available for repeated roaming, failure to comply with a containment notice, and other repeated breaches of core owner obligations.

5. The infringement regime should be modernised and rebalanced to support a clear hierarchy of cascading consequences. Fees should reflect community values of overall

owner responsibility. Therefore, an amended Act should capture a wider range of failures to meet owner obligations, particularly inadequate containment and repeated non-compliance. These should be addressed through proportionate infringement offences.

6. Infringement fees have not been adjusted since 2006 and no longer consistently reflect the relative seriousness of offending or provide an effective deterrent. For example, the current fees for failing to carry a leash in public ($100), failing to keep a dog under control ($200), and unlawfully replacing or removing a registration label or disc ($500) do not present an intuitive hierarchy of risk or harm.

Council recommends that:

4. The Infringement Schedule should be reviewed to ensure penalties escalate to reflect the seriousness and consequence of non-compliance.

7. Council supports a stronger graduated enforcement pathway between low-level infringements and prosecution.

8. An amended Act should provide for:

   a. an intermediate tier of enforceable measures between infringement notices and prosecution

   b. the enforcement tier should include compliance notices, mandatory owner education or training, and targeted conditions relating to containment, control, or desexing.

9. Council's experience of prosecutions under section 57 is that the maximum fine of $3,000 on conviction does not always provide an effective deterrent. However, the costs from investigative and evidential burden for officers, who must assemble evidence capable of meeting the criminal standard of proof for Prosecution can be significant. Such investigation costs disproportionately impact good dog owners through registration fees and are subsidised by ratepayers through Council's administrative costs.

10. In practice, dog attacks could be addressed through lesser infringement or classification pathways unless the 'serious injury' threshold in section 58 can be established.

11. An Act revised with the 'intermediate' enforcement provisions recommended above, would provide proportionate enforcement options for attacks and repeated high-risk conduct that are more consequential than a low-level infringement but more practical than full prosecution. This would enable councils to respond consistently to escalating risk while reserving prosecution for the most serious cases.

Council recommends that the Act be amended to:

5. Establish an intermediate enforcement tier between infringement notices and prosecution to provide proportionate responses to dog attacks and repeated high-risk conduct.

6. Provide for compliance notices, mandatory owner education or training, and targeted conditions relating to containment, control or desexing within that tier.

7. Reserve prosecution for the most serious cases, supported by intermediate measures that enable councils to respond consistently to escalating risk without the burden of full prosecution.

Part 3: How can information, capability and system stewardship be improved?

Population management and the National Dog Database

12. If population management is identified as a priority, the Act should enable mandatory desexing following repeated offending or non-compliance, rather than limiting that intervention to dogs that have already been formally classified as dangerous dogs.

13. To better support national consistency across councils, the National Dog Database (NDD) will require significant modernisation. The database should be redesigned to ensure timely support, with reliable and accessible information exchange between councils. Data should be captured in formats that are useful for operational work, national analysis and policy development.

14. This modernisation could be funded by a small separate fee charged as a national levy at the time of registration in a similar way the Building Levy is charged and collected on Building Consent applications but as a fixed amount.

Council recommends that:

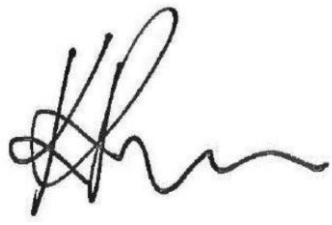
8. if population management is identified as a priority, the Act enable mandatory desexing following repeated offending or non-compliance, without requiring prior formal classification of the dog.

9. The National Dog Database be modernised to provide timely support and reliable, accessible information exchange between councils, with data suitable for operational use, national analysis and policy development.

10. Consider funding this through a small, fixed national levy collected at dog registration.

15. Thank you again for the opportunity to provide input into the review of the Dog Control Act ahead of specific proposals for change. Should the Ministry wish to discuss any of these points further, please contact us.

Yours sincerely



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Kāpiti Coast District Council