

**Chairperson and Committee Members
REGULATORY MANAGEMENT COMMITTEE**

5 SEPTEMBER 2013

Meeting Status: Public

Purpose of Report: For Information

**ANNUAL REPORT ON
DOG CONTROL POLICY AND PRACTICES 2012/13**

PURPOSE OF REPORT

1. This report presents the Kāpiti Coast District Council dog control activities for 2012/13 as required by Section 10A of the Dog Control Act 1996.

SIGNIFICANCE OF DECISION

2. The recommendations in this report do not trigger the Council's Significance Policy.

BACKGROUND

3. Section 10A of The Dog Control Act 1996 (as amended in 2003) requires Territorial Local Authorities to report on their Dog Control Policies and Practices as follows:
 - (1) *A territorial authority must, in respect of each financial year, report on the administration of:*
 - (a) *its dog control policy adopted under section 10; and*
 - (b) *its dog control practices.*
 - (2) *The report must include, in respect of each financial year, information relating to:*
 - (a) *the number of registered dogs in the territorial authority district;*
 - (b) *the number of probationary owners and disqualified owners in the territorial authority district;*
 - (c) *the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made;*
 - (d) *the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made;*
 - (e) *the number of infringement notices issued by the territorial authority;*
 - (f) *the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints;*
 - (g) *the number of prosecutions taken by the territorial authority under this Act.*
 - (3) *The territorial authority must give public notice of the report—*
 - (a) *by means of a notice published in—*
 - (i) *1 or more daily newspapers circulating in the territorial authority district; or*
 - (ii) *1 or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and*

(b) *by any means that the territorial authority thinks desirable in the circumstances.*

(4) *The territorial authority must also, within 1 month after adopting the report, send a copy of it to the Secretary for Local Government.*

DOG CONTROL POLICY

4. The Council adopted its Dog Control Policy in November 2009 (refer Appendix One). Adoption of a Dog Control Policy is a requirement of Section 10 of the Dog Control Act 1996 (the Act).

CONSIDERATIONS

Issues and Options

Council's Dog Control Policy Objectives

5. The objectives listed in this section were developed as part of the Dog Control Policy 2009 to ensure that the Council consistently and effectively fulfils its responsibilities under the Act. The following objectives have been based on the provisions of the Act.
- Objective 1: All dogs in the District are kept under proper and appropriate control at all times.
 - Objective 2: To prohibit or restrict specific breeds which are known to be dangerous.
 - Objective 3: To eliminate or minimise the distress, danger and nuisance caused by dogs to the general public and their property.
 - Objective 4: To ensure that the owners of dogs comply with their obligations under the Act.
 - Objective 5: To provide for the exercise and recreational needs of dogs and their owners.
 - Objective 6: To recognise good, responsible dog owners and reward them with reduced fees and to discourage poor dog ownership.

Council's Dog Control Practices

6. To meet the policy objectives the Council employs the following practices:
- Council employs an Animal Control Team in the Community Services Group. There are now four full-time Animal Control Officers including a Team Leader and one part time Animal Control Assistant.
 - Animal Control staff provide a 7 day 24 hour service. Complaints response and districtwide patrols operate 8.00am to 5.00pm, Monday to Sunday inclusive. There is also an after hours call out service and staff are rostered to respond to urgent animal and stock control issues. Pound cleaning and dog feeding duties are undertaken by our Animal Control Assistant. The latter is a new role created in 2012 to relieve Animal Control Officers of these duties and make more productive time available for complaints response and patrols. Consistency in managing the dogs in the pound has also had the effect of making the environment less stressful for the dogs.

- The Animal Control Team, with assistance from the Customer Service Team, undertakes all statutory requirements, including dog registration, issue of infringement notices and prosecutions.
- From time to time, Council provides education material and information promoting responsible dog ownership. Examples of awareness programmes and information include:
 - responsible dog ownership information
 - health and hygiene information
 - dog information brochures, and
 - providing advice to teams employed in water meter installation and census form collection.
- The Animal Control staff liaise very closely with both the Kapiti SPCA and Kapiti Horowhenua Animal Rescue based in Levin. This link has proved very successful, allowing opportunities to re-home unclaimed dogs that are assessed as being suitable and sharing of information regarding animal welfare issues.
- Other dog control information (for example, information on dog registration) is published or broadcast in/on local media. It is also available on Council's website and on request from the Council Administration Building in Rimu Road, Paraparaumu and the Customer Service Centres at Waikanae and Ōtaki.
- A procedure is in place for special permits to be issued to owners who wish to have more than two dogs on a residential property. The application procedure for these permits ensures that the keeping of dogs does not create a nuisance for other residents.
- A strong emphasis is placed on dog registration. An active follow-up programme is promoted, to ensure owners have registered their dog by the end of October.
- Dog registration fees are reviewed annually and are structured to encourage owners to have their dogs spayed / neutered. A discounted "Approved Owner" rate is also available for owners who can demonstrate a high standard of control. The criteria for approved ownership are available on the Council's website.
- Council classifies as menacing those dogs belonging to the breed or type listed in Schedule 4 of the Dog Control Act 1996. Those breeds or types of dogs are currently listed are as follows:
 - Breed of Dog: Brazilian Fila, Dogo Argentino and Japanese Tosa, with Perro de Presa Canario added to Schedule 4 in 2011.
 - Type of Dog: American Pit Bull Terrier.
- Where appropriate and after due process the Council may classify a dog as either dangerous or menacing if a substantiated serious complaint is received about the reported or observed behaviour of the dog. Dogs

classified as menacing by breed or nature are required to be neutered/spayed within one month after receipt of the notice of classification.

- The Kāpiti Coast District Council Dog Control Bylaw 2008 provides for dogs and their owners to generally have access to public places which allows for their reasonable exercise needs, whilst ensuring that danger, distress and nuisance to the rest of the community is minimised. Three basic categories of Dog Access Zone are provided for in the Bylaw:
 - Prohibited zone: Dogs not allowed under any circumstances.
 - On leash zone: Dogs allowed only when under leash control.
 - Exercise zone: Dogs allowed running freely, but in view and under direct voice control.

Statistical information

7. The information in the following table meets a prescribed national requirement for reports of this type and as such provides comparative statistical dog and owner information over two financial years relating to the following:
 - Dogs and Owners
 - Complaints
 - Infringements Issued
 - Prosecution
 - Prosecution Outcomes
 - Impounding
8. In addition, to the commentary provided earlier in this report about the dog control practices that Council employs, it should be noted that:
 - the 2012/13 year end results show that just less than 100% of known dogs in the District were registered.
 - there were 2,995 service requests relating to Animal Control received during the year, of which 1,984 were complaints.
 - Customer Service staff are generally the first point of contact for all animal control issues which they formally record within the computerised service request system.

STATISTICAL DOG AND OWNER INFORMATION	2011/12	2012/13
DOGS AND OWNERS	2011/12	2012/13
TOTAL DOGS REGISTERED AS AT 30 JUNE: ⁽¹⁾	6,702 ⁽¹⁾	6,842 ⁽¹⁾
<i>(1) Note: Total Dogs includes the following classifications:</i>		
- Probationary owners	2	2
- Disqualified owners	2	4
- Classified dangerous dog	3	2
- Classified menacing dog, section 33A (classified by deed)	21	25
- Classified menacing dog, section 33C (classified by breed)	51	66
COMPLAINTS	2011/12	2012/13
Attacks on persons, stock, poultry, domestic animals	106	86
Dog Threatening	130	158
Wandering	578	562
Barking	502	611
Fouling	22	41
Complaints about Stock	173	182
TOTAL COMPLAINTS	1,511	1,640
INFRINGEMENTS ISSUED	2011/12	2012/13
Keeping an unregistered dog	59	104
Failure to Notify Change of address	0	1
Failure to keep a dog under control	35	31
Failure to comply with a by law	3	0
Wilful obstruction of a dog control officer	0	0
Failure to supply requested details	0	0
Failure to comply with the effects of a classified dog	1	3
Failure to comply with the effects of a disqualified owner	0	0
Failure to provide the necessities	0	0
Failure to implant microchip	34	11
Falsely notifying death of a dog	0	0
TOTAL INFRINGEMENTS ISSUED	132	150
PROSECUTION ^{(1) (2)}	2011/12	2012/13
<i>Note:</i>		
<i>(1) In some instances these involved multiple charges being laid. Only the substantive charges are included in this report.</i>		
<i>(2) In some cases dog owners were charged with more than one offence. The total prosecutions numbers do not reflect where multiple charges being laid in respect of a single incident.</i>		
Section 18, wilful obstruction of Dog Control Officer	0	0
Section 32(2), failure to comply with effects of Dangerous classification	1	0
Section 33 EC (1), failure to comply with effects of Menacing Classification	1	0
Section 52(a), failure to control on land or premises	1	0
Section 53(1), failure to control	7	1
Section 57(A), rushing in a public place	0	0
Section 57(2) being an owner of a dog which committed an attack	6	3
Section 58 being an owner of a dog which committed a serious attack	0	4
TOTAL PROSECUTIONS	16	8

PROSECUTION OUTCOMES	2011/12	2012/13
Guilty and Order for Destruction of Dog	8	0
Guilty and Dog returned to owner	0	0
Not Guilty	0	0
Outstanding still before Court	5	2
TOTAL PROSECUTION OUTCOMES	13	1

IMPOUNDING	2011/12	2012/13
Impounded dogs returned to owner	335	337
Impounded dogs euthanized	43	47
Impounded dogs surrendered to SPCA or Animal Rescue	11	22
Impounded dogs re-homed through pound	7	13
TOTAL IMPOUNDINGS	396	419

Financial Considerations

9. The budget targets were met overall. Legal costs have reduced considerably from 2011/12 compared with 2012/13. While some of the cost savings have resulted from a lower number of prosecutions, the Animal Control Team, with the assistance of the Council in-house legal adviser, has also reviewed the process by which it puts together prosecution files. This has led to greater efficiencies and correspondingly lower external legal costs.

Legal Considerations

10. This report meets the requirements of Section 10 of the Dog Control Act 1996.
11. A copy of this report must be forwarded to the Secretary for Local Government within one month of its adoption

Delegation

12. This Regulatory Management Committee has the delegation to consider and adopt this report under Part B.2 (7.3) of the Governance Structure which reads:

Animal Control

- 7.3 *Authority to consider and adopt an Annual Report on Dog Control Policy and Practices in the District under section 10 and 10A of the Dog Control Act 1996.*

Consultation

13. No additional consultation is required.

Policy Implications

14. The Dog Control Policy is consistent with Outcomes 1 and 7 of the 2012 Long Term Plan:

Outcome 1: there are healthy natural systems which people can enjoy.

Outcome 7: the District has a strong, healthy, safe and involved community.

Publicity Considerations

15. Public notice of this report will be given by means of a notice published in 1 or more daily newspapers circulating in the District or 1 or more other newspapers with equivalent circulation to the daily newspapers circulating in the District.

RECOMMENDATIONS

16. That the Committee receives Report CS-13-962: Annual Report on Dog Control Policy and Practices 2012/13.

Report prepared by:

Approved for submission by:

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TEAM LEADER
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Appendix One: Kāpiti Coast District Council Dog Control Policy 2009