

**Chairperson and Committee Members
REGULATORY MANAGEMENT COMMITTEE**

1 NOVEMBER 2012

Meeting Status: Public

Purpose of Report: For Information

**ANNUAL REPORT ON DOG CONTROL POLICY AND
PRACTICES 2011-2012**

PURPOSE OF REPORT

1. This report provides details of the Kapiti Coast District Council Dog Control activities for the 2011/2012 year as required by Section 10A of the Dog Control Amendment Act 2003.

SIGNIFICANCE OF DECISION

2. The recommendations in this report do not trigger the Council's significance policy.

BACKGROUND

3. The Dog Control Act specifies reporting requirements in detail. The information contained in the remainder of this report is structured to meet those requirements. The first part responds to section 10A(1) which relates to Council's Dog Control Policy. The second part reports the quantitative information required under section 10A(2). A copy of section 10A of the Act is attached as Appendix One to this report.

CONSIDERATIONS

4. The Council adopted its Dog Control Policy in November 2009 (refer attachment 1). Adoption of a Dog Control Policy is a requirement of Section 10 of the Dog Control Act 1996

Council's Dog Control Policy Objectives

5. The policy objectives listed below ensure the Council consistently and effectively fulfils its responsibilities under 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 and responsible dog owners and to reward them by reduced fees; to discourage poor dog ownership by applying penalty fees where appropriate.

Council's Dog Control Practices

6. To meet the policy objectives the Council employs the following practices.
 - 6.1 The Council employs an Animal Control team within the Community Services Group. There were four full-time Animal Control officers, one of whom was the Acting Senior Animal Control Officer during the reporting period.
 - 6.2 Animal Control staff provide a 7 days, 24 hours service. Staff respond to complaints and carry out patrols across the District from 8.00am to 5.00pm, Monday to Sunday. After hours, staff are rostered to respond to urgent animal and stock control issues. Pound cleaning and dog feeding duties are shared by the officers.
 - 6.3 The Animal Control Team, with assistance from the Customer Services Team, undertake all statutory and administrative requirements, including dog registration, issue of infringement notices and prosecutions.
 - 6.4 From time to time, the Council proactively provides education material and information promoting responsible dog ownership. Examples of awareness programmes and information, including support for community initiatives, are:
 - presentations to various interest groups e.g. electricity and gas meter readers, probation officers, Lions Club etc
 - child safety information provided to schools and Plunket
 - responsible dog ownership information
 - school library holiday programmes
 - health and hygiene information
 - Kāpiti Coast Dog Guide (December 2009).

- 6.5 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 for re-homing and sharing of information regarding animal welfare issues.
- 6.6 Other dog control information (for example, information on dog registration) is published or broadcast regularly in local media. It is also available on the Council's website and on request from the Customer Service Centres at Rimu Road, Waikanae and Otaki. The new "Kapiti Coast Dog Guide" brochure was distributed to all dog owners when it was published in 2010 and continues to be distributed through Customer Service Centres.

Local administration of statutory requirements

7. 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.
8. A strong emphasis is placed on registration of dogs. If owners have not registered their dog by the end of October, they are served with an infringement notice. The end of year results show that over 99% of known dogs in the district are registered.
9. 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.
10. The Council classifies as menacing those dogs belonging to the breed or type listed in Schedule 4 of the Dog Control Amendment Act 2003. Those breeds or types of dogs currently listed are as follows:

Breed of Dog: Brazilian Fila, Dogo Argentine, Japanese Tosa with Perro de Presa Canario added to Schedule 4 in 2011.

Type of Dog: American Pit Bull Terrier

11. 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 1 month after receipt of the notice of classification.
12. 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.

Quantitative information

7. 1,812 service requests relating to Animal Control were received during the year, of which 1,511 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 and assign to the relevant officer.

Dogs & Owners	2010/2011	2011/2012
Total dogs registered as at 30 June 2012 (<i>classifications below included in total dogs</i>)	6474	6702
Probationary owners	0	2
Disqualified owners	3	2
Classified dangerous dog	0	3
Classified menacing dog 33A – <i>classified by deed</i> **	9	7
Classified menacing dog 33C – <i>classified by breed</i> **	29	18
** <i>the totals are classifications during the reporting period</i>		
Complaints		
Attacks on persons, stock, poultry, domestic animals	112	106
Dog Threatening	156	130
Wandering	589	578
Barking	512	502
Fouling	16	22
Complaints about Stock	190	173
Total	1575	1511
Infringements Issued		
Keeping an unregistered dog	98	59
Failure to Notify Change of address	0	0
Failure to keep a dog under control	34	35
Failure to comply with a by law	2	3
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	0	1
Failure to comply with the effects of a disqualified owner	0	0
Failure to provide the necessities	0	0
Failure to implant microchip	0	34
Falsely notifying death of a dog	0	0
Total	134	132
Prosecution		
Section 18, wilful obstruction of Dog Control Officer	0	0
Section 32 (2) , failure to comply with effects of Dangerous classification	0	1
Section 33 EC (1) , failure to comply with effects of Menacing classification	3	1
Section 52(a), failure to control on land or premises	1	1

Dogs & Owners	2010/2011	2011/2012
Section 53(1), failure to control	4	7
Section 57(A), rushing in a public place	0	0
Section 57(2) being an owner of a dog which committed an attack	5	6
Section 58 being an owner of a dog which committed a serious attack		1
Total	13* (refer explanatory note)	17* (refer explanatory note)
Prosecution Outcomes		
Guilty & Order for Destruction of Dog	4	8
Guilty & Dog returned to owner	1	0
Not Guilty	0	0
Outstanding still before Court	0	5
Total	5	13
Impounding		
Impounded dogs returned to owner	373	335
Impounded dogs euthanized	59	43
Impounded dogs surrendered to SPCA or Animal Rescue	9	11
Impounded dogs re-homed through pound	13	7
Total	454	396

Explanatory notes* In some instances these involved multiple charges being laid. Only the substantive charges are included in this report.

Financial Considerations

- The operating costs were met within allocated budgets.

Legal Considerations

- This report fulfils in part the Council's obligations under Section 10A of the Dog Control Act 1996. After adoption the report will be sent to the Secretary for Local Government as required by s.10A(4) of the Act.

Delegation

- The 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

- 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

- No consultation is required.

Policy Implications

11. There are no policy implications arising from this report.

Publicity Considerations

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

RECOMMENDATIONS

13. That the Committee adopts the 2011/12 (Annual Report on Dog Control Policy and Practices) contained in this report CS-12-693.

Report prepared by:

Approved for submission by:

Julie Toseland

Tamsin Evans

**ACTING SENIOR ANIMAL
CONTROL OFFICER**

**GROUP MANAGER
COMMUNITY SERVICES**

ATTACHMENTS:

Appendix 1 Kāpiti Coast District Council Dog Control Policy 2009

Appendix 2 Section 10A of the Dog Control Act

10A Territorial authority must report on dog control policy and practices

- (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.