

Chairperson and Committee Members
REGULATORY MANAGEMENT COMMITTEE

2 OCTOBER 2014

Meeting Status: **Public**

Purpose of Report: For Information

ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2013-14

PURPOSE OF REPORT

1. This report describes the activities of the Kāpiti Coast District Council Dog Control Team for the 2013/14 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. Section 10A of the Dog Control Act 1996 (the Act) 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.*

4. This report details the information required by Section 10A of the Dog Control Act 1996 as amended in 2003.

Dog Control Policy

5. The Council adopted its Dog Control Policy in November 2009 (refer appendix to one RS-14-1291). Adoption of a Dog Control Policy is a requirement of Section 10 of the Dog Control Act 1996.

CONSIDERATIONS

Issues and Options

Council's Dog Control Policy Objectives

6. The objectives listed in this section were developed as part of the Dog Control Policy 2009 to ensure that 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 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

7. To meet the Dog Control Policy objectives, Council employs the following practices:
- Council employs an Animal Control Team within the Regulatory Services Group. There are currently three full-time Animal Control Officers, a full-time Team Leader and one part time Animal Control Assistant.

- Animal Control provides a 7 day 24 hour service. Complaints response and district wide patrols operate 8.00am to 5.00pm, Monday to Sunday inclusive. There is also an after-hours call out service where an external contractor responds to urgent animal and stock control issues. Pound cleaning and dog feeding duties are undertaken by the Animal Control Assistant.
- The Animal Control Team, with assistance from the Customer Service Team, undertakes all statutory requirements, including dog registration and the issuing of infringement notices.
- From time to time, Council provides education material and information promoting responsible dog ownership. Examples of awareness programmes and information include:
 - presentations to various interest groups e.g. meter readers, probation officers, postal delivery workers;
 - Dog Obedience and Dog Behaviourist information;
 - responsible dog ownership information;
 - dog information brochures.
- The Animal Control staff liaise 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 the sharing of information regarding animal welfare issues.
- Other dog control information (for example, information on dog registration) is published or broadcast regularly in/on local media. It is also available on Council's website and on request from the Customer Service Centres at Rimu Road, Waikanae and Ōtaki. The "Kapiti Coast Dog Guide" brochure was distributed to all dog owners and provides detailed information on the dog exercise zones.
- A procedure is in place for special permits to be issued to owners that 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 registration of dogs. If owners fail to register their dogs within a set period they are issued with an infringement notice. The end of year results as at 30 June 2014 show that 99.9% of known dogs in the district have been registered.
- Dog registration fees are reviewed annually and are structured to encourage owners to have their dogs desexed. A discounted "Approved Owner" rate is also available for owners that can demonstrate responsible dog ownership.
- 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

- Council where appropriate and after due process, 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 (classified by nature).
- Dogs classified as menacing by breed or nature are required to be neutered/spayed within one month after receipt of the notice of classification. Strong emphasis is put on this regulation to play our part in the reduction of dogs that pose a safety risk to the community.
- The Kapiti 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

8. 3,159 service requests relating to Animal Control were received during the year, of which 1,876 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.
9. The following table details the statistical information relating to Animal Control (Dogs and Owners) during 2013/14. A table detailing the statistical information for the two previous financial years 2011/12 and 2012/13 is attached as Appendix two to RS-14-1297.

STATISTICAL INFORMATION	<u>2013/14</u>
<u>Dogs & Owners</u>	
Total dogs registered as at 30 June 2014 (classifications below included in total dogs)	7,043
Probationary owners	2
Disqualified owners	4
Dogs classified as Dangerous	2
Dogs classified as Menacing	85
<u>Complaints</u>	
Attacks on persons, stock, poultry, domestic animals	128
Dog Threatening	157
Wandering	595
Barking	644

STATISTICAL INFORMATION	<u>2013/14</u>
<u>Dogs & Owners</u>	
Fouling	20
Complaints about Stock	154
Total	1,698
<u>Infringements Issued</u>	
Keeping an unregistered dog	78
Failure to keep a dog under control	42
Failure to comply with the effects of a classified dog	5
Falsely notifying death of a dog	2
Total	127
<u>Prosecution</u>	
Section 18, wilful obstruction of Dog Control Officer	-
Section 32 (2) , failure to comply with effects of Dangerous classification	-
Section 33 EC (1) , failure to comply with effects of Menacing classification	1
Section 52(a), failure to control on land or premises	1
Section 53(1), failure to control	2
Section 57(A), rushing in a public place	-
Section 57(2) being an owner of a dog which committed an attack	3
Section 58 being an owner of a dog which committed a serious attack	-
Total	7*
<u>Prosecution Outcomes</u>	
Dog surrendered to council prior to court	3
Guilty & Order for Destruction of Dog	-
Guilty & Dog returned to owner	-
Not Guilty	-
Outstanding still before Court	1
Total	3
<u>Impounding</u>	
Impounded dogs returned to owner	337
Impounded dogs euthanized	47
Impounded dogs surrendered to SPCA or Animal Rescue	22
Impounded dogs re-homed through pound	13
Total	419

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

FINANCIAL CONSIDERATIONS

10. The operating costs were met within existing budgets.

LEGAL CONSIDERATIONS

11. This report is in accordance with Section 10 of the Dog Control Act 1996.

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 consultation is required.

POLICY IMPLICATIONS

There are no policy implications

PUBLICITY CONSIDERATIONS

14. 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. It will also be published on the Council website.

OTHER CONSIDERATIONS

15. A copy of this report must be forwarded to the Secretary for Local Government within one month of its adoption.

RECOMMENDATIONS

16. That the Committee receives report RS-14-1291 (Annual Report on Dog Control Policy and Practices 2013-2014).

Report prepared by:

Report for submission by:

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Report for submission by:

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Appendix 1: Kāpiti Coast District Council Dog Control Policy 2009

Appendix 2 : Dogs and Owners Statistical Information for 2011/12 and 2012/13