

Chairperson and Committee Members
REGULATORY MANAGEMENT COMMITTEE

26 NOVEMBER 2015

Meeting Status: **Public**

Purpose of Report: For Decision

ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2014-15

PURPOSE OF REPORT

- 1 This report describes the activities of the Kāpiti Coast District Council for the 2014/15 year as required by Section 10A of the Dog Control Amendment Act 2003.

DELEGATION

- 2 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

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.

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 1 RS-15-1739).

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 days 24 hour service. Complaints response and district wide patrols operate 8.00am to 5.00pm, Monday to Friday inclusive. There is also an after-hours and weekend 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, council staff;
 - responsible dog ownership information;
 - dog information brochures.
- The Animal Control staff liaise closely with both the Kapiti SPCA, Kapiti Horowhenua Animal Rescue based in Levin and Housing New Zealand, amongst others. This link has proven very successful, enabling the re-homing of unclaimed dogs that are assessed as being suitable for re-homing and 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 Paraparaumu, 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 the registration of dogs. If owners fail to register their dogs within a set period after the due date a follow up process is triggered which further reminds dog owners to register their dogs before they are issued with an infringement notice. The end of year results as at 30 June 2015 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 who 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 assist in the reduction of the number of dogs that pose a safety risk to the community.
- 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 off leash, but in view and under direct voice control.

Statistical information

- 8 2,661 service requests relating to Animal Control were received during the year, of which 1,599 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 2014/15; with comparative figures for the previous two years.

STATISTICAL INFORMATION	<u>2014/15</u>	<u>2013/14</u>	<u>2012/13</u>
Dogs & Owners			
Total dogs registered as at 30 June 2014 (classifications below included in total dogs)	7,065	7,043	6,842
Probationary owners	2	2	2
Disqualified owners	4	4	4
Dogs classified as Dangerous	2	2	2
Dogs classified as Menacing	97	85	91
Complaints			
Attacks on persons, stock, poultry, domestic animals	118	128	86
Dog Threatening	140	157	158
Wandering	627	595	562
Barking	726	644	611
Fouling	22	20	41
Complaints about Stock	159	154	182
Total	1,792	1,698	1,640
Infringements Issued			
Barking abatement	1	-	-
Willful obstruction/refusal to supply information	4	-	-
Failure to implant microchip	97	-	11
Keeping an unregistered dog	196	78	104
Failure to keep a dog under control	17	42	31
Failure to comply with the effects of a classified dog	4	5	3
Falsely notifying death of a dog	-	2	-
Total	319	127	149
Prosecution			
Section 18, willful 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	1
Section 57(A), rushing in a public place	-	-	-
Section 57(2) being an owner of a dog which committed an attack	-	3	3
Section 58 being an owner of a dog which committed a serious attack	-	-	4
Total	Nil	7	8
Prosecution Outcomes			
Dog surrendered to council prior to court	-	3	-
Guilty & Order for Destruction of Dog	1	-	-
Guilty & Dog returned to owner	-	-	-
Not Guilty	-	-	-
Outstanding still before Court	-	1	2
Total	1	4	2

STATISTICAL INFORMATION	<u>2014/15</u>	<u>2013/14</u>	<u>2012/13</u>
Impounding			
Impounded dogs returned to owner	384	350	327
Impounded dogs euthanized	57	75	50
Impounded dogs surrendered to SPCA or Animal	17	24	23
Impounded dogs re-homed through pound	15	12	14
Total	473	461	414

CONSIDERATIONS

Policy considerations

10 There are no policy considerations

Legal considerations

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

Financial considerations

12 The operating costs were met within existing budgets.

Tāngata whenua considerations

13 There are no Tāngata whenua considerations

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

14 This matter has a low level of significance under Council policy.

Consultation already undertaken

15 No consultation is required.

Publicity

16 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

17 A copy of this report will be forwarded to the Secretary for Local Government.

RECOMMENDATIONS

18 That the Committee receives report RS-15-1739 (Annual Report on Dog Control Policy and Practices 2014-2015).

Report prepared by	Approved for submission	Approved for submission
Nick Fowler	Tamsin Evans	Kevin Currie
Environmental Standards Manger	Group Manager Corporate Services	Group Manager Regulatory Services

ATTACHMENTS

Appendix 1: Kapiti Coast District Council Dog Control Policy 2009

APPENDIX 1