WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO and TRIM NO: ANC-06,Gov-01-07 / 140623066210

REPORT TO: Resource Management and Regulation Committee

DATE OF MEETING: 15th July 2014

FROM: Leslie Pester, Environmental Services Manager


SIGNED BY:

Department Manager

Chief Executive

1. SUMMARY

1.1. The purpose of this report is to report on the Council's dog control policies and practices for 2013/14, a requirement under the Dog Control Amendment Act 2003. The report and Table 1 is for information purposes and lists the number of dogs registered, the number declared dangerous and the number and type of dog control complaints received for the year from 1 July 2013.

1.2. If the report is accepted the Council is required to publicly notify the information as shown in Table 1 and also to send a copy of that notice to the Department of Internal Affairs.

2. RECOMMENDATION

THAT the Resource Management and Regulation Committee:

(a) Receives report No:140623066210

(b) Adopts Table 1 Annual Report for 2013/14 (Dog Control Act 1996 s10A) as the Waimakariri District Council Annual Report in terms of the Dog Control Act 1996.

Table 1 Annual Report for 20013/14 (Dog Control Act 1996 s10A)

<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>13/14</th>
<th>12/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of registered dogs</td>
<td>11,228</td>
<td>10811</td>
</tr>
<tr>
<td>The number of registered owners</td>
<td>7,126</td>
<td>6808</td>
</tr>
<tr>
<td>The number of probationary owners and disqualified owners</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number of dogs classified as dangerous (section 31). Note these dogs were all classified under s31(1)(b) &quot;Any dog which the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one or more occasions, reasonable grounds to believe constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife;&quot;</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>The number of dogs classified as menacing (section 33). Note some of these dogs were required to be classified under s33E in which the</td>
<td>64</td>
<td>41</td>
</tr>
</tbody>
</table>
Act deems this type of dog (American Pit Bull Terrier) to be menacing.

<table>
<thead>
<tr>
<th>The number of Infringement Notices issued.</th>
<th>58</th>
<th>72</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of complaints received and their nature. Note this figure is likely to be under-reported as complaints are received through many media. Categories of complaint are:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggressive behaviour</td>
<td>211</td>
<td></td>
</tr>
<tr>
<td>Barking</td>
<td>348</td>
<td></td>
</tr>
<tr>
<td>Roaming</td>
<td>429</td>
<td></td>
</tr>
<tr>
<td>Welfare</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>Other or unknown</td>
<td>577</td>
<td></td>
</tr>
<tr>
<td>Lost/Found</td>
<td>915</td>
<td></td>
</tr>
<tr>
<td>The number of prosecutions undertaken.</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

3. **ISSUES AND OPTIONS**

3.1. This report is a statutory requirement of the Dog Control Act 1996 s10A intended to inform the community of a summary of dog statistics for the district. Section 6.2 of this report lists the statutory requirements. The Committee has the option of adopting the recommendation as fulfilling the requirement of that section or not. If the Committee adopts the recommendation, Table 1, Annual Report for 2013/14, will be publicly notified and a copy forwarded to the Department of Internal Affairs for information as required by the Act, (s10A(4)). No other action is required.

3.2. Section 10A of the Act is prescriptive and lists the matters on which the Council is to report. The following is an explanation of the requirements; (previous year numbers in brackets).

**Registered Dogs: 11228 (10,811) 4% +**
This is the number of dogs registered for the year. Fifty-six per cent are neutered and an objective is to increase this as it helps reduce dog related nuisance such as wandering and aggressive behaviour. Thirty per cent are entire dogs and fourteen per cent working dogs.

**Registered Owners: 7126 (6,808) 4.5% +**

**Provisional Owners: 0 (0)**
This classification enables the Council to place restrictions on an owner, such as barring ownership of a dog for a set period and to undergo suitable training. One owner had a probationary classification for part of the year set by the District Court for a two year period in 2011. This period finished part-way though this year and the classification is automatically lifted. The probationary classification enables this Council to monitor compliance and dog control.

**Dangerous Dogs: 11 (11)**
These are animals deemed by the Council to be dangerous. They are classified because witnesses had seen them behave aggressively to people or animals. The key requirement to this classification is that witnesses have made a sworn statement. Dangerous dogs are required to be neutered, restrained or contained, and muzzled when in public. An owner can appeal a classification and the matter would be considered by the Council’s Hearing Committee.
Menacing Dogs: 64 (56) 12% +
This classification has less restriction on the owner than the dangerous dog classification. Dogs can be classified menacing if the Council considers them to pose a threat to people or stock, or they are registered as a particular breed that Parliament has deemed to be menacing. These breeds are the American Pit Bull terrier, Brazilian Fila, Dogo Argentino and Japanese Tosa. Menacing dogs are required to be restrained and muzzled in public. Menacing dogs are also required to be neutered. The Council set this requirement in 2009 when the Dog Policy was reviewed.

Infringement Notices: 58 (72)
These are issued for offences related to nuisance, such as a dog not being under control, or for having an unregistered dog. Infringement notices are not processed often; however they are used as a lever to encourage owners to comply with the Act. A common occurrence is to issue a notice for registration and give the owner some time, usually 7 days, to register their dog. If the dog is then registered and the owner provides evidence to prove this the notice is then uplifted. The rationale for this is to encourage responsible ownership.

Complaints: 2508 (1,756) 43%+
These are grouped into complaint type. The numbers are an estimate as complaints are received in a number of different ways, such as by phone, letters, after-hours service and even conversations to staff when they are out in the community on ranging duty. Improvements to our systems have been made where all Animal Control service requests are electronically logged and distributed to the ACO’s. This will give a more accurate method of tracking the numbers of complaints and service requests received in the future.

3.3. The Management Team/CE has reviewed this report and supports the recommendations.

4. COMMUNITY VIEWS

The report is a statutory requirement of the Council intended by the Act to provide a summary of dog control statistics to the public and the Department of Internal Affairs. The information is collected district-wide and is not broken down into wards. No comment or action is required from the Community Boards or Advisory Board.

4.1. External & Internal
The report is a summary of control operations and registration information for the last year; external consultation was not necessary.

5. FINANCIAL IMPLICATIONS AND RISKS

5.1. Note: Dog Control is completely funded by dog registration and licensing fees and is not subsidised by rates.

5.2. Three Animal Control Officers are employed and this has enabled the unit to maintain good service levels in line with the district's growing population. It has also increased registration compliance through providing adequate resources to follow up unregistered dogs.

5.3. No policy development or animal control operational work is dependent on this report and it has no financial or risk considerations.

6. CONTEXT

6.1. Policy
This is not a matter of significance in terms of the Council’s Significance Policy.

6.2. Legislation

The Dog Control Act 1996, section 10A, lists a prescriptive set of criteria that must be included in the report.

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.

6.3. Community Outcomes

The community has told the Council that a priority is “a safe environment for all.” The Council’s administration of acts, regulations and bylaws for health and safety, such as the Dog Control Act 1996, is a significant means the Council has to assist the community gain that outcome.

6.4. Delegation

Delegation S-DM 1026:

The Resource Management and Regulation Committee shall enjoy all the powers granted to a standing committee under this Manual and shall be responsible for determining policy within the following general jurisdiction:
• Dog registration and control