

Subject: Annual Report - Dog Control Policy and Practices
1 July 2014 to 30 June 2015

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Meeting Date: 5 August 2015

Report to ENVIRONMENTAL PLANNING & REGULATIONS Committee for decision

SUMMARY

The Gisborne District Council is required to manage and enforce provisions pursuant to the Dog Control Act 1996 (the Act) and subsequent amendments in 2003, 2004, 2006 and 2010.

Section 10A of the Act requires the Council to report annually to the Secretary of Local Government on its dog control policy and operations. This section requires Council to report on a number of administration aspects of its dog control policy responsibilities.

This report fulfils this statutory requirement for the dog registration year: 1 July 2014 to 30 June 2015.

RECOMMENDATIONS

That the Committee

- 1. receives the report**
- 2. adopts the annual report on Dog Control Policy and Practices 2014-2015**
- 3. instructs the Chief Executive to give the necessary notifications following adoption of the report.**



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Keywords: Dog Control Policy and Practices 1 July 2014 – 30 June 2015

1. BACKGROUND

Section 10A of the Dog Control Act 1996 requires territorial authorities to publicly report each financial year on:

- the administration of their dog control policy and their dog control practices (Section 10A(1)); and
- a variety of dog control related statistics (Section 10A(2)).

While not explicitly stated in the Dog Control Act, one of the primary purposes for preparing this report is to allow communities to see how Council is managing its dog control responsibilities.

2. DISCUSSION

2.1 Current Situation – Dog Control in City/District

Council is responsible for the enforcement of regulations relating to the keeping, welfare and control of dogs within the Gisborne District. Council is required under the Dog Control Act to make provision for the control of dogs and the damage they can cause.

Impounding of dogs is an activity required by the provisions of the Dog Control Act and associated Gisborne District Council Dog Control Bylaw and Dog Control Policy.

The Council has a responsibility to respond to complaints relating to dogs. Council's long-term focus for dog control activities is to ensure a safe living environment is maintained through the monitoring and enforcement of legislation, regulations and bylaws.

Council adopted its "Dog Control Policy" in 2010. The policy provides a practical framework for the care and control of dogs throughout the district while minimising any danger, distress and nuisance to the community generally.

The policy outlines expected standards and behaviours from dog owners and provides information about how council will administer dog control. Dog practices and specific dog control functions include:

- dog registration
- impounding
- 24-hour ranging service
- targeted education
- enforcement of the Act and Council Dog Control Bylaw
- prosecutions

Council has four full-time Gisborne-based Animal Control Officers. The Council's Te Puia Springs office has two full-time Animal Control Officers. The Animal Control Officers are responsible for a land area of 8,360 square kilometres and 3,360 kilometres of public roads and 330 kilometres of State Highway.

There were 1,852 visits to properties of known dogs, urban and rural.

Properties are checked for new unregistered dogs and dog/owner changes. Total visits were less than reported last year due to an operational change, shifting to spot check compliance with rural properties.

All properties within Gisborne city with more than one dog require an application for a multiple dog licence. The licence is issued on meeting the dog control policy's criteria. Extra care is taken to ensure dogs' welfare needs are met and there are no noise problems for neighbours.

Animal Control Officers visited and checked 133 properties of special owner applicants. These owners are entitled to a special discount to the registration fee that must be completed and applied for prior to 1 May annually, allowing time to adjust fees for invoicing.

Animal Control Officers test special owners who have applied to become New Zealand licensed dog owners (which entitles further registration discounts). Concessions are made for specific categories of dogs.

The 5,826 dog owners within the district own 11,355 dogs, in the following categories. Transient dog owners fluctuate regularly:

DOG COUNT BY CATEGORY 2014 - 2015

For all dogs with a current status of CURRENT OWNED

Dog Use Category	Count of Dogs
Dangerous dog	13
Guide and Hearing	2
Licensed Owner	273
Ordinary	4,220
Pensioner	667
Pig Hunters Club	85
Probationary Owner	0
Rural Pet	810
Special Owner	817
Working	4,468
Total	11,355

Voluntary hydatids activities resulted in dog owners purchasing 3,800 hydatids pills over the 12-month period.

With the introduction of the National Dog Database, all dog registrations and information is automatically transferred to the database on a nightly basis using a defined electronic format.

2.2 Council's relationship with key stakeholders in the community

- GDC have a strong working relationship with the Police Department. In the last 12 months Police have worked with Animal Control on approximately 12 jobs related to dog attacks and another 12 or more related to Stock incidents.

- The Fire Department has assisted with roaming stock/animals on our roads.
- The Animal Control Department has a good relationship with schools in rural areas. Officers visited Motu and Matawai schools conducting a "Dog Education" programme. It is intended to extend the implementation of this education programme with other schools in the Gisborne district.
- Due to the SPCA changing to a 'no kill policy' during 2010/11, Animal Control has been housing and feeding, and mostly destroying, pups under three months of age. Animal Control helps SPCA with reported welfare incidents on their request.
- Veterinarians have a close working relationship with Animal Control concerning microchipping records, neutering of menacing and dangerous dogs plus up-to-date information regarding dog health problems.

2.3 Dog Control Enforcement Practices and Statistics

(a) There were 1,040 dogs impounded compared to 1069 last year. Details are:

- claimed - 382
- destroyed - 521
- returned - 73
- rehomed - 63
- to SPCA – 0

(b) Any dogs that are wholly or predominantly of the five restricted menacing breeds as specified in the Dog Control Act 1996, are classified as menacing under type or breed. Compliance must be met by muzzling in public, neutering and control.

The restricted breeds are:

- American Pit Bull Terriers/Pit Bull Terrier Types
- Dogo Argentino
- Brazilian Fila
- Japanese Tosa
- Perro de Presa Canario

Microchipping of these dogs plus dangerous dogs has been progressive. Microchipping of all dogs first registered from 1 July 2006 (except working farm dogs) has been carried out. There were 295 dogs microchipped for the year.

2.4 Education

- Education presentations were made to postal staff, meter readers, schools, new staff and reminders to existing staff.
 - Education brochures are available from the animal control office and the public counter.
 - Dog owners are given an Animal Control Information Bulletin as dogs are microchipped.
- An Animal Control Officer is available on request for speaking engagements and presentations.

- A copy of the Dog Control Policy 2010 and Dog Control Bylaw 2010 is available to every dog owner through the Council website and includes information regarding dog exercise areas. These publications are also available on request in hard copy.

2.5 Dogs Prohibited, Leash Only and Dog Exercise Areas

Council has made provision for areas where dogs are prohibited, permitted on leashes or allowed freedom for exercise purposes. These areas are regularly patrolled.

Dog Exercise Areas

The Council provides four designated off-leash exercise areas and six beach exercise areas across the city. The criteria used to determine these areas include:

- The area is not used extensively for sporting or other purposes;
- The area is of significant size and has appropriate access;
- There are sufficient sight lines;
- The area is well buffered from adjacent areas;
- There is no potential risk to other groups.

2.6 Dog Control Enforcement Practices

The Council generally enforces its dog control policy and bylaws by educating the owners of dogs through individual property visits, school visits, public information, responding to complaints and by routine inspections and patrols of selected locations identified as problem areas. A total of 2,536 complaints were received during the year as follows:

Dog attack People	31
Dog attack Animals	82
Rushing at People	197
Rushing at Animals	12
Roaming	799
Barking	385
Welfare	65
General Dog Complaints	479

This is an average of 170 complaints per month.

A total of 327 infringement notices were issued for the following:

Failure or refusal to supply information or wilfully providing false particulars	1
Failed to comply with Bylaw	0
Failed to comply with effects of disqualification	0
Failed to implant microchip transponder in dog	0
Removed/swapped tags/discs	0
Failed to keep dog controlled or confined	23
Failure to comply with class as menacing dog	6
Failure to provide care and attention	1
Failure to Register a Dog	283
Failure to Keep Dog Under Control	9
Wilful Obstruction of Officer or Ranger	2
Falsely notifying of death of dog	0
Releasing dog from custody	0
Failure to comply with class as menacing dog	2

2.7 Trends and Analysis

2.7.1 Dogs Classified As Menacing

This number has increased to 254 which is up from 177 last year.

Analysis

There has also been an increased focus by officers imposing menacing classifications as a mitigation measure to prevent harm to people, other animals and wildlife. There is a major drive to remove dogs with unsociable behaviour from our district.

2.7.2 Dog Related Complaints (unsociable behaviour)

- Attacks on people and stock/domestic pets have decreased to 142.
- All complaints of dog aggression were investigated during the year.

2.7.3 Infringement notices

Continued focus by the council on registration education and compliance continues to see infringements issued for a wide range of offences.

The Council's current approach acknowledges that the first step to responsible dog ownership is dog registration.

2.8 Prosecutions

Refer to statistical information.

The effective use of enforcement options such as infringements has resulted in few prosecutions in this review period, however a new focus with a zero tolerance to owners of dogs that attack, could see an increase in prosecutions undertaken next year.

2.9 Other Information

Officers continue to issue permits for 2 or more dogs at the same address when required;

Dogs roaming after-hours are controlled by dog trapping;

Increased focus of enforcement on dogs defecating at public beach areas and increased patrols in central business area.

2.10 Fees and Charges

Attached is a copy of the Environmental and Regulatory Services Animal Control Fees and Charges (Appendix I) for the 2014/2015 year. Dog registration fees, fines and impound fees contributed towards the cost of dog control in Gisborne District. The funding policy for the 2014-2015 year and beyond includes a 20% proportion from targeted rates to recognise public benefit of the activity. The Council also operates a responsible dog owner scheme which provides a discounted rate for dog owners who meet the relevant criteria. Dog registration fees are set by Council resolution.

3. SIGNIFICANCE

This issue is not applicable in terms of Council's significance policy.

4. COMMUNITY OUTCOMES

A safe and secure community. An environment that is appreciated, protected and sustained for future generations. A lifetime of good health and wellbeing.

5. LEGAL

Dog Control Act 1996

[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) one or more daily newspapers circulating in the territorial authority district; or
 - (ii) one 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 one month after adopting the report, send a copy of it to the Secretary for Local Government.

5.1 Summary of Information Required by Section 10A

Description	Numbers
Number of registered dogs	11,335
Number of probationary owners	0
Number of disqualified owners	0
Number of dogs classified as dangerous under Section 31	13
◆ S.31 (1)(a) dangerous by owner conviction	8
◆ S.31 (1)(b) dangerous by sworn evidence	4

◆ S.31 (1)(c) dangerous by owner admittance in writing	1
Number of dogs classified as menacing under Section 33A	95
◆ S.33A (1)(b)(i) observed or reported behaviour	25
◆ S.33A (1)(b)(ii) observed characteristic - associated with breed	70
Number of dogs classified as menacing under Section 33C S33C (1), s33E (1(a) wholly or predominantly belongs to one or more breeds or types restricted (listed by Schedule 4 breed)	146
Number of infringement notices issued – for failing to register a dog	283
Failure to control	23
Obstruction	2
Non-compliance with classification	6
Non-compliance with disqualification	0
Non-compliance with dangerous dog conditions	2
Sum	316
Total number of complaints received	2050
Dog attack	113
Rushing/Threatening	209
Roaming	799
Barking	385
Welfare	65
General Dog Complaints	479
Number of prosecutions	0

6. APPENDICES

Attached is a copy of the 2014/2015 animal control fees and charges.

2.5 Regulatory Services - Animal Control

Fee	Dog Control Act 1996 Section 37	DOG REGISTRATION		
		Rural livelihood - Income from working dogs - breed huntaway or heading (DFPP* \$20)	63.00	63.00
		Normal urban and including those in rural areas not required for rural livelihood (DFPP* \$20)	100.00	100.00
		Dangerous dog owner (rural and urban) (DFPP* \$20)	229.00	229.00
		Probationary dog owner (rural and urban) (DFPP* \$20)	139.00	139.00
		East Coast pig hunting club member (DFPP* \$20)	88.00	88.00
		Selected owner policy (DFPP* \$20)	77.00	77.00
		Superannuitants (DFPP* \$20)	72.00	72.00
		NZ licensed dog owner (DFPP* \$20)	66.00	66.00
		Guide and hearing dogs	1.00	1.00
*Discount for Prompt Payment (DFPP) applies to all dogs registered with Council by 31 July where the payment is for the annual registration. The full charge applies to all newly registered dogs after that date, but will be prorated depending on the number of months remaining in the dog registration year and when the dog turns 3 months old.				
Fee	Dog Control Act 1996 Section 68	IMPOUNDING DOGS		
		Between 8.00am and 4.30pm on Weekdays		
		- First impounding	50.00	50.00
		- Second impounding	60.00	60.00
		- Subsequent	60.00	60.00
		After Hours and Weekend		
		- First impounding	60.00	60.00
		- Second impounding	70.00	70.00
		- Subsequent	70.00	70.00
		Sustenance per day	18.00	18.00
		Advertising	at cost	at cost
		DOG COLLARS		
		- Medium/large	10.00	10.00
		- Large	12.00	12.00
- Microchipping	20.00	20.00		
NOTE: Premium and concessionary rates established for urban dogs are to apply throughout the district.				
Fee	Impounding Act 1955 Section 14 - Sheep	IMPOUNDING STOCK		
		Between 8.00am and 4.30pm on Weekdays		
		- First impounding	65.00	65.00
		- Second impounding	82.00	82.00
		- Subsequent impounding	93.00	93.00
		After Hours and Weekend		
		- First impounding	75.00	75.00
		- Second impounding	90.00	90.00
		- Subsequent impounding	100.00	100.00
		Sustenance (per day)	at cost	at cost
Advertising	at cost	at cost		
Fee	Impounding Act 1955 Section 14 Horse and Cattle	IMPOUNDING STOCK		
		Between 8.00am and 4.30pm on Weekdays		
		- First impounding	100.00	100.00
		- Second impounding	120.00	120.00
		- Subsequent impounding	150.00	150.00
		After Hours and Weekend		
		- First impounding	120.00	120.00
		- Second impounding	140.00	140.00
		- Subsequent impounding	170.00	170.00
		- Sustenance (per day)	at cost	at cost
- Advertising	at cost	at cost		
Fee	Impounding Act 1955 Section 15(1)	DRIVING CHARGES		
		Stock control charge out rate (per hour)	79.00	79.00
		Plus Disbursements:	Vehicle cost/km	Vehicle cost/km
		- Mileage	76¢/km	76¢/km
		- Others	at cost	at cost
		DOSING TABLETS		
		Paratak (per pill)	1.00	1.00
Paratak Plus (per pill)	2.00	2.00		

FIRST SCHEDULE

Fee	Dog Control Act 1996	Infringement Offences and Fees Brief Description of Offences	Infringement Fee	Infringement Fee
	Section 18	Willful obstruction of dog control officer or dog ranger	750.00	750.00
	Section 19(2)	Failure or refusal to supply information or wilfully providing false particular	750.00	750.00
	Section 19A(2)	Failure to supply information or wilfully providing false particulars about dog	750.00	750.00
	Section 20(5)	Failure to comply with any bylaw authorised by the section	300.00	300.00
	Section 23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	300.00	300.00
Fee	Dog Control Amendment Act 2006 s.65(1)	Infringement Offences and Fees Brief Description of Offences	Infringement Fee	Infringement Fee
	Section 24	Failure to comply with obligations of probationary owner	750.00	750.00
	Section 28(5)	Failure to comply with effects of disqualification	750.00	750.00
	Section 32(2)	Failure to comply with effects of classification of dog as dangerous dog	300.00	300.00
	Section 32(4)	Fraudulent sale or transfer of dangerous dog	500.00	500.00
	Section 33(EC)(1)	Failure to comply with effects of classification of dog as menacing dog	300.00	300.00
	Section 33F(3)	Failure to advise person of muzzle and leashing requirements	100.00	100.00
	Section 36A(6)	Failure to implant microchip transponder in dog	300.00	300.00
	Section 41	False statement relating to dog registration	750.00	750.00
	Section 41A	Falsely notifying death of dog	750.00	750.00
	Section 42	Failure to register dog	300.00	300.00
	Section 46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	500.00	500.00
	Section 48(3)	Failure to advise change of dog ownership	100.00	100.00
	Section 49(4)	Failure to advise change of address	100.00	100.00
	Section 51(1)	Removal, swapping or counterfeiting of registration label or discs	500.00	500.00
	Section 52A	Failure to keep dog controlled or confined	200.00	200.00
	Section 53(1)	Failure to keep dog under control	200.00	200.00
	Section 54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water and shelter and to provide adequate exercise	300.00	300.00
	Section 54A	Failure to carry leash in public	100.00	100.00
	Section 55(7)	Failure to comply with barking dog abatement notice	200.00	200.00
	Section 62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	300.00	300.00
	Section 62(5)	Failure to advise of muzzle and leashing requirements	100.00	100.00
	Section 72(2)	Releasing dog from custody	750.00	750.00
NOTE: Unpaid Infringement fees and Council costs will be recovered on summary conviction.				