

REPORT

Date: 24 August 2017
Report to: Environmental Services Committee
From: Environmental Monitoring Manager
Subject: Section 10A Dog Control (Amendment) Act 2003 - Annual Report on Dog Control Activities

6.1 Dog Control Policy and Practices Report July 2016 to June 2017

6.1.1 Summary

This report relates to the activities undertaken regarding dog control within Ashburton District for the period 1 July 2016 to 30 June 2017. The Act requires that such a report be produced annually and that it be notified in the public section of a local prominent newspaper once adopted by Council.

6.1.2 Recommendation

- 1 **That** the report be received.
- 2 **That** the report be notified in a prominent local newspaper.
- 3 **That** the report be sent to the Secretary for Local Government within one month of adoption.

6.1.3 Background

The Dog Control (Amendment) Act 2003 (DCA) 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)).
- In accordance with Section 10A (3) the Territorial Authority must give public notice of the report in one (1) or more daily newspapers circulating in the Territorial Authority District.
- In accordance with Section 10A (4) the Council must send a copy of the report to the Secretary for Local Government within one month of adoption.

This report contains information and statistics on the Council's dog control activity for the year
1 July 2016 to 30 June 2017.

6.1.4 Dog Control in Ashburton District

Dog control in Ashburton is carried out using Council staff and an approved Contractor. Within Council we employ an Animal Control Systems Officer who is responsible for all of the administration relating to Dog and Stock control. The Environmental Monitoring Manager supports the Animal Control function and deals with Court cases, customer complaints and legal questions regarding dog and animal control.

The approved local Contractor – MasterGuard (previously First Security), deals with Dog Control call outs 24 hours per day, 7 days per week. They currently employ 5 staff.

Council’s approach to enforcement of the Dog Control Act and the Impounding Act follows the “exacerbater pays” principle i.e. dog and stock owners who fail to control their animals effectively are fined and the funds channeled back into the animal control activity.

6.1.5 Dog Control Enforcement Practices

During the reporting period Council has dealt with 1155 complaints and issued 79 infringement notices for a variety of offences under the Dog Control Act.

A breakdown of the infringement notices issued and complaints dealt with can be found at Tables

1 and 2 below with additional figures provided from previous periods for information.

Table 1: Number and Type of Infringements Issued during 2015-2016

Serial	Offence	Fine Level	Number 2014/15	Number 2015/16	Number 2016/17
1	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	21	22	53
2	Failure to Advise Change of Address (s.49(4))	\$100	0	3	1
3	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	21	37	16
4	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	0	1	4
5	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	1	1	0
6	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	0	0	0
7	Failure to Comply with menacing classification (s.33EC(1))	\$300	1	0	5
8	False statement relating to registration (s.41)	\$750	0	1	0
9	Failure to provide proper care and attention (s.54 (2))	\$300	0	0	0

10	Falsely notifying the death of dog (s.41 (A))	\$750	0	0	0
11	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	0	0	0
12	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	0	0	0
13	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	0	0	0
14	Releasing dog from custody (s. 72 (2))	\$750	0	0	0
Total Number of Offences			44	65	79
Total in Fines			\$10,900	\$15,450	\$21,900

Table 2: Dog Control Act 1996 Section 10A Statistical Breakdown:

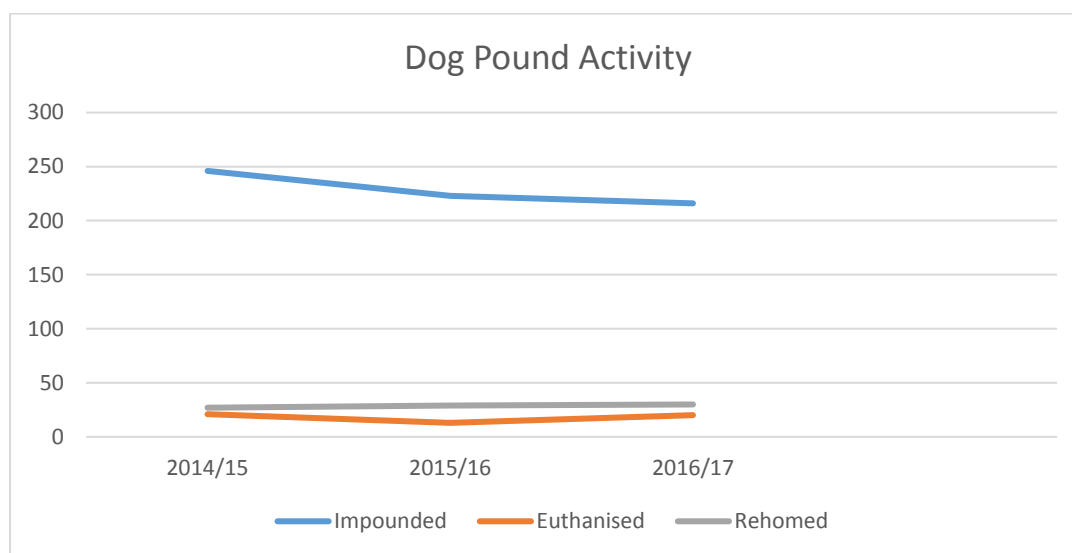
Category	Period 2014/15	Period 2015/16	Period 2016/17
1) Total # Registered Dogs	6855	6902	6530
2) Total # Probationary Owners	0	4	4
3) Total # Disqualified Owners	7	1	1
4) Total # Dangerous Dogs	6	11	8
➤ Dangerous by Owner Conviction Under s31(1)(a)	1	1	0
➤ Dangerous by Sworn Evidence s31(1)(b)	1	1	1
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	4	9	7
5) Total # Menacing Dogs	45	53	49
➤ Menacing under s33A(1)(b)(i) - i.e. by Behaviour	15	22	24
➤ Menacing under s33A(1)(b)(ii)- by Breed Characteristics	8	7	6
➤ Menacing under s33C(1) by Schedule 4 Breed.	22	24	19
6) Total # Infringement Notices.	44	65	79
7) Total # Complaints Received	798	1201	1155
Wandering	215	583	742
Barking	187	163	182
Lost	231	200	161

Welfare	4	7	4
Attack	51	43	53
Rushing/aggressive	34	33	38
Other	76	173	56
8) Prosecutions	0	0	1

6.1.6 Dog Pound Activity

The dog pound facility on Council owned land continues to be operated by the appointed animal control contractor.

This reporting period saw 216 dogs impounded, 20 euthanised and 30 re-homed.



6.1.7 Dog Exercise Facilities

The fenced dog park in Ashburton continues to allow dog owners to exercise their dogs off the leash, while limiting the risk of them becoming out of control. The facility has suitable receptacles for the collection of dog waste plus dog bag dispensers to assist owners in cleaning up after their dogs. A piped water supply to a concrete trough has also been provided for use by dogs using the dog park.

In this reporting period, an additional fenced dog exercise area has been provided in Ashburton next to the Resource Recovery Centre at the end of Range Street. This new area also has a waste bag dispenser and waste receptacle and there are plans to provide a piped water supply to a trough for dogs to use.

6.1.8 Dog Registration and other Fees

The Council dog registration fees and other associated charges are published on the Council website. All money raised through dog registration has been allocated to the dog control account.

Surveys to detect unregistered dogs have been conducted and as a result 12 previously unregistered dogs are now registered.

6.1.9 Dog Education and Dog Obedience courses

Ashburton District Council has not required any owners to undergo dog education or obedience courses.

6.1.10 Disqualified and Probationary Dog Owners

No persons were disqualified or classified as probationary dog owners during the reporting period.

6.1.11 Menacing and Dangerous Dogs

Ashburton District Council has 49 dogs classified as menacing and 8 dogs classified as dangerous.

6.1.12 Other Information:

Prosecution:

A successful prosecution was taken against a local dog owner following an attack by his dog on a neighbour who suffered severe leg injuries. The following is a summary of events:

In October 2016 the dog in question jumped a neighbouring fence and attacked the resident of that property who received severe puncture wounds to her leg.

The subsequent investigation provided robust grounds to support prosecution and in October 2016 the case was taken on by legal representatives for Ashburton District Council.

Progression of the case saw the Judge allowing two adjournments in 2017, whilst the defendant sought adequate legal aid. The case was finally heard in April 2017 where the defendant was found guilty on two counts under the Dog Control Act 1996: owning a dog which attacks a person and failing to control a dog.

Sentencing was conducted in June 2017 where the Judge considered that a fine was not a sufficient deterrent and instead imposed concurrent sentences of 100 hours community work on each charge plus a reparation/emotional harm payment of \$675.00 to the victim.

Dog Control Services Contract:

The current dog and animal control contract was taken over by MasterGuard as the local provider on 1 February 2016.

Dog Re-homing Scheme:

The Council's re-homing scheme continues to be a successful means of re-homing suitable dogs with 30 dogs re-homed during the reporting period.

Dog Education Program:

Our Systems Administration Officer in her capacity as our internal Animal Control Officer conducted three "Dog Smart" presentations to schools with the emphasis on teaching children how to be safe around dogs. The education programme has since been expanded with an adult themed presentation available, which has been successfully trialed by staff.

6.1.13 Options and Risks Considered

Not applicable.

6.1.14 Statutory Implications

The Dog Control Act 1996, as amended by the Dog Control (Amendment) Act 2003 requires the Council to publish an annual report on its dog control activity in the prescribed format.

6.1.15 Significance and Engagement

The recommendations contained in this report are not significant and no consultation is required

6.1.16 Financial

None.

PREPARED BY	APPROVED BY
RICK CATCHPOWLE	JANE DONALDSON
Environmental Monitoring Manager	Group Manager Environmental Services