

## Council

06 October 2021

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### ***Dog control policy and practices report 2020/21***

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GM Responsible *Jane Donaldson; Strategy & Compliance*

#### **Summary**

The purpose of this report relates to the activities undertaken regarding dog control within Ashburton District for the period **1 July 2020 to 30 June 2021**. The Dog Control Act 1996 (the Act) requires that such a report be produced annually and made publicly available once adopted by Council.

#### **Recommendation**

1. **That** the report be received.
2. **That** the Council give public notice of the report and make it publicly available.

## Background

1. The Act 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 listed at Section 10A (2).

Additionally:

- 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 2020 to 30 June 2021**.

## Dog Control in Ashburton

2. Dog control in Ashburton is carried out using Council staff and an approved Contractor.
3. 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.
4. The approved local Contractor, First Security Guard Services Ltd, deals with dog control callouts 24 hours per day, seven days per week. They currently employ two staff specifically for animal control, with suitably trained security officers acting in support where necessary.
5. Council's approach to enforcement of the Act follows the "exacerbator pays" principle i.e. dog owners who fail to control their animals effectively are fined and the funds channeled back into the animal control activity.

## Dog Pound Activity

6. The dog pound facility on Council owned land in Range Street continues to be operated by the appointed animal control contractor.
7. This reporting period saw 107 dogs impounded, 1 euthanised and 12 re-homed. There were no incidents of repeat impoundings of the same dog.

### **Dog Exercise Facilities**

8. Ashburton Dog Park

The fenced dog park by the Ashburton River suffered severe damage during the flood incident of May/June 2021, placing the park out of commission. Repairs to fencing and grounds are ongoing and expected to be completed by December 2021.

9. Methven Dog Park

The fenced dog park at Methven on Dolma Street has a piped water supply with outlet for dogs to use and a dog bag dispenser with waste receptacle.

10. Range St Land Fill – Exercise Area

The fenced landfill area at the end of Range St, continues to be available for dog owners to exercise their dogs off the leash. This area is not an official dog exercise area due to the land status and access may be restricted from time to time due to the maintenance needs of the land. However, suitable receptacles are provided for the collection of dog waste plus dog bag dispensers to assist owners in cleaning up after their dogs.

### **Dog Registration**

11. The reporting period saw the number of registered dogs decrease by 163 due to transfers out of District or otherwise accounted for. Investigations into known unregistered dogs resulted in 42 dogs newly registered and 23 notices served for failing to register dogs.

### **Dog Education and Obedience Courses**

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

### **Disqualified and Probationary Dog Owners**

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

### **Menacing and Dangerous Dogs**

14. Ashburton District Council has 59 dogs classified as menacing and 7 dogs classified as dangerous.

### **Additional Information:**

15. Call outs: During the reporting period contracted staff responded to 591 dog related incidents from across the District, as follows (further breakdown available at Table 1):

- Ashburton 372
- Tinwald 82
- Rakaia 26
- Methven 22
- Rural 89

16. Undeclared dogs: Contracted staff also made enquiries to seek out undeclared dogs, which led to 67 Notices to Register being served and complied with.

#### **Dog Education Programme:**

17. Our Systems Administration Officer in her capacity as our internal Animal Control Officer conducted four presentations on dog safety during the reporting period. The presentations can be tailored to teach children or adults how to be safe around dogs.

#### **Society for the Prevention of Cruelty to Animals (SPCA)**

18. In early 2018 ADC entered into an agreement with SPCA which saw the Ashburton SPCA Headquarters moved into the ADC pound. This arrangement has now ceased due to SPCA securing alternative facilities, which then gave First Security the opportunity to enter into an agreement with ADC for the Pound to be used as a base for contracted staff.

#### **Dog Control Act 1996 Section 10A**

19. The following is a breakdown of statistics for registration year 2020/21, which meets the reporting template requirements of Section 10A of the Act.

**Table 1: Statistical information:**

<b>Category</b>	<b>2019/20</b>	<b>2020/21</b>
1) Total # Registered Dogs	6891	<b>6728</b>
2) Total # Probationary Owners	3	<b>0</b>
3) Total # Disqualified Owners	0	<b>0</b>
4) Total # Dangerous Dogs	5	<b>7</b>
➤ Dangerous by Owner Conviction Under s31(1)(a)	0	<b>0</b>
➤ Dangerous by Sworn Evidence s31(1)(b)	4	<b>6</b>
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	1	<b>1</b>
5) Total # Menacing Dogs	58	<b>59</b>
➤ Menacing s33A(1)(b)(i) - i.e. by Behaviour	36	<b>36</b>
➤ Menacing s33A(1)(b)(ii)- by Breed character	5	<b>5</b>
➤ Menacing under s33C(1) by Schedule 4 Breed.	17	<b>18</b>
6) Total # Infringement Notices.	56	<b>55</b>
7) Total # Complaints Received	684	<b>591</b>
Wandering	362	<b>282</b>
Barking	88	<b>111</b>
Lost	150	<b>117</b>
Welfare	6	<b>2</b>
Attack	32	<b>27</b>
Rushing	26	<b>11</b>

Other (signage issues/dog waste issues/Bylaw clarification)	20	<b>41</b>
8) Prosecutions	0	<b>0</b>

### Dog Control Enforcement Practices

20. During the reporting period staff issued the following notices under the Dog Control Act.

**Table 2: List of Infringement Offences**

Serial	Offence	Fine Level	2019/20 Issued	<b>2020/21 Issued</b>
1	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	9	<b>23</b>
2	Failure to Advise Change of Address (s.49(4))	\$100	2	<b>0</b>
3	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	37	<b>31</b>
4	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	0	<b>1</b>
5	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	1	<b>0</b>
6	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	0	<b>0</b>
7	Failure to Comply with menacing classification (s.33EC(1))	\$300	3	<b>0</b>
8	False statement relating to registration (s.41)	\$750	0	<b>0</b>
9	Failure to provide proper care and attention (s.54 (2))	\$300	0	<b>0</b>
10	Falsely notifying the death of dog (s.41 (A))	\$750	0	<b>0</b>
11	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	0	<b>0</b>
12	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	4	<b>0</b>
13	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	0	<b>0</b>
14	Releasing dog from custody (s. 72 (2))	\$750	0	<b>0</b>

### Options analysis

**Option 1 - Do not provide a public report on activities**

21. Council could decide not to publicly report on annual dog activities. This would be in breach of the Dog Control Act 1996 and is not the recommended option.

**Option 2 – Provide a public report on activities**

22. This is the recommended option. This would see Council publicly report on the dog activities for 2020/21.

### Legal/policy implications

23. It is a statutory requirement of the Dog Control Act 1996 for the Council to publicly report on the dog control activities referred to in this report.

### Financial implications

Requirement	Explanation
What is the cost?	The cost of monitoring the activity is included in the Animal Control budget.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Fees & charges 95% General rate 5%
Are there any future budget implications?	No
Reviewed by Finance	Not required

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low; not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2020/21. The report will be made publicly available.
Reviewed by Strategy & Policy	Rachel Thomas; Policy Advisor