

Council

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Dog control policy and practices report 2021/22

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Summary

The purpose of this report relates to the activities undertaken regarding dog control within Ashburton District for the period **1 July 2021 to 30 June 2022**. 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 2021 to 30 June 2022**.

Dog Control in Ashburton

2. Dog control in Ashburton is carried out using Council staff and an approved Contractor.
3. The contract for animal control services reached the end of its term during the reporting period and was successfully tendered for by Talbot Security Group Limited (TSG), who took over the animal control services contract on 1 February 2022. TSG currently employs ten staff specifically trained for animal control, with suitably trained security officers acting in support where necessary. The service provided covers all dog control callouts 24 hours per day, seven days per week.
4. Within Council we employ a warranted Animal Control and Enforcement Officer who is responsible for all administration relating to dog and stock control as well as leading on enforcement issues.
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.
6. The reporting period saw a publically consulted review of the Ashburton District Council Dog Control Policy and Bylaw (2016), culminating in the adoption of a new Dog Control Policy and Bylaw (2021). The new Policy and Bylaw provides greater clarity for dog owners of their obligations under the Act, as well as providing a new off-lead exercise area at North East Ashburton and a link between the existing off-lead exercise areas at Argyle Park where dogs can continue to be exercised off-lead.

Dog Pound Activity

7. The dog pound facility on Council owned land in Range Street continues to be operated by the appointed animal control contractor.
8. The reporting period saw 79 dogs impounded, 1 euthanised and 11 re-homed. There were no incidents of repeat impoundings of the same dog.

Dog Exercise Facilities

9. Ashburton Dog Park

The fenced dog park by the Ashburton River suffered severe damage during the flood incident of May/June 2021. Work to re-establish this facility and provide separate areas for small and large dogs has again been impacted heavily by weather conditions and is ongoing.

10. 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.

11. 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 park/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.

12. Rakaia Community Dog Park

A community funded fenced dog park is now also available for use at Rakaia. The park has separate areas for large and small dogs and Council has provided a dog bag dispenser and waste receptacle.

Dog Registration

13. The reporting period saw the number of registered dogs increase by 191 of which 118 were previously undeclared dogs.

Dog Education and Obedience Courses

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

Disqualified and Probationary Dog Owners

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

Menacing and Dangerous Dogs

16. Ashburton District Council has 49 dogs classified as menacing and 9 dogs classified as dangerous.

Dog Control Act 1996 Section 10A

17. The following is a breakdown of the statistics required under Section 10A of the Act for the registration year 2021/22.

Table 1: Statistical information:

Category	2020/21	2021/22
1) Total # Registered Dogs	6728	6919
2) Total # Probationary Owners	0	0
3) Total # Disqualified Owners	0	0
4) Total # Dangerous Dogs	7	9
➤ Dangerous by Owner Conviction Under s31(1)(a)	0	0
➤ Dangerous by Sworn Evidence s31(1)(b)	6	7
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	1	2
5) Total # Menacing Dogs	59	49
➤ Menacing s33A(1)(b)(i) - i.e. by Behaviour	36	33
➤ Menacing s33A(1)(b)(ii)- by Breed character	5	5
➤ Menacing under s33C(1) by Schedule 4 Breed.	18	11
6) Total # Infringement Notices.	55	82
7) Total # Complaints Received	591	602
Wandering	282	145
Barking	111	159
Lost	117	90
Welfare	2	1
Attack	27	28
Rushing	11	13
Other (signage issues/dog waste issues/Bylaw clarification)	41	126
8) Prosecutions	0	0

Dog Control Enforcement Practices

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

Table 2: List of Infringement Offences

Serial	Offence	Fine Level	2020/21 Issued	2021/22 Issued
1	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	23	73
2	Failure to Advise Change of Address (s.49(4))	\$100	0	0
3	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	31	8
4	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	1	0
5	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	0	0
6	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	0	0
7	Failure to Comply with menacing classification (s.33EC(1))	\$300	0	0
8	False statement relating to registration (s.41)	\$750	0	0
9	Failure to provide proper care and attention (s.54 (2))	\$300	0	0
10	Falsely notifying the death of dog (s.41 (A))	\$750	0	0
11	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	0	1
12	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	0	0
13	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	0	0
14	Releasing dog from custody (s. 72 (2))	\$750	0	0

Options analysis

Option 1 - Do not provide a public report on activities

2. 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

3. This is the recommended option. This would see Council publicly report on the dog activities for 2021/22.

Legal/policy implications

4. 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 2021/22. The report will be made publicly available.
Reviewed by Strategy & Policy	Toni Durham, Strategy & Policy Manager