

QLDC Council
24 August 2016

Report for Agenda Item: 9

Department: Finance & Regulatory

Dog Control Policy and Practices Report 2015 – 2016

Purpose

To inform Council on the dog control policy and practices undertaken in the 2015/2016 financial year, in accordance with Section 10A of the Dog Control Act 1996.

Recommendation

That Council:

1. **Note** the contents of this report
2. **Adopt** the Dog Control Policy and Practices report 2015/2016, in accordance with the Dog Control Act 1996, Section 10A;
3. **Approve** the publication of the Dog Control Policy and Practices report 2015/2016; and
4. **Direct** Council staff to forward a copy of the Dog Control Policy and Practices report 2015/2016 to the Secretary for Local Government.

Prepared by:



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8/08/2016

Reviewed and Authorised by:



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12/08/2016

Background

- 1 The Dog Control Act 1996 ("Act") requires Council to report on the administration of its dog control practices and dog control policy each financial year.
- 2 The report must include details regarding:
 - The number of registered dogs, probationary owners and disqualified owners in the district;

- The number of dogs classified menacing or dangerous as a result of their actions, and the number of dogs classified as menacing by the type or breed; and;
 - Infringement notices issued, the type and number of complaints received and prosecutions taken.
- 3 The Act also requires that the report of these activities must be publicly notified in one or more daily newspaper circulating in the district, or one or more newspapers that have at least an equivalent circulation in the district to that of daily newspaper.
 - 4 A copy of the report (Attachment A) must also be forwarded to the Secretary for the Local Government within one month after adopting the report.
 - 5 The report details the dog control activities undertaken by Queenstown Lakes District Council in the 1 July 2015 – 30 June 2016 financial year.

Comment

- 6 Council identified dog control as a primary area of focus within its Enforcement Strategy and Enforcement Action Plan. The specific objective of the Action Plan is to “ensure a safe environment from roaming and aggressive dogs for our community”.

The key areas and figures within the report are:

- a) There was an increase of 5.32% (229) of dogs registered (4302 in total);
 - b) There was a 40% reduction (712 from 1197) in the number of registered dogs with no microchip, following proactive enforcement. The work to reduce this will continue through the 2016/2017 financial year;
 - c) There were four dangerous dogs registered, i.e. an increase of one. There was no change to the 26 Menacing Dogs registered;
 - d) There was a 19% (97) decrease in the number of attacks reported. There were 14 attacks on people, 45 attacks on animals, five cases of dog worrying stock and 33 reports of rushing dogs;
 - e) The number of roaming dogs remains the single largest issue with an 11% increase from 436 to 492;
 - f) There was a 22% decrease in the number of complaints regarding barking dogs from 220 to 172;
 - g) The number of impounded dogs decreased 39% from 164 to 99, with the majority of impounds being in response to roaming dog complaints.
- 7 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

8 Option 1 Adopt the Dog Control Policies and Practices Report 2015/2016

Advantages:

- 9 Legislative compliance. This enables Council to comply with Section 10A of the Dog Control Act 1996.

Disadvantages:

- 10 Public notification. There is a small cost to publicly notify this report.
- 11 This report recommends **Option 1** for addressing the matter, as it is a statutory requirement for Council to adopt and publicly notify its annual dog control policy and practices report. No other options are therefore presented.

Significance and Engagement

- 12 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because there is a low impact on our environment and culture from the decision of the report.

Risk

- 13 This matter related to the operational risk OR004 – Serious injury to a member of the community, as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because of the risk from roaming dogs throughout our community.
- 14 The recommended option mitigates the risk by treating the risk – putting measures in place which directly impact the risk, through Councils response to urgent Requests for Service within two hours across the district, conducting routine dog control patrols, enforcing Councils Dog Policy and education programmes for schools around dogs and safety.

Financial Implications

- 15 The costs associated with publicly notifying the adoption of the Dog Control Policy and Practices will be met from current budgets.

Council Policies, Strategies and Bylaws

- 16 The following Council policies, strategies and bylaws were considered:
- Dog Control Policy – This policy provides the principal rules regarding dog control throughout the district;
 - Significance and Engagement Policy – the decision is not significant, as the report is to be noted and does not detail further;
 - Council Enforcement Strategy and Prosecution Policy – This policy outlines Council's enforcement approach and options available.

17 The recommended option is consistent with the principles set out in the named policy/policies.

18 This matter is included in the 10-Year Plan/Annual Plan

- Volume 1 – Regulatory functions and services

Local Government Act 2002 Purpose Provisions

19 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by raising awareness of the educational and enforcement matters identified;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

20 The persons who are affected by or interested in this matter are dog owners, visitors, and the wider residents /ratepayers of the Queenstown Lakes District.

21 The Council will publicly notify the report, in addition to placing a copy on the Council's website.

Legal Considerations and Statutory Responsibilities

22 Section 10A of the Dog Control Act 1996 requires the Council to adopt a dog control policy and practices report annually. A copy of the report must be sent to the Secretary for Local Government, and the report must be publicly notified following its adoption.

Attachments

A Dog Control Policy and Practices Report 2015/2016

Attachment A



DOG CONTROL POLICY AND PRACTICES REPORT

2015 – 2016 Financial year

Section 10A of the Dog Control Act 1996 (“Act”) requires that Council reports on its dog control policies and practices over the financial year.

DOG CONTROL POLICY

Section 10 of the Act requires Council to develop a policy on dogs, which establishes Council’s philosophy for dog control throughout the district.

The current policy was adopted on December 2014 and establishes Council’s criteria to be followed regarding controlling dogs.

Policy - Key Aspect:

- The requirement for all dogs classified as menacing to be neutered;
- Dogs must be on a leash in public places except Rural General Zones (unless they are at a cemetery or a playground) or any dog exercise area (Generally, most Council Controlled Tracks and Reserves);
- The expectations for dog owners to maintain owner responsibility during an emergency;
- That any Probationary and Disqualified owners shall be classified for the maximum period, unless they can demonstrate to Councils satisfaction that the full period is unnecessary;
- The criteria for issuing a multiple dog license have been clarified;
- Fees for dog registration, have amended to recognise and reward behavior that complies with the Dog Control Act 1996.

MICRO-CHIPPING

All dogs registered for the first time on or after 1 July 2006 and all dogs classified as dangerous or menacing since 1 December 2003 are be required to be micro-chipped. Council has been working with dog owners throughout the year to ensure all dogs are micro-chipped.

There was a 40% reduction (712 from 1197) in the number of registered dogs with no microchip. The work to reduce this will continue through the 2016/2017 financial year;

DOG REGISTRATION

Council registration fees provide a discount to dog owners with positive history for the previous two years e.g. no impounding of a dog and also for having effective fencing at the property.

There was an increase (5.32%) in the number of registered dogs over the last year, which is consistent with the increasing trend over the previous years.

Council was notified of 315 deceased dogs and 706 were transferred out of Queenstown Lakes District.

Category	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Total number of Registered Dogs	3713	3728	3874	4073	4302
a) Dangerous by owner conviction under s.31(1)(a)	0	1	1	1	2
b) Dangerous by sworn evidence under s.31(1)(b)	2	0	0	1	2
c) Dangerous by owner admittance in writing under s.31(1)(c)	0	0	0	1	0
Total number of Dangerous Dogs	2	1	1	3	4
a) Menacing under s33A(1)(b)(i) – Behaviour	14	8	19	17	17
b) Menacing under s33A(1)(b)(ii) - Breed characteristics	0	0	0	7	7
c) Menacing under s33C(1) - Schedule 4 Breed/Type	1	2	2	2	2
Total number of Menacing Dogs	15	10	21	26	26
Total number of Probationary Owners	0	1	0	0	0
Total number of Disqualified Owners	0	0	0	0	0

DISQUALIFIED AND PROBATIONARY DOG OWNERS

There were no probationary or disqualified dog owners in the district within this financial period.

MENACING AND DANGEROUS DOGS

There were four dangerous dogs registered for the 2015-2016 registration period, an increase of one. The overall number of menacing dogs registered has remained the same.

DOG CONTROL RESPONSE

This section describes the number and type of complaints received and the manner in which Council has responded to address the complaints and general issues regarding dogs over the last year.

Dog Control is a priority area of focus within the QLDC Enforcement Strategy 2015. The priorities are:

- To have all dogs that live in the district registered;
- Ensure all dogs are kept under control at all times; and
- Reducing ignorance and apathy of dog owners to their responsibilities.

Category of Complaint	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Public Safety related complaints					
Dog attack on people - minor	4	5	15	13	14
Dog attack on people – serious	4	1	4	3	0
Dog attack on animal – minor	12	6	14	42	34
Dog attack on animal – serious	13	8	13	35	11
Dog attack on stock (worrying stock)	4	4	0	2	5
Dog rushing	17	8	19	25	33
Roaming dogs	158	348	337	436	491
General concern	31	22	59	67	64
Non-safety Concerns					
Lost dogs	184	197	300	364	319
Barking	152	123	137	220	172
Fouling	17	21	2	11	13
Total complaints	496	743	900	1218	1157

ATTACKS

When an attack occurs on a person or animal, the incident can be extremely distressing for all parties and it is imperative that there is a fast response to such matters.

Over the last year there has been a reduction of the number of attacks from 93 to 59. There has continued to be an emphasis on education and proactive enforcement which may have contributed to the reduction in attacks.

ROAMING DOGS

The number of roaming dogs remains the single largest issue. Roaming dogs can frighten, intimidate or annoy others, in addition to attacking other animals and people. We continue to see an increase in the amount of roaming dogs complaints received from 436 to 492.

There has been a 12% reduction in the number of lost dogs. However, this may be a result of people advertising on social media rather than calling Council.

BARKING DOGS

There was a decrease in the number of complaints received from 220 to 172. The council continues to provide free bark collars to dog owners to use, to assist in addressing this issue. Additional collars were purchased to meet demand to assist dog owners.

IMPOUNDING'S

There was a significant reduction in the amount of impounded dogs, from 164 (2014/15) to 99 (2015/16), with the majority of impounded dogs being in response to roaming dogs.

PROSECUTIONS

There was 1 prosecution resolved in court in 2015/16 following an attack on stock. This resulted in a Menacing Dog Classification under section 33A(1)(b)(i) of the Dog Control Act 1996. This attack occurred in 2014/15 registration year in Wanaka.

INFRINGEMENTS

There has been a general reduction in complaints in 2015/16.

There has been a reduction in the number of infringements issued for failing to keep dog controlled or confined, which may be as a result of the proactive actions and education undertaken this year. However, there was an increase in the number of infringements for failing to register a dog.

OFFENCE	2011 - 2012	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Failure to comply with classification	0	2	2	0	0
Failure to register dog	98	83	0	25	45
Failure to advise of address change	0	0	0	0	0
Failure to keep dog controlled/confined on owners property	23	12	21	34	26
Failure to keep dog under control	2	5	16	10	3
Failure to carry a leash in public	0	0	0	0	0
Falsely Notifying death of dog	0	0	0	1	0
Failure to supply owner information	0	0	0	1	0
Failure to comply with any bylaws authorized by the section	0	0	0	1	1
Total	123	102	39	72	75