

**QLDC Council
25 October 2018**

Report for Agenda Item: 13

Department: Finance & Regulatory

Dog Control Policy and Practices Report 2017 - 2018

Purpose

To inform Council on the dog control policy and practices undertaken in the 2017/2018 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 2017/2018, in accordance with Section 10A of the Dog Control Act 1996;
3. **Approve** the publication of the Dog Control Policy and Practices report 2017/2018; and
4. **Direct** Council staff to forward a copy of the Dog Control Policy and Practices report 2017/2018 to the Secretary for Local Government.

Prepared by:



Lee Webster
Regulatory Manager

9/10/2018

Reviewed and Authorised by:



Stewart Burns
General Manager; Finance, Legal
& Regulatory
10/10/2018

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 newspapers 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 2017 – 30 June 2018 financial year.

Comment

- 6 Council has 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) An increase in the resourcing levels of Animal Control Officers (ACO) has enabled Council to implement a number of initiatives across the district, which include:
 - Working with primary schools to help educate children on how to approach and act around dogs, especially loose dogs in school grounds;
 - Improved educational signage throughout the district regarding dog control matters;
 - Additional dog waste bag dispensers and bins placed in high priority locations;

- Free dog training sessions offered to newly registered dog owners, in collaboration with animal behaviourists; and
 - Additional regular weekend ACO patrols targeting popular walking trails
- b) There was an 8% increase in the number of registered dogs (4485 in 2016-17 to 4836 in 2017/18). This growth has contributed to the overall increase of complaints reported to Council during this financial year.
- c) During 2017/18 ACOs targeted 309 dogs that had no micro-chip numbers as required by the Dog Control Act 1996. Of these, 289 owners provided their dogs' micro-chip numbers when contacted (93%). 20 dog owners failed to comply with the micro-chip requirement and were subsequently issued infringements.
- d) There were four dangerous dogs registered during this year, which remains unchanged from the previous period. While several dogs were newly classified as 'Menacing by Act' the overall number of Menacing dogs has reduced from 23 to 19.
- e) We have one probationary owner in our district, which has not changed from 2016/17.
- f) The overall number of attacks increased from 54 to 73. There have been two serious dog attacks on people – both of these incidents involved courier drivers and occurred on the dogs' own property. There were five attacks on stock in 2017/18.
- g) The number of roaming dogs remains the largest issue for our district; which increased from 548 to 563 incidents.
- h) There was a 19% increase in the number of impounded dogs from 92 to 110.
- i) There was a slight increase in fouling complaints from 9 to 11. One fouling infringement was issued following these complaints. Additional dog waste bins and bag dispensers have been deployed around the district to meet demand, which the proactive work may account for the low numbers of complaints.
- j) There was an increase in the number of complaints regarding barking dogs from 166 to 205. One infringement was issued for failing to comply with a barking dog abatement notice. ACOs continue to provide education to owners of barking dogs along with the free use of barking collars.

Additionally, new products have been purchased to give dog owners an opportunity to try different options. These included an ultrasonic bark collar and an ultrasonic 'bark box' designed for properties housing multiple dogs. ACOs have received positive feedback from customers regarding the new products and they have generally been effective for most dogs.

- k) There has been a significant increase in infringements issued for failure to keep dogs controlled or confined. 24 infringements were issued in the 2017-18 financial year compared to 10 in 2016/17.

There were 110 impounded dogs, of which 70 of these were first time offenders. Education for first time offenders continued to be the priority in 2017/18.

There has been no change to impound fees last financial year, however second and third impounds within a two year period are generally accompanied by an infringement unless unique circumstances apply.

- First impound \$125
- Second impound \$200 + \$200 infringement
- Third impound \$300 + \$200 infringement

7 Option 1 Adopt the Dog Control Policies and Practices Report 2017/2018

Advantages:

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

Disadvantages:

- 9 There is a small cost to publicly notify this report.

10 Option 2 Reject the Dog Control Policies and Practices Report 2017/2018

Advantages:

- 11 No cost to publicly notify this report.

Disadvantages:

- 12 Council will fail to comply with Section 10A of the Dog Control Act 1996.

- 13 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.

Significance and Engagement

- 14 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

- 15 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.
- 16 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 Council’s Dog Policy and education programmes for schools around dogs and safety.

Financial Implications

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

Council Policies, Strategies and Bylaws

- 18 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.
- 19 The recommended option is consistent with the principles set out in the named policy/policies.
- 20 This matter is included in the 10-Year Plan/Annual Plan
- Volume 1 – Regulatory functions and services

Local Government Act 2002 Purpose Provisions

- 21 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

- 22 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.
- 23 The Council will publicly notify the report, in addition to placing a copy on the Council's website.

Legal Considerations and Statutory Responsibilities

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 must be publicly notified following its adoption.

Attachments

- A Dog Control Policy and Practices Report 2017/2018

Attachment A



DOG CONTROL POLICY AND PRACTICES REPORT

2017 – 2018 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 in December 2014 and establishes Council's criteria to be followed regarding controlling dogs.

Policy - Key Aspects:

- 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 Council's satisfaction that the full period is unnecessary;
- The criteria for issuing a multiple dog licence have been clarified;
- Fees for dog registration have been 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 (excluding working dogs) and all dogs classified as dangerous or menacing since 1 December 2003 are required to be micro-chipped.

During 2017-18 Animal Control Officers (ACO) targeted 309 dogs that had no micro-chip numbers as required. Of these 289 owners provided their dogs' micro-chip number when contacted (93%), with 20 dog owners failing to comply with the micro-chip requirement and were subsequently issued infringements.

The requirement for micro-chips is an on-going matter that the ACO's will continue to work through as new dogs are registered throughout the year to achieve 100% compliance.

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 (8%) in the number of registered dogs over the last year 4485 to 4836, which is consistent with the increasing trend over the previous years.

Council was notified of 313 deceased dogs and 246 were transferred out of Queenstown Lakes District.

Category	2014 - 2015	2015 - 2016	2016 - 2017	2017- 2018
Total number of Registered Dogs	4073	4302	4485	4836
a) Dangerous by owner conviction under s.31(1)(a)	1	2	2	2
b) Dangerous by sworn evidence under s.31(1)(b)	1	2	2	2
c) Dangerous by owner admittance in writing under s.31(1)(c)	1	0	0	0
Total number of Dangerous Dogs	3	4	4	4
a) Menacing under s33A(1)(b)(i) – Behaviour	17	17	15	19
b) Menacing under s33A(1)(b)(ii) - Breed characteristics	7	7	8	0
c) Menacing under s33C(1) - Schedule 4 Breed/Type	2	2	0	0
Total number of Menacing Dogs	26	26	23	19
Total number of Probationary Owners	0	0	1	1
Total number of Disqualified Owners	0	0	0	0

DISQUALIFIED AND PROBATIONARY DOG OWNERS

There is one Probationary owner in the District. This has not changed from 2016/17. There were no Disqualified dog owners in the district within this financial period.

MENACING AND DANGEROUS DOGS

There are four dangerous dogs registered for the 2017-2018 registration period, this is the same as 2016–2017. Four dogs were newly classified as Menacing by Behaviour. These were a result of incidents reported to Council and were comprised of one attack on stock that resulted in the death of a deer and three separate incidents of minor dog attacks on other dogs.

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 2014. 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	2014 - 2015	2015 - 2016	2016 - 2017	2017- 2018
Public Safety related complaints				
Dog attack on people – minor	13	14	14	34
Dog attack on people –	3	0	0	2
Dog attack on animal – minor	42	34	26	25
Dog attack on animal –	35	11	14	7
Dog attack on stock (worrying stock)	2	5	0	5
Dog rushing	25	33	49	36
Roaming dogs	436	491	548	563
General concern	67	64	32	63
Non-safety Concerns				
Lost dogs	364	319	332	321
Barking	220	172	166	205
Fouling	11	13	9	11
Total complaints	1218	1157	1190	1272

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 an increase of the number of attacks from 54 to 73. However, this is an increase of 26% when proportionally compared to the total number of registered dogs.

ROAMING DOGS

The number of roaming dogs still remains the single largest issue. Roaming dogs can frighten, intimidate or annoy others, in addition to attacking other animals and people. We have seen a slight increase in reports from 548 last year to 563 this year. This increase may be due to Animal Control Officers logging the details of dogs collected during proactive patrols.

LOST DOGS

There has been a slight decrease from 332 to 321 in the number of lost dogs reported to Council.

BARKING DOGS

There was an increase in the number of complaints received from 166 to 205. However, when taking into account the growth in the number of registered dogs this financial year there has been a 15% increase in barking dog complaints proportionally.

Council continues to provide the free use of bark collars to dog owners to use, to assist in addressing this issue. Additional collars were purchased last year to meet the demand. There are now 12 electronic collars available for use in addition to two new ultrasonic products that were purchased to give customers additional options. These included an ultrasonic collar and an outdoor ultrasonic device (or “bark box”) designed for properties with multiple dogs. After trialing the new products, Animal Control Officers received positive feedback from customers.

IMPOUNDINGS

There was a slight increase (11% proportionally) in the amount of impounded dogs, from 92 to 110 with the majority of impounded dogs being in response to roaming dogs. As the overall number of roaming dog reports has increased it is expected that the number of impounding events would increase in relation to this.

PROSECUTIONS

There were no prosecutions in 2017/2018.

INFRINGEMENTS

There has been a 56% proportional increase in the number of infringements issued for 2017/18 from 40 to 67. Animal Control Staff have been issuing additional infringements to owners of roaming dogs that have been impounded multiple times, following comments received after reporting to Council last year. This will have contributed to the increase in infringements. A number of failure to micro-chip infringements were issued as previously noted.

Three infringements were issued for failing to comply with bylaws. These relate to fouling dog incidents.

11 infringements were issued in relation to offences of failing to keep dog under control (roaming and dog attacks).

Despite receiving 205 barking dog complaints one infringement was issued for failing to comply with barking dog abatement notice. The majority of barking complaints are resolved as dog owners are cooperative with Animal Control officers and successfully work towards reducing their dogs' barking behavior.

OFFENCE	2014 - 2015	2015 - 2016	2016 - 2017	2017- 2018
Failure to comply with classification	0	0	0	0
Failure to register dog	25	45	30	19
Failure to advise of address change	0	0	0	0
Failure to keep dog controlled/confined on owner's property	34	26	3	13
Failure to keep dog under control	10	3	7	11
Failure to carry a leash in public	0	0	0	0
Falsely Notifying death of dog	1	0	0	0
Failure to supply owner information	1	0	0	0
Failure to comply with any bylaws authorized by the section	1	1	0	3
Failure to implant microchip transponder in dog	0	0	0	20
Failure to comply with barking dog abatement notice	0	0	0	1
Total	72	75	40	67