



STAFF REPORT

TO: Environment & Planning Committee

FROM: John Bergman, Control Services (Nelson) Ltd, and
Jean Hodson, Manager Consents

REFERENCE: D402

SUBJECT: **REPORT ON DOG CONTROL POLICY AND PRACTICES –
REPORT EP07/03/07** - Report Prepared for 28 March 2007 Meeting

1. REASON FOR REPORT

The Dog Control Act 1996 requires all territorial authorities to report annually to Central Government on their Dog Control Policy and Practices. The Act lists the information that is required in the report and this information is set out in this report, which is recommended to be adopted by Council. This report relates to the last registration year, 1 July 2005 to 30 June 2006.

2. THE REQUIREMENTS OF SECTION 10A OF THE DOG CONTROL ACT 1996

Each financial year a territorial authority must report on the administration of its Dog Control Policy and Practices. The report must include information relating to the number of registered dogs in the district, the number of probationary and disqualified owners, the number of dogs classified as dangerous and the relevant provision in which they were classified, the number of dogs classified as menacing in the district and the relevant provision of the Act that they were classified under.

Also the number of infringement notices issued by the territorial authority and the number of dog related complaints received and the nature of them is required to be reported, (a table is provided on these) and the number of prosecutions taken by the authority.

The territorial authority must give public notice of the report by publishing a notice in one or more daily newspaper circulating in the district and within one month of adopting the report, send a copy of it to the Secretary for Local Government.

3. BACKGROUND

The Dog Control Act 1996 was amended by the Dog Control Amendment Act 2003 with a focus on increasing public safety and education. As part of the amendments Government introduced the requirement for territorial authorities to report annually with certain information.

The Department of Internal Affairs recommends that the report may contain other information which would be useful for a community to understand how their Council is managing its dog control responsibilities.

Each territorial authority is also required by the Act to have a policy on the control of dogs. This is not a new provision. The Dog Control Amendment Act 2003 required all territorial authorities to review their policies on the control of dogs by 1 September 2004. Council reviewed its Dog Control Policy and the associated Dog Control Bylaw, during June and July 2004 and these were subsequently adopted by the Environment and Planning Committee on 12 August 2004. The Dog Control Bylaw is available on the Council's website.

Following is the report on the administration of the Tasman District Council's policy and practices in relation to the control of dogs for the year 1 July 2005 to 30 June 2006. The statistics on dog registration are as at 30 June 2006.

4. DOG CONTROL AND ENFORCEMENT PRACTICES IN TASMAN DISTRICT COUNCIL

4.1 Council's Dog Control Activities

Council's dog control activities are carried out by an Animal Control Contractor – **Control Services (Nelson) Ltd.** This company has been contracted by Council since 1999 to provide the delivery for mainly field activities and some associated administration work. Three full time dog control officers are employed by Control Services to administer Council's policy and practices throughout the Tasman District. Nine casual or part-time staff attend to the emergencies and/or after hours activities in the outlying areas of Murchison (three), Golden Bay (two), Motueka (two) and the Tapawera and Wakefield districts (two). Two of the full time officers are warranted under the Animal Welfare Act 1999 and are members of the Motueka SPCA. Animal welfare issues in the District can be handled immediately with these MAF approved officers.

Council and Animal Control Officers have an excellent relationship with the three SPCA Branches in the Nelson District. Puppies under three months of age are generally taken to the Nelson SPCA which cares for them until such time as they are old enough for re-homing. Assistance is given to SPCA staff when it is required and the same can be said if assistance is required by our staff.

Good relationships thrive between staff and the local veterinarians, Police and dog obedience clubs. Problem dogs and their owners are referred to one particular obedience club which has proved to be successful.

4.2 Dog Registration / Complaints and Enforcement in the District:

Total number of dog owners in the district:	6,224
Number of rural dogs in the Tasman District Council area:	5,742
Number of urban dogs in the Tasman District Council area:	4,343
Number of registered dogs in the Tasman District Council:	10,085
Number of probationary owners:	Nil
Number of disqualified owners:	Nil

Number of dogs classified as dangerous under Section 31:

s31 1(a) due to owner conviction:-	Nil
s31 1(b) due to sworn evidence:	Nil
s31 1(c) due to owner admittance:	Nil

Total number of dogs classified as menacing: 45

Dogs classified as menacing under Section 33A:	11
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(Section 33A 1(b) - the territorial authority considers the dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife).

Dogs classified as menacing under Section 33C:	34
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(Section 33C (1) - the territorial authority has reasonable grounds to believe that the dog belongs wholly or predominantly to one or more breeds or types listed in Schedule 4 of the amendment Act 2004).

Number of Infringement notices issued: 256

Failure to comply with bylaw:	1
Failure to comply with effects of classification:	2
Failing to register a dog:	236
Failure to keep dog controlled or confined:	2
Failure to keep dog under control:	14
Failure to use or carry leash in a public place:	1

Number of dog related complaints: 825

Barking dogs:	388
Aggressive or rushing:	46
Wandering dogs:	216
Fouling dogs:	14
Dog attacks on people:	38
Dog attacks on stock:	35
Dog attacks on domestic pets:	38
Welfare Concerns:	50

Statistical comparisons

Dog numbers in the district have changed very little over the 12 month period from 10,170 at the conclusion of the 2004/2005 year to 10,085 for this reporting period of July 2005 to 30 June 2006.

Six (6) dogs were classified as dangerous during the 2004/05 period but no dogs are classified as such at present. Dog Control staff consider that, if the situation is so serious that a dog should be classified as dangerous, then it is serious enough for the dog to be euthanized. However, staff still have the option of classifying dogs as menacing. This is a softer option which is designed for dogs that still pose some form of risk to people or stock but are being kept under strict control and unlikely to re-offend. Obviously the situation changes dramatically if the dog does re-offend.

The number of dogs classified as menacing has increased slightly from 42 during the previous reporting period to 45 at present. (A dog is classified as menacing if a Territorial Authority considers it may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour of the dog or any characteristics typically associated with the dog's breed or type.)

The breed and type of dog subject to a ban on importation are the: Brazilian Fila, Dogo Argentino, Japanese Tosa and the American Pit Bull Terrier. Thirty four (34) dogs of these breeds are classified as menacing and required to be muzzled, microchipped and, at the discretion of Council, neutered.

The number of Infringement Notices issued has increased from 31 for the previous period to 256 for this reporting period. The majority (236) of these were for owners failing to register their dogs. This significant increase in Infringement Notices is not as a result of more unregistered dogs, but is more a reflection of increased efficiency in our enforcement processes.

A slight increase in complaints received has been recorded over the twelve months from 787 to 878 for this period. Barking complaints (387) and wandering and fouling dogs (231) make up the majority of complaints received.

Attacks on people (37), stock (35) and attacks on domestic animals (37) are all slightly down on last year's results, however, a slight increase has been recorded for aggressive behaviour, which went up from 40 to 46 this year. Animal Welfare concerns went down from 116 to 105 over the period and this included dogs and stock.

Records of dogs Impounded over the two periods went from 169 to 129 and similar numbers were recorded for dogs claimed, rehomed and destroyed over both periods.

After hour's calls for the periods were also similar with 757 calls received relating to dogs compared with 666 last year, and 96 stock related calls were received compared with 112 received last year.

STATISTICS OF IMPOUNDINGS, COMPLAINTS, and AFTER HOURS - 1 JULY 2005 - 30 JUNE 2006

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Area Totals													
	Jul-2005	Aug-2005	Sep-2005	Oct-2005	Nov-2005	Dec-2005	Jan-2006	Feb-2006	Mar-2006	Apr-2006	May-2006	Jun-2006	Annual Total
Dogs Impounded	21	24	2	1	3	6	5	16	15	12	12	12	129
Number Claimed	12	9	3	1	2	5	5	9	12	4	9	7	78
Re Homed	3	6	0	0	0	1	0	0	1	1	0	0	12
Disposed Of	4	2	0	0	0	0	0	0	2	3	2	0	13
Remain Impounded	4	2	2	0	1	0	0	7	0	4	1	5	26
Complaints													
Barking/Whining	26	24	28	22	44	32	31	46	43	35	32	24	387
Agress Behaviour	5	6	1	2	8	3	3	7	1	4	5	1	46
Wandering/Fouling	27	30	32	18	9	11	23	16	13	14	18	20	231
Attack On Persons	1	4	2	1	3	9	2	2	6	3	2	2	37
Attack On Stock	2	2	9	3	1	2	2	3	4	4	3	0	35
Attack On Pets	5	5	3	2	2	3	3	1	3	4	5	1	37
Welfare Concerns	12	20	6	3	7	10	3	10	5	6	13	10	105
Total Complaints:	78	91	81	51	74	70	67	85	75	70	78	58	878
After Hours Calls													
Dogs:	48	56	49	60	55	80	65	80	64	56	59	85	757
Stock:	14	8	5	8	7	10	9	11	7	3	4	10	96
Total After Hours:	62	64	54	68	62	90	74	91	71	59	63	95	853

4.3 Dogs Prohibited, Leash Only and Dog Exercise Areas

The Dog Control Bylaw 2004 sets out the areas in the District which are Dog Prohibited, Leash only and Dog Exercise Areas.

Council has received some comments from the community regarding the issues of dog control, beaches and birdlife.

A series of informative articles relating to dog control is being published in "Newslines", Council's fortnightly newsletter. These articles will serve to remind dog owners of their responsibilities.

4.4 Dog Registration and Other Fees

The registration fees for dogs are set each year as part of the Council's Annual Plan Process. The registration fee for dogs in the 2005/2006 year was \$33 for Urban Dogs (i.e those registered on properties less than 1 hectare in area) and \$22 for Rural Dogs. In the current 2006/2007 year the fees are \$35 for Urban Dogs and \$24 for Rural Dogs which included the fees to cover the National Dog Database costs.

4.5 Further Comments On Dog Control Management

Education plays a major part in resolving these complaints, with lack of exercise, food, water and shelter being regular reasons for such behaviour.

Welfare concerns featured also with 105 complaints recorded for the year. Not all of these welfare complaints related to dogs with other animals such as stock and domestic cats having been included in these statistics.

Court action was not necessary against any dog owners this year. The issuing of infringement notices and the destruction of aggressive dogs prevented this.

Council has received a large number of complaints which relate to two kennels, one being a boarding kennel and one a breeding kennel operating under a temporary licence. Council staff, as well as outside agencies have been involved with attempting to resolve these complaints.

4.6 Hearings

One hearing was held in May 2006 in relation to a Kennel Licence application. The application was declined but a temporary licence was granted to allow sufficient time for relocation.

4.7 Educational Visits

Dog Control Officers continue to provide educational visits to Schools and Kindergartens etc and the Veterinary Nurses and Animal Welfare Courses conducted at the Nelson Marlborough Polytechnic (Richmond Campus) receive regular lectures on Animal Welfare, Dog Control and Bite Prevention. These student lectures have been provided by staff for a number of years now.

4.8 Annual Property Visits

Property visits were conducted by staff during the months of March, April and May 2006. Dog owners are visited during the year to check compliance with their obligations as a dog owner. The majority of dog owners do comply, however there are a very small number of owners who do not comply but do benefit from these educational visits and do comply. Council's policy is to undertake visits to the urban dog owners annually and the rural owners once every two years.

5. RECOMMENDATIONS

1. That this report required pursuant to Section 10A of the Dog Control Act 1996, be received and adopted by Council.
2. That the adopted report be publicly notified and be made available on the Council's website with a copy being sent to the Secretary for Local Government.

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