

Subject: GDC's Dog Control Policy and Practices

Prepared By: Pat Collins (Chief Animal Control Officer)

Meeting Date: 9 September 2009

Report to ENVIRONMENT & POLICY Committee for decision

SUMMARY

The purpose of this report is to adopt a report on Council's Dog Control Policy and Practices for the full year - 1 July 2008 to 30 June 2009 as required by section 10A of the dog Control Act 1996 (DCA).

This section requires Council to report on a number of aspects of its administration of its dog control policy responsibilities.

RECOMMENDATIONS

That the Committee

1. receives the report
2. agrees to adopt the annual report on Dog Control Policy and Practices 2008–2009
3. gives public notice of the annual report on Dog Control Policy and Practices 2008–2009 by way of advertisement in the Gisborne Herald and make it available on the Gisborne District Council website
4. sends a copy of this report to the Secretary for Local Government within one month of adopting it.

Steve Greaves
Animal Control Officer

Hans van Kregten
Environment and Planning Manager

1. BACKGROUND

Section 10A of the Dog Control Act 1996 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 (Section 10A(2)).

While not explicitly stated in the Dog Control Act, one of the primary purposes for preparing this report is to allow communities to see how Council is managing its dog control responsibilities.

2. DISCUSSION AND OPTIONS

Current Situation – Dog Control in City/District

Council is responsible for the enforcement of regulations relating to the keeping, welfare and control of dogs within the Gisborne District Council. Council is required under the Dog Control Act to make provision for the control of dogs and the damage they can cause.

Impounding of dogs is an activity required by the provisions of the Dog Control Act and associated Gisborne District Council Dog Control Bylaws and Dog Control Policy.

The Council has a responsibility to respond to complaints relating to dogs. Council's long term focus for dog control activities is to ensure a safe living environment is maintained through the monitoring and enforcement of legislation, regulations and bylaws.

Council adopted its "Dog Control Policy" in 2004. The policy provides a practical framework for the care and control of dogs throughout the district while minimising any danger, distress and nuisance to the community generally.

The policy outlines expected standards and behaviours from dog owners and provides information about how Council will administer dog control.

Dog practices and specific dog control functions include:

- dog registration
- impounding
- 24-hour ranging service
- Targeted education
- Enforcement of the Act and Council Dog Control Bylaw
- Prosecutions

Council's Dog Control Bylaw is under review because of an unintentional inclusion in the bylaw (reviewed in 2007) of a district-wide inclusion of dogs permitted to be kept in a rural area without a licence. Council's Dog Control Policy will also be reviewed as part of this process.

Council has three full-time Gisborne based animal control officers, plus one part-time officer. The Council's Te Puia Springs office has two full-time animal control officers and two part-time stock rangers. The work of the latter officer is funded by Transit New Zealand. The animal control officers are responsible for covering a land area of 8,360 square kilometres and 3,360 kilometres of public roads, and 330 kilometres of State Highway.

All residential properties, urban and rural, are visited (door-to-door) and checked annually to find new unregistered dogs and any dog/owner changes.

All properties within the Gisborne city with more than one dog require an application for multiple dog licence. The licence is issued on meeting the dog control policy's criteria. Extra care is taken to ensure the dogs' welfare needs are met and that there are no noise problems for neighbours.

Animal Control Officers visit and check the properties of special owner applicants. These owners are entitled to a special discount to the registration fee. Must be completed and applied for prior to 1 June annually.

Animal Control Officers test special owners who have applied to become New Zealand licenced owners who are entitled to further discounts. Concessions are made for specific categories of dogs.

The 5,759 dog owners within the district own 11,862 dogs, in the following categories:

DOG COUNT BY CATEGORY 2008 - 2009

For all dogs with a current status of CURRENT OWNED

Dog Use Category	Count of Dogs
Dangerous dog	15
Guide and Hearing	4
Licenced Owner	320
Ordinary	4,335
Pensioner	465
Pig Hunters Club	64
Probationary Owner	0
Rural Pet	869
Special Owner	687
Working	5,103
Total	11,862

Voluntary Hydatids activities resulted in dog owners purchasing 5,738 hydatids pills over the 12-month period.

With the introduction of the National Dog Database, all dog registrations and information is automatically transferred to the database on a nightly basis using a defined electronic format.

Extra work has been created with the breed definition of dogs on what the database will accept - must be a predominate breed.

Council's relationship with key stakeholders in the community

- Gisborne District Council (GDC) animal control pay rental for Gisborne Dog Training Club
- GDC contribute to Poverty Bay Charity Sheepdog Trials
- GDC contribute to SPCA for accepting and rehoming dogs under three months of age. Dogs that cannot be rehomed are evaluated on temperament.

- All veterinarians have a close working relationship with the animal control section concerning microchipping records, nurturing of menacing and dangerous dogs plus up-to-date information regarding dog health problems.

3. DOG CONTROL ENFORCEMENT PRACTICES AND STATISTICS

- (a) There were 799 dogs impounded. Details are:

Claimed - 280

Destroyed - 370

Returned - 84

Rehomed - 25

To SPCA – 31

Still held - 9

- (b) All properties with known dogs throughout the Gisborne District are visited and personally viewed by staff. Any dogs that are wholly or predominantly any of the four restricted menacing breeds, specified in the Dog Control Amendment Act 2003, are classified as menacing under type or nature. Compliance must be met by muzzling in public, neutering and control.

The restricted breeds are:

- American Pit Bull Terriers
- Dogo Argentino
- Brazilian Fila
- Japanese Tosa

Microchipping of these dogs plus dangerous dogs has been progressive. Microchipping of all dogs first registered from 1 July 2006 (except working farm dogs) has been carried out - number chipped to date – 1,866 dogs

Education

- Presentations were carried out in seven schools (two on the coast, five in Gisborne).
- Dog owners are given an Animal Control Information Bulletin as dogs are microchipped.
- The dog control officer is always available on request for speaking engagements and presentations.

Dogs Prohibited, Leash Only and Dog Exercise Areas

Council has made provision for areas where dogs are prohibited, permitted on leashes or allowed freedom for exercise purposes. These areas are regularly patrolled.

SUMMARY OF INFORMATION REQUIRED BY SECTION 10A

Description	Numbers
Number of registered dogs	11,862
Number of probationary owners	0
Number of disqualified owners	4
Number of dogs classified as dangerous under Section 31	15
♦ S.31 1(a) due to owner conviction	6
♦ S.31 1(b) due to sworn evidence	9
♦ S.31 1(c) due to owner admittance	0
Number of dogs classified as menacing under Section 33A	
♦ S.33A 1(b)(i) observed or reported behaviour	45
Number of dogs classified as menacing under Section 33C S33c (1), s33e (1(a) wholly or predominantly belongs to one or more breeds or types restricted	162
Number of infringement notices issued – for failing to register a dog	181
Non-compliance	7
♦ Phone action } ♦ General enquiries re dog control} <i>Combined</i>	395
♦ Barking	334
♦ Dogs attacking/rushing – (15 dogs destroyed 29 menacing, 2 dangerous classifications)	160
♦ Roaming dogs	676
♦ Stock and domestic pet attacks (22 dogs destroyed, 3 dangerous dog classifications)	91
Number of dog related complaints	2,677
Number of prosecutions; failing to control resulting in dog attacking	1

(c) There were 2,677 dog complaints in 2008 – 2009 handled by Animal Control staff as follows:

	After Hours	Working Hours	Total
Matters dealt with by Phone	96	299	395
Other Action – Nature of Complaint			
Barking	118	216	334
Dog attacks/rushing (15 dogs destroyed, 20 menacing, 2 dangerous dog classifications)	47	113	160
Roaming dogs	206	470	676
Stock and domestic pet attacks (22 dogs destroyed, 3 dangerous dog classification)	37	54	91
TOTALS	504	1,152	1,656

Other Dog Matters Dealt With As follows During Working Hours	
Animal Welfare	74
Dog in prohibited areas	2
Fouling	13
Found Dogs	388
Kennel on Boundary	0
Lost dogs	475
Multiple dog	9
Unmuzzled	1
TOTAL	962

- (d) Prosecutions
Refer to statistical information.

Other Information

- Multiple dog licences ongoing as applied for
- Dogs roaming after-hours are controlled by dog trapping
- Defecating dogs are in the minority. It is a hard area to police or prove who the offender is or was unless caught in the act.
- Dealing with impounded dogs with the long wet winter; the pound is hard to keep dry. Twenty-one dogs over six days (full to over-flowing).

Fees and Charges

Attached is a copy of the Environment and Policy Animal Control Fees and Charges (Appendix I) for the 2008/2009 year.

4. SIGNIFICANCE

This issue is not applicable in terms of Council's significance policy.

5. COMMUNITY OUTCOMES

A safe and security community. An environment that is appreciated, protected and sustained for future generations. A lifetime of good health and wellbeing.

6. LEGAL

Dog Control Act 1996

[10A Territorial authority must report on dog control policy and practices

- (1) a territorial authority must, in respect of each financial year, report on the administration of-
 - (a) its dog control policy adopted under section 10; and
 - (b) its dog control practices.
- (2) The report must include, in respect of each financial year, information relating to-
 - (a) the number of registered dogs in the territorial authority district;

- (b) the number of probationary owners and disqualified owners in the territorial authority district;
 - (c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made;
 - (d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33c and the relevant provision under which the classification is made;
 - (e) the number of infringement notices issued by the territorial authority;
 - (f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints;
 - (g) the number of prosecutions taken by the territorial authority under this Act.
- (3) The territorial authority must give public notice of the report-
- (a) by means of a notice published in-
 - (i) one or more daily newspapers circulating in the territorial authority district; or
 - (ii) one or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and
 - (b) by any means that the territorial authority thinks desirable in the circumstances.
- (4) The territorial authority must also, within one month after adopting the report, send a copy of it to the Secretary for Local Government.

7. APPENDICES

Attached is a copy of the 2008/2009 animal control fees and charges.

**GISBORNE DISTRICT COUNCIL
ENVIRONMENT & PLANNING DEPARTMENT
FEES & CHARGES 2008/2009**

SCHEDULE 2.4 - ANIMAL CONTROL

CHARGE TYPE	AUTHORITY/ REQUIREMENT	SUBJECT	2008/2009 CHARGE	2007/08 Where Different
		ANIMAL CONTROL	\$	\$
		Dog Registration		
Fee	Dog Control Act 1996 Section 37	Rural livelihood	39.00	38.00
"	"	Normal urban and including those in rural areas not required for rural livelihood	65.00	64.00
"	"	Dangerous dog owner (rural & urban)	175.00	170.00
"	"	Probationary dog owner (rural & urban)	100.00	98.00
"	"	East Coast pig hunting club member	55.00	54.00
"	"	Selected owner policy	47.50	46.00
"	"	Superannuitants	43.00	42.00
"	"	N Z licensed dog owner	37.50	36.00
"	"	Guide and Hearing Dogs	01.00	
"	"	Penalty Fee		
"	"	All dogs	20.00	
Fee	Dog Control Act 1996 Section 68	IMPOUNDING (Dogs)		
		Between 8.00a.m. & 4.30p.m. Weekdays		
"	"	First impounding	65.00	62.50
"	"	Second impounding	80.00	
"	"	Subsequent	90.00	
"	"	After Hours and Weekend		
"	"	First impounding	75.00	
"	"	Second impounding	90.00	
"	"	Subsequent impounding	100.00	
"	"	Sustenance (per day)	16.00	
"	"	Advertising	at cost	
"	"	DOG COLLARS		
"	"	Medium/Large	9.00	
"	"	Large	10.00	
"	"	Duplicate tags	2.50	
"	"	Microchipping	20.00	Nil
"	Impounding Act 1981 Section 14	IMPOUNDING (Stock)		
		Between 8.00a.m. & 4.30p.m. Weekdays		
"	"	First impounding	55.00	52.50
"	"	Second impounding	70.00	67.50
"	"	Subsequent	80.00	
"	"	After Hours and Weekend		
"	"	First impounding	65.00	62.50
"	"	Second impounding	80.00	
"	"	Subsequent impounding	90.00	
"	"	Sustenance (per day)	At cost	
"	"	Advertising	At cost	

NOTE: Premium and concessionary rates established for urban dogs are to apply throughout the district.

GISBORNE DISTRICT COUNCIL
ENVIRONMENT & PLANNING DEPARTMENT
FEES & CHARGES 2008/2009

SCHEDULE 2.4 - ANIMAL CONTROL

CHARGE TYPE	AUTHORITY/ REQUIREMENT	SUBJECT	2008/2009 CHARGE	2007/08 Where Different
		ANIMAL CONTROL	\$	\$
Fee	Impounding Act 1981 Section 15(1)	DRIVING CHARGES		
"	"	Stock control charge-out rate (per hour)	66.00	64.00
"	"	Plus disbursements- Mileage - Others	Vehicle cost/km 70¢/km At cost	
		DOSING TABLETS		
"	"	Paratak	70¢ per pill	
"	"	Paratak plus	\$2.00 per pill	
"	Dog Control Amendment Act 2003 Section 65(1)	FIRST SCHEDULE INFRINGEMENT OFFENCES AND FEES		
"	Sections:	Brief Description of Offence:	Infringement Fee:	
"	18	Wilful obstruction of dog control officer or dog ranger	750.00	
"	19(2)	Failure or refusal to supply information or wilfully providing false particulars	750.00	
"	19A(2)	Failure to supply information or wilfully providing false particulars about dog	750.00	
"	20(5)	Failure to comply with any bylaw authorised by the section	300.00	
"	28(5)	Failure to comply with effects of disqualification	750.00	
"	32(2)	Failure to comply with effects of classification of dog as dangerous dog	300.00	
"	32(4)	Fraudulent sale or transfer of dangerous dog	500.00	
"	33(E)(2)	Failure to comply with effects of classification of dog as menacing dog	300.00	
"	36A(6)	Failure to implant microchip transponder in dog	300.00	
"	41	False statement relating to dog registration	750.00	
"	42	Failure to register dog	300.00	
"	46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	500.00	
"	48(3)	Failure to advise change of dog ownership	100.00	
"	49(4)	Failure to advise change of address	100.00	
"	51(1)	Removal, swapping, or counterfeiting of registration label or discs	500.00	
"	52A	Failure to keep dog controlled or confined	200.00	
"	53(1)	Failure to keep dog under control	200.00	
"	54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300.00	
"	54A	Failure to carry leash in public	100.00	
"	62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	300.00	

NB Unpaid infringement fees and Council costs will be recovered on summary conviction.