

BULLER DISTRICT COUNCIL

30 NOVEMBER 2022

AGENDA ITEM 7

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ADOPTION OF REPORT UNDER SECTION 10A OF THE DOG CONTROL ACT 1996

1. REPORT PURPOSE

The report is an overview of Animal Management practices and statistical information pursuant to s10A of the Dog Control Act 1996 relating to the 2021 / 2022 financial year. This report is required to be adopted by Council and publicly notified before a copy is sent to the Secretary for Local Government.

2. REPORT SUMMARY

Section 10A of the Act requires Council to report on the administration of its Dog Control Policy and practices each financial year. It also specifies certain information that must be included in the report.

- The statistical information is attached as Annex A
- The information document that outlines what your registration pays for is attached as Annex B
- The full text relating to section 10A of the Act is included in the Report for reference as Annex C.
- Council's Dog Control Policy is attached as Annex D

3. DRAFT RECOMMENDATION

That Council adopts the Buller District Council Annual Report on Dog Control Policy and Practices for the 2021/2022 financial year.

4. BACKGROUND

Practices s10A(1)(b)

The *Dog Control Policy* and the supporting Bylaw are enforcement tools for ensuring that the legislation is complied with. Day to day dog control is enforced in accordance with the graduated response model and only in the event of continued non-compliance or sufficiently serious matters are infringement notices or prosecution options pursued.

The majority of the district's dog owners are responsible and compliant. Animal Control Officers have focused on educating the non-compliant owners and while this is more time consuming, we generally achieve a positive result.

An outline of the dog control activities undertaken by Animal Control Officers, entitled "*What Your [Dog] Registration Pays For*" is attached as Annex B. This document is used as an educational tool for dog owners.

4.1 Public Education and Information

Current activities include recognition for dog owners displaying positive behaviour and provision of information about responsible dog ownership. Covid restrictions have had an effect on public education as it has limited our ability to visit schools and hold public events such as the Mutt Dog Show.

Animal Management continue to work with DAWGS who are a non-profit organisation operating in the Buller District. They are financed via local fundraising initiatives and have assisted by covering the cost to spay or neuter impounded dogs so that they may be suitable for rehoming.

We continue to have success using social media as a communication platform for consistent messaging.

Our communication includes dogs available for adoption, advising owners of registration dates and our dog socialisation group. We have huge success in matching lost dogs with their owners through our Animal Management Facebook page.

One negative aspect with the increased use of social media are the negative and often ill-informed comments from some individuals in the community. This has seen staff personally singled out and criticised and the impact to the staff involved is significant, having said that, this year it has eased.

Animal Control continues to run a Dog Socialisation Group that meets several times each week at the Westport Domain (mostly over summer months). The group is designed to get dogs socialised and owners educated in dog behaviours and relevant law. This has turned out to be very popular and has received positive feedback from participants. We offer a free microchipping service to owners who attend this group.

The Animal Management Team are currently investigating possibilities and options for a dog park in Westport. Sites for this now depend on the placement of the proposed floodwall.

Animal Management will be holding another Mutt Dog Show in 2023, as part of the Westport A & P Show. The show has not been held in recent years because of COVID-19 restrictions. This event is always very popular and positive. Classes such as the obstacle course always attract a big crowd.

5. OPTIONS

Not Applicable

6. CONSIDERATIONS

6.1 Strategic Alignment

Council is committed to providing a professional service in relation to its obligations under the Dog Control Act 1996

6.2 Significance Assessment

This is of low significance in accordance with our policy.

6.3 Tangata Whenua Considerations

No specific considerations have been identified.

6.4 Risk Management Implications

If Council does not adopt a report on its Dog Control Policy and practices for the 2021/2022 financial year, it will not meet the requirements of section 10A of the Dog Control Act 1996.

6.5 Policy Framework Implications

The Report can be used to measure the effectiveness of Council's Dog Control Policy and practices, and to inform their review.

6.6 Legal Implications

Once adopted, the Act requires Council to give public notice of the Report and send a copy of it to the Secretary for Local Government within one month of its adoption.

6.7 Financial / Budget Implications

Not significant

6.8 Consultation Considerations

Nil consultation considerations identified.

Attached as Annex A is the statistical information required to be reported on under section 10A (2) of the Act.

**Buller District Council Annual Report on
Dog Control Policy and Practices**

**Dog Control Annual Statistics (DCAS)
Registration statistics**

Registration - s10A(2)9(a)-(d)	Year	
	2020/21	2021/22
Number of registered dogs	1,950	2,020
Number of probationary owners	0	0
Number of disqualified owners	0	0
Number of dogs classified dangerous under Section 31 1B due to sworn evidence	0	1
Number of dogs classified as menacing under Section 33C (by breed)	0	0
Number of dogs classified as menacing under Section 33A 1 (b) (l) (by threat)	2	0

Number of infringement notices issued for - S10A (2)(e):	Year	
	2020/21	2021/22
Failing to register a dog	3	0
Failure to comply with menacing classification	0	0
Failure to comply with dangerous classification	0	0
Failure to keep dog under control	3	0
Failure to comply with Bylaw	0	0
Falsely notifying death of dog	1	0
Total Infringement Notices -	7	0

Number of dog related complaints - s10A(f)(g)	Year	
	2020/21	2021/22
Barking complaints	54	56
Wandering dogs/impounded	155	145/25
Dog/s aggressive behaviour including rushing	21	20
Dog/s attack	21	25
Miscellaneous (including lost, found, neglected, information related enquiries, & defecating dogs)	237	247
Prosecutions	0	1
Total Dog Related Complaints	488	494

Annual Statistics	2020/21	2021/22
Total Registrations -	1,950	2,020
Total Infringement Notices -	7	0
Total Dog Related Complaints -	488	494

Annex B - What Your Registration Pays For:

Response to Complaints

- Barking
- Wandering
- Attacks on people
- Attacks on stock
- Animal welfare concerns

Impounding Service

- Maintenance of Pound facilities Westport
- Portable traps and cages
- Extensive Re-Homing of dogs
- Destruction of unwanted dogs
- Catching equipment and safety equipment

Enforcement Activity

- Property inspections
- House to house registration checks
- Issuing permits
- Court costs
- Dangerous/Menacing dog classification and follow ups
- Issue and processing of infringement fines

Annual Costs

- Two officers covering Westport, Karamea, Reefton, Punakaiki & Springs Junction
- Registration tags/forms/postage
- Pamphlets – forms, advertising
- Vehicle maintenance, replacement, mileage
- Maintenance of National Dog Database

Associated Costs

- Maintenance of dog register
- Office space, computer system
- Phones and on call numbers
- Maintenance of signs
- Secretarial work
- Ranger education
- Public information

DOGS NEED TO BE REGISTERED BEFORE 12 WEEKS OF AGE

Annex C - Extract from Dog Control Act 1996

Section 10A Territorial Authorities must report on dog control policy and practices

[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—
 - (a) give public notice, as defined in section [5\(1\)](#) of the Local Government Act 2002, of the report; and
 - (b) make the report publicly available, as described in section [5\(3\)](#) of that Act.]]

Annex D - Policy s10A(1)(a)

Council has a *Dog Control Policy* adopted under section 10 of the Act.

This Policy was originally adopted in 1997 and was reviewed and reaffirmed in August 2004. Provisions relating to enforcement procedures and neutering of classified menacing dogs were added to the Policy in 2006. In 2010 all of Council's policies relating to dog control were combined into one document under the title *Dog Control Policy*. This incorporated the *Spay/Neuter Reduction and Unclaimed Dogs Destruction Fee Policy* into the *Dog Control Policy*.

The Policy identifies dog control areas and places restrictions and requirements on dog owners regarding:

- Prohibited dog areas
- Leash control areas
- Dog exercise areas
- Conservation prohibited areas
- Menacing dogs

The Policy also contains provisions relating to the issue of infringement notices, delegations and procedures for the return of roaming dogs.

Section 10 of the Act also requires territorial authorities to give effect to their policies on dogs by "*making the necessary bylaws*".

Council has made the *Control of Dogs Bylaw*, which has been adopted from *NZS 9201 Part 12:1999* (the Model General Bylaw produced by Standards New Zealand), with local amendments based on the Policy.

The Bylaw was reviewed and reaffirmed, under section 158 of the Local Government Act 2002, on 10 June 2008. It is currently due for review, pursuant to section 159 of the Local Government Act 2002.