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## ***10. Dog Control Policy and Practices Report 2023/24***

Activity Manager

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Executive Team Member

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### **Summary**

- The purpose of this report relates to the activities undertaken regarding dog control within Ashburton District for the period **1 July 2023 to 30 June 2024**.
- The Dog Control Act 1996 (the Act) requires that such a report be produced annually, publicly notified and made publicly available

### **Recommendation**

- 1. That** the report be received.

## Background

1. The Act 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 listed at Section 10A (2) (Tables 1 and 2).

Additionally:

- In accordance with Section 10A (3) the Territorial Authority must give public notice of the report in one (1) or more daily newspapers circulating in the Territorial Authority District.
- In accordance with Section 10A (4) the Council must send a copy of the report to the Secretary for Local Government within one month of adoption.
- This report contains information and statistics on the Council's dog control activity for the year **1 July 2023 to 30 June 2024**.

### **Dog Control and Practices in Ashburton**

2. Dog control in Ashburton is carried out using Council staff and an approved contractor.
3. The contract for animal control services is with Talbot Security Group Limited (TSG), who took over the animal control services contract on 1 February 2022. TSG currently employs ten staff specifically trained for animal control, with suitably trained security officers acting in support where necessary. The service provided covers all dog control callouts 24 hours per day, seven days per week.
4. Within Council we employ a warranted Animal Control and Enforcement Officer who is responsible for all administration relating to dog and stock control as well as leading on enforcement issues.
5. The Ashburton District Council Dog Control Policy and Bylaw (2021), continues to provide greater clarity for dog owners of their obligations under the Act. Where those obligations are not met, Council officers apply the "exacerbator pays" principle e.g. dog owners who fail to control their animals effectively are fined under the Act and the funds channelled back into the animal control activity.

## **Dog Pound Activity**

6. The dog pound facility on Council owned land in Range Street continues to be operated by the appointed animal control contractor.
7. The reporting period saw 110 dogs impounded, 2 euthanised and 19 re-homed. There were 5 incidents of repeat impoundings of the same dog.

## **Dog Park Facilities**

### *Ashburton Dog Park*

8. Extensive re-development work has been carried out at this facility with the provision of separate areas for small and large dogs plus activity facilities and walking tracks. A piped water supply plus dog bag dispensers and waste receptacles are available.

### *Methven Dog Park*

9. The Methven Dog Park has a piped water supply with outlet for dogs to use and a dog bag dispenser with waste receptacle.

### *Range St - Landfill area*

10. The fenced landfill area at the end of Range St continues to be available for dog owners to exercise their dogs off the leash. This area is not an official dog park/exercise area due to the land status, but dog bag dispensers and waste receptacles are available.

### *Rakaia Community Dog Park*

11. A community funded fenced dog park is also available for use at Rakaia. The park has separate areas for large and small dogs and Council has provided a dog bag dispenser and waste receptacle.

## **Dog Registration**

12. The total number of active dogs on our data system for the reporting period was 6964. During that time 6935 dogs were registered equating to 99.6%, with enforcement action taken against owners of the remaining 29 dogs.

## **Dog Education and Obedience Courses**

13. Ashburton District Council has not required any owners to undergo dog education or obedience courses.

## Disqualified and Probationary Dog Owners

14. No persons were disqualified or classified as probationary dog owners during the reporting period.

## Menacing and Dangerous Dogs

15. Ashburton District Council has 32 dogs classified as menacing and 3 dogs classified as dangerous.

## Dog Control Act 1996 Hearings held in 2023/24

16. Two Hearings were held during the reporting period and the following decisions made:
- a. Objection to Classification of Dangerous Dog. A Rakaia dog owner successfully appealed a dangerous dog classification at a Hearing held on 04 August 2023. The dog was reclassified as Menacing.
  - b. Objection to Classification of Menacing. A Tinwald dog owner unsuccessfully appealed a menacing dog classification at a Hearing held on 11 July 2024. The dog remains classified as Menacing with the additional condition of a 2 year review date.

## Dog Control Act 1996 Section 10A Statistical Information (Tables 1 and 2)

17. The Dog Control Act 1996 requires Territorial Authorities to include the following statistical information in their annual report:

**Table 1: Breakdown of registered dogs and complaints received**

Category	2021/22	2022/23	2023/24
<b>1) Total # Registered Dogs</b>	6919	6355	<b>6935</b>
<b>2) Total # Probationary Owners</b>	0	0	<b>0</b>
<b>3) Total # Disqualified Owners</b>	0	0	<b>0</b>
<b>4) Total # Dangerous Dogs</b>	9	5	<b>3</b>
➤ <b>Dangerous by Owner Conviction Under s31(1)(a)</b>	0	1	<b>0</b>
➤ <b>Dangerous by Sworn Evidence s31(1)(b)</b>	7	3	<b>3</b>
➤ <b>Dangerous by Owner Admittance in Writing s31(1)(c)</b>	2	1	<b>0</b>
<b>5) Total # Menacing Dogs</b>	49	38	<b>32</b>
➤ <b>Menacing s33A(1)(b)(i) - i.e. by Behavior</b>	33	26	<b>25</b>
➤ <b>Menacing s33A(1)(b)(ii)- by Breed character</b>	5	3	<b>3</b>
➤ <b>Menacing under s33C(1) by Schedule 4 Breed.</b>	11	9	<b>4</b>
<b>6) Total # Infringement Notices.</b>	82	144	<b>146</b>
<b>7) Total # Complaints Received</b>	602	706	<b>839</b>

<b>Wandering</b>	145	281	<b>200</b>
<b>Barking</b>	159	215	<b>219</b>
<b>Lost</b>	90	111	<b>73</b>
<b>Welfare</b>	1	7	<b>1</b>
<b>Attack</b>	28	27	<b>44</b>
<b>Rushing</b>	13	18	<b>48</b>
<b>Other (e.g. found lost/found dogs, signage issues/dog waste issues)</b>	126	47	<b>254</b>
<b>8) Prosecutions</b>	0	0	<b>0</b>

**Table 2: Breakdown of infringement notices issued during the reporting period:**

Serial	Offence	Fine Level	2021/22	2022/23	2023/24
<b>1</b>	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	<b>73</b>	<b>120</b>	<b>106</b>
<b>2</b>	Failure to Advise Change of Address (s.49(4))	\$100	<b>0</b>	<b>0</b>	<b>0</b>
<b>3</b>	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	<b>8</b>	<b>24</b>	<b>33</b>
<b>4</b>	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	<b>0</b>	<b>0</b>	<b>0</b>
<b>5</b>	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	<b>0</b>	<b>0</b>	<b>0</b>
<b>6</b>	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	<b>0</b>	<b>0</b>	<b>0</b>
<b>7</b>	Failure to Comply with menacing classification (s.33EC(1))	\$300	<b>0</b>	<b>0</b>	<b>0</b>
<b>8</b>	False statement relating to registration (s.41)	\$750	<b>0</b>	<b>0</b>	<b>0</b>
<b>9</b>	Failure to provide proper care and attention (s.54 (2))	\$300	<b>0</b>	<b>0</b>	<b>0</b>
<b>10</b>	Falsely notifying the death of dog (s.41 (A))	\$750	<b>0</b>	<b>0</b>	<b>0</b>
<b>11</b>	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	<b>1</b>	<b>0</b>	<b>2</b>
<b>12</b>	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	<b>0</b>	<b>0</b>	<b>4</b>
<b>13</b>	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	<b>0</b>	<b>0</b>	<b>1</b>
<b>14</b>	<b>Releasing dog from custody (s. 72 (2))</b>	<b>\$750</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Legal/policy implications

18. It is a statutory requirement of the Dog Control Act 1996 for the Council to publicly report on the dog control activities referred to in this report.

## Climate change

The Annual Report for the Dog Control Act does not have a direct impact on climate change.

## Strategic alignment

19. The recommendation relates to Council's community outcome of Social because

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	X	NA
Environmental	X	NA
Cultural	X	NA
Social	✓	Public spaces and facilities are available to meet the communities needs and enjoy the outdoors

## Financial implications

Requirement	Explanation
What is the cost?	The cost of monitoring the activity is included in the Animal Control budget
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Fees and charges 95% General rate 5%
Are there any future budget implications?	No
Reviewed by Finance	Not required