

## 11. DOG CONTROL POLICY AND PRACTICES

|                                     |   |
|-------------------------------------|---|
| <b>General Manager responsible:</b> | General Manager Regulation & Democracy Services |
| <b>Officer responsible:</b>         | Environmental Services Manager                  |
| <b>Author:</b>                      | Mark Vincent, DDI 941-7041                      |

### PURPOSE OF REPORT

1. Policy

### EXECUTIVE SUMMARY

2. The Dog Control Act ("the Act") requires all territorial authorities to report annually.
3. Once the Council has adopted the report, public notice must be given of the report and a copy sent to the secretary for Local Government.
4. This provision in the Act was introduced by the Dog Control Amendment Act 2003.
5. The Act lists the information required in the report.

### FINANCIAL AND LEGAL CONSIDERATIONS

6. There are no financial considerations. The Council must adopt the report, then give public notice of the report and within one month of adopting the report send a copy to the Secretary of Local Government. Failure to do this would breach Section 10A of the Dog Control Act 1996.

### STAFF RECOMMENDATIONS

It is recommended that pursuant to Section 10A of the Dog Control Act 1996 the Council adopt the attached Report on Dog Control Policy and Practice for 2004/2005.

**BACKGROUND ON REPORT ON DOG CONTROL POLICY AND PRACTICES**

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

**OPTIONS**

**Decision-Making Considerations**

**Significance of Decision**

8. The decisions in this report have been assessed against the Significance Policy. In accordance with the general approach, criteria and thresholds of the policy, the author of this report considers that the adoption of the report **is not significant**. This conclusion is based on the following factors:

| Decision               | Not Significant | Reason   |
|------------------------|-----------------|--|
| Adoption of the report | Not Significant | Although legislation requires the Council to adopt a report, the <b>decision</b> is not considered significant in accordance with the threshold of the significance policy |

**Significance of Issues and Matters**

9. The matters in this report have been assessed against the Significance Policy. In accordance with the general approach, criteria and thresholds of the policy, the author of this report considers that the adoption of the report **is not significant**. This conclusion is based on the following factors:

| Issue or Matter        | Not Significant | Reason   |
|------------------------|-----------------|--|
| Adoption of the report | Not significant | Although legislation requires the Council to adopt a report, the <b>matters</b> are not considered significant in accordance with the threshold of the significance policy |

**Issues and Options:**

| Issue                  | Options                     | Implications<br>(must include financial impact of each option) |
|------------------------|-----------------------------|--|
| Adoption of the report | Option A : Adopt the report | None   |
|                        | Option B : N/A              |  |

**Planned Community Engagement**

10. There is a requirement for the report to be publicly notified.

## LEGAL AND REGULATORY ISSUES

11. Section 10A of the Dog Control Act requires that a territorial authority must report on dog control policy and practices –
  - 1) In respect of each financial year, report on the administration of –
    - Its dog control policy adopted under section 10; and
    - Its dog control practices
  - 2) The report must include, information relating to –
    - (a) The number of registered dogs
    - (b) The number of probationary and disqualified owners
    - (c) The number of dogs classified as dangerous and the relevant provision under which the classification was made.
    - (d) The number of dogs classified as menacing under section 33A
    - (e) The number of dogs classified as menacing under section 33C
    - (f) The number of infringement notices issued
    - (g) The number of prosecutions taken
  - 3) The territorial authority must give public notice of the report –
    - (h) by publishing the report in –
      - i. one or more daily newspapers circulating in the district
      - ii. one or more other newspapers that have at least an equivalent circulation in the district to the daily newspapers circulating in that district.
    - (i) 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.