

**To:** The Secretary for Local Government  
**From:** Environmental Services Team Leader  
**Subject:** **Report on Waipa District Council Dog Control Policy and Practices 2010/11**  
**Date:** 17 August 2011  
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## **1 INTRODUCTION**

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This is Waipa District Council's report on Council's Dog Control Policy and Practices for the period 1 July 2010 to 30 June 2011, as required by section 10A Dog Control Act 1996.

## **2 SUMMARY**

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The Dog Control Act 1996 ("the Act") requires all territorial authorities to report annually to central government on their Dog Control Policy and Practices.

The format of the report follows that prescribed by the Secretary for Local Government, Department of Internal Affairs.

### **PART 1 – DOG CONTROL POLICY AND PRACTICES**

#### **1 Dog Control In District**

The total number of active dogs on Council's register at the end of the 2010/11 registration year was 6760 (6,586 in 09/10). At the date of this report that had reduced to 6754 which includes 3,455 rural dogs, 3,287 urban dogs (1,972 with fencing discount, so over half with approved fencing) and 12 dogs are Disability Assist or exempt fee dogs.

Council provides a round the clock animal control service, with Council's animal control officers covering business hours. Council's contractors, Select Security cover emergency calls after-hours, weekends and public holidays. Council's animal control staff provide training for the contractors, and both organisations work closely together. Council also liaises regularly with the local police, veterinarians and the Te Awamutu SPCA, the latter operating more effectively following enforcement action in 2010.

Council employs two animal control officers, an animal control co-ordinator and an animal control administrator, with the Environmental Services Team Leader as

supervisor of the team. The two officers have continued to work in the field full time, whilst the Animal Control Co-ordinator has continued to oversee the administration of the Council database and the National Dog Database (NDD), the registration process, provide technical support and cover for the field officers.

Two animal control pounds are maintained and operated, one in Cambridge and one in Kihikihi with facilities for impounding dogs. This year the statistics demonstrate an increase in the number of impoundings. There have been 342 dogs impounded (326 last year), with 252 dogs claimed, 45 dogs destroyed, and 41 re-homed. Last year 256 dogs were claimed, 36 dogs destroyed and 27 dogs re-homed. Dog owners claiming impounded dogs are required to pay an impounding fee, as well as registration fees if the dog is unregistered, plus micro-chipping fees if applicable (i.e. if impounded for a second time since 1 July 2006, or if unregistered).

Some improvements have been made to both pounds this year, with lighting, shade cloths, security fencing and resurfacing of exercise areas. Population projections in the Waipa 2050 growth strategy will assist with planning for future needs, as there will be an associated increase in the numbers of dogs. Investigation of site and needs for new pound facilities are underway. The associated fleet vehicles are also due for replacement in the coming year.

Microchip clinics continued to be held every 3 to 4 months, usually during daylight hours on a Saturday in the winter, and in the evenings after work in the summer. The clinics were held at both pounds in Kihikihi and Cambridge. These have since been discontinued in favour of weekly "contact times" where customers can book to have animals micro chipped.

Letters are sent to all owners that are legally required to chip their dogs, and who have not already produced a microchip certificate to Council. Legislation requires dogs being registered for the first time to be chipped within two months of registration, and classified dangerous and menacing dogs are also required to be micro-chipped.

Owners are charged \$26 to cover costs, and animal control officers, who have received training, carry out the micro-chipping. The increased opportunities for micro-chipping have proved to be successful and cut down on the need to chase up owners or carry out enforcement action. They also provide a useful opportunity for inter-action between animal control staff and dog owners.

The focus for the year has been on a number of matters, including the continued drive to reduce the number of unregistered dogs. This resulted in a registration rate exceeding 98%.

The Waipa District Council Dog Control Policy and Bylaw 2009 became operative towards the end of December 2009, which then required implementation, and some public education and information. New maps were prepared, the Dog Care manual for customers updated and moving/installation of bins and signage where required. Feedback on the results of the survey and the results of the review were included in the 2010 newsletter. This work is now complete.

The identification and signage of dog exercise areas and areas prohibited to dogs has been undertaken, and work is being undertaken in conjunction with Council's planning department to ensure such future needs are catered for. There has also been good assistance from Council parks and property teams in relation to signage and other matters.

## **2 Dog Control Enforcement Practices**

For the period to the end of June 2011, Council received 1,870 dog-related complaints, which is again an increase on previous years, with the number recorded last year being 1,318. In most of these cases, owners have not sufficiently contained dogs on their property, or incidents are one-offs where the owner has not been aware of what their dog may be capable of doing. The first approach by animal control staff when following up complaints is generally one of using education. If a registered dog is picked up for a first wandering offence, the dog is usually returned to the owner with a verbal warning rather than impounding.

Complaints relating to wandering dogs numbered 925 this year (847 last year), and 428 complaints were received in relation to barking dogs. These are the most common complaints in other Districts also. In the case of wandering dogs, animal control staff work with complainants to track and capture dogs, sometimes using Council-owned cage traps.

Most barking complaints are resolved swiftly once the owner is aware of the problem. In more persistent cases, the animal control officer will ask the complainant(s) to keep a log of the barking and will survey other neighbours to establish if the barking is a problem. An Abatement Notice can then be served under the Act, and any objections heard by Council's Regulatory Committee. Staff have found this a useful tool and have in recent years not had to ask an owner to remove their dog from a property and keep it elsewhere permanently. One Abatement Notice has been issued in the last year, with staff working hard with dog owners to resolve barking issues. The abatement notice was appealed to Council's Regulatory Committee. The notice was amended and re-issued.

Council received 94 complaints related to attacks or aggressive dog incidents, compared to 118 the previous year. When attack incidents are investigated, a rating sheet is completed by staff to help ensure a consistent approach to enforcement as there is discretion in the Act as to what action can be taken, ranging from a verbal warning to prosecution. Cases are assessed on an individual basis.

This year enforcement measures for aggressive dog/attack incidents have included three additional dangerous dog classifications (eight last year) and three menacing dog classifications (one in 2009/10). In more minor cases, the issue of infringement fines may occur. In some cases, the owner has arranged for the dog to be destroyed. The dangerous dog classification is a useful tool, as there is a legislative requirement for the dog to be kept within a fenced enclosure.

To the end of June 2011, 32 infringement notices had been issued and either paid by the owner or followed through by the District. They were:

- ◆ 3 section 20(5) breach of bylaw
- ◆ 20 Section 42 for non-registration
- ◆ 2 Section 36(A)(6) failure to microchip;
- ◆ 1 Section 52(a) failure to control
- ◆ 6 Section 53(1) failure to control

It is certainly effective and useful to have infringement fines available. However considerable effort was made to contact dog owners by phone to follow up non-registration, rather than through instant fines. The reduced number of infringements is due principally to the high registration rate.

One prosecution commenced in the year for a dog attacking a child. It was determined by the District Court early in the 11/12 year, with a conviction, fine and order for destruction. This will show in next year's annual report.

### **3 Dogs Prohibited, Leash Only And Dog Exercise Areas**

In Waipa, Council's policy is for all dogs to be on a leash in public places and most dog owners adhere to this. There are also dog prohibited areas, such as sports grounds, children playgrounds and schools. Signage is installed in exercise and prohibited areas to distinguish them and an increasing number of dog on lead signs have been added as well to remind owners of the Council's requirement. Animal control staff are required to replace signs on a regular basis.

A survey of dog owners in 2009 confirmed good support for the dog on lead policy, and mostly satisfaction with the existing dog prohibited areas. There were some requests for parks, playgrounds, sports grounds and main streets/CBD areas to all be prohibited areas but Council has focussed on ensuring playgrounds are prohibited areas and some other appropriate areas. Schools are invited to become a dog prohibited area and many have taken up the offer.

There are a total of 27 dog faeces receptacles which are regularly emptied. The dog exercise areas and dog faeces receptacles are well-used by dog owners. A contract continues to be in place with a contractor who empties all council bins, including the dog faeces ones. This allows animal control officers to concentrate on their core duties and more bins to be installed.

### **4 Dog Registration And Other Fees**

A review of the fees for dog registration was completed in 2009, and Council approved an increase in fees of \$5 per urban dog for the 2010/11 year. All fees rose approximately 3% for the 11/12 year, not including the rise in GST. The fees are still reasonable in comparison with neighbouring districts, many of which charge over \$100 for an urban dog before discounts. The fees for the 12/13 year are currently being determined.

The levy share for Waipa District in the operation of the National Dog Database for 2007/08 was \$3,634. The share for Waipa District for the 2011/12 year is estimated as \$4,809.25 and is usually subject to adjustment once final data is available.

For the 10/11 year, the Council moved from an “early payment discount” system for dog registration fees, to a “late payment penalty” with any fees not paid by 31<sup>st</sup> July incurring an extra 50% penalty. Previously Council has allowed a \$20 discount for each dog registered by the due date. This approach is more in line with the provisions of the Dog Control Act 1996 and used by many other councils. As detailed the 10/11 registration rate exceeded 98%.

There are still discounts of \$15 and \$10 available to urban owners for fencing and neutering. These can be regarded as good preventative measures to stop dogs wandering which account for the majority of complaints referred to Council.

Council staff follow up on unregistered dogs each year and, following an initial reminder letter and a follow-up phone call, issue infringement fines. If registration takes place immediately the infringement fine may be waived, except in the case of repeat offenders.

## **5 Dog Education And Dog Obedience Courses**

An annual newsletter is sent to all dog owners, and each year Council organises a seminar or event. Staff assisted with workshops and open days conducted by Council and carried out school, kindergarten and Pippins visits. Animal control officers are involved after-hours with local puppy classes and dog obedience classes as well.

In addition, the micro-chipping services have been seen as providing an opportunity to provide education. All new dog owners in the district are issued with an “owner information and dog registration pack” which contains a variety of information of interest to dog owners (including dog training and obedience courses) and Council also has a number of information leaflets to assist owners.

## **6 Disqualified And Probationary Dog Owners**

No owners have been classified this year.

## **7 Menacing And Dangerous Dogs**

At the end of June 2011, there were 11 dangerous dogs (19 in June 2010) and 47 menacing dogs (50 in June 2010) classified in the District out of a population of over 6,700 dogs. 10 dogs were classified as menacing on account of breed/type, and three dog classified as menacing this year on account of threatening behaviour. These statistics are similar to the previous year. Any new dog of a menacing breeds/type is identified following registration, classified and referred to animal control officers for a compliance check. The owner of any dog that is currently classified by another District coming into the Waipa District is also contacted to check compliance.

Under the Act, owners may object within 14 days to classifications, which are heard by Council's Regulatory Committee. There were no objections or hearings this year.

Council's Dog Control Policy requires menacing dogs to be neutered and most owners comply with this requirement. Council staff follow this up during compliance checks. Animal control officers endeavour to assist owners with compliance by providing low-cost micro-chipping clinics and free muzzles. The survey of dog owners conducted prior to a review of the Waipa District Dog Control Policy 2004 showed strong support to retain the policy on neutering. This year the SPCA held a free mobile de-sexing clinic and some owners of classified dogs took advantage of this opportunity.

Given that most of the dogs classified as menacing due to breed/type have never offended, monitoring compliance is onerous and an increasing requirement, as new dogs are added to the list.

If there is a breach of classification conditions, the legislation allows Council animal control staff to uplift and retain the dog until compliance is achieved or staff may issue infringement fines for breaches of this nature.

## **8 Other Information**

Council requires owners of more than five dogs on rural properties over one hectare and owners of more than two dogs on an urban property to apply for a three-year permit from Council. As registration applications are received, owners are advised to apply for a permit. Animal control staff then inspect the dog owner's property and the conditions in which the dogs are kept, to check that they comply with certain criteria designed to avoid nuisances, before issuing or refusing a permit. The Te Awamutu SPCA holds such a permit. One permit was refused, with the applicant appealing to Council's Regulatory Committee. The appeal was dismissed due to housing and barking concerns, but the applicant was given the opportunity to make a further application after six months. This was done, and the situation is being assessed.

## PART 2 – STATISTICAL INFORMATION

Category	As at 30 June 2011	For period 1 July 2010 – 30 June 2011
1) Total # Registered Dogs	6760	Not Required
2) Total # Probationary Owners	0	0
3) Total # Disqualified Owners	0	0
<b>4) Total # Dangerous Dogs</b>	<b>11</b>	<b>3</b>
➤ Dangerous by Owner Conviction Under s31(1)(a)	1	0
➤ Dangerous by Sworn Evidence s31(1)(b)	9	2
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	1	1
<b>5) Total # Menacing Dogs</b>	<b>47</b>	<b>13*</b>
➤ Menacing under s33A(1)(b)(i) - i.e. by Behaviour	6	3
➤ Menacing under s33A(1)(b)(ii)- by Breed Characteristics	0	0
➤ Menacing under s33C(1) by Schedule 4 Breed.	41	10
6) Total # Infringement Notices.	Not Required	32
7) Total # Complaints Received	Not Required	1,870
➤ Aggressive	Not Required	34
➤ Bite/attack		60
➤ Barking		428
➤ Breach of Council Bylaw		13
➤ Lost Dog		285
➤ Rushing in public place		32
➤ Unregistered		61
➤ Wandering		925
➤ Worrying animals		21
➤ No water, shelter, food or exercise		11
8) Total # Prosecutions Taken	Not Required	0

\* Note – three of these dogs were classified by other TA's (dogs resided in Waipa DC at that time).

Karl Tutty  
**ENVIRONMENTAL SERVICES TEAM LEADER**