

ANNUAL REPORT

DOG CONTROL POLICY AND PRACTICE

2019/20

Table of Contents

INTRODUCTION	3
SUMMARY	3
PART 1 – DOG CONTROL POLICY AND PRACTICES.....	3
1. Dog control in district	3
2. Dog control enforcement practices	5
3. Dogs prohibited, leash only and dog exercise areas.....	6
4. Dog registration and other fees.....	7
5. Dog education and dog obedience courses.....	7
6. Disqualified and probationary dog owners	8
7. Menacing and dangerous dogs.....	8
8. Other information.....	9
PART 2 – STATISTICAL INFORMATION	10

INTRODUCTION

This is Waipa District Council's report on Council's Dog Control Policy and Practices for the period 1 July 2019 to 30 June 2020, as required by section 10A Dog Control Act 1996.

SUMMARY

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 previously prescribed by the Secretary for Local Government, Department of Internal Affairs.

PART 1 – DOG CONTROL POLICY AND PRACTICES

1. Dog control in district

- 1.1. The total number of active dogs on Council's register at the end of the 2019/20 registration year peaked at 8714, up from 8561 in 2018/19 an increase of 153. Only 182 were recorded as unregistered at the end of the year. This is a consistent level of growth over the past 5 years and is in keeping with levels of population growth across the district.
- 1.2. Council provides a twenty-four hour animal control service, with Council's Animal Control Officers covering business hours. Council awarded a new contract that combined after-hours animal control activities with noise control and general property security to Allied Security who started in September 2019.
- 1.3. Council also liaises with the local Police (which included joint training), veterinarians and re-homing organisations. An active Institute of Animal Management has also been valuable.
- 1.4. Council recently restructured the Animal Control Team to form a dedicated Team Leader, with four animal control officers. An additional fixed term Administrator was employed in 2018/19 (total of two) due to the growth in dog numbers and internal organisational demands. The Manager Compliance is responsible for the overall group (Animal Control, Health and Licensing, Enforcement and Building Compliance).
- 1.5. Council continues to operate two animal control pounds, one in Cambridge and one in Kihikihi with facilities for impounding dogs and stock. The latter is now considerably overdue for replacement. A site adjacent to the existing pound site was confirmed as the preferred site in 2016 and progressed to the design stage, however public opposition saw this option eventually rejected by Council. An alternative site was identified but abandoned and the current thinking is to leave the Kihikihi facility operating at current levels and build a new larger facility in Cambridge.
- 1.6. Overall the number of complaints and subsequent enforcement action has fallen compared to the previous year. There have been 291 dogs impounded (464 last year), with 234 dogs claimed, 27 dogs euthanased, and 23 re-homed, with two dogs stolen (twice) from pounds. During COVID restrictions Council avoided impounding dogs where at all possible.

- 1.7. 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 unregistered). In addition, sustenance fees are charged for each additional day the dog is in the pound. However a dog impounded for the first time will often be released for free if registered at the time of impounding. Council simplified its impounding fees for 2019/20 to a set rate per impounding rather than an increasing scale which has made administration easier.
- 1.8. The associated fleet vehicles dedicated for use by animal control staff were replaced in the 2012/13 year. A further vehicle was added in 2013/14 increasing the fleet to four dedicated vehicles. Council chose to sign-write these vehicles as being specific to Animal Control. There have been no changes in the reporting year though two are scheduled for replacement in the near future.
- 1.9. Microchipping continues to be a key focus. Appointment times are available for dog owners to book to have Council microchip their dogs. 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 (with herding dogs exempt from the requirement), and classified dangerous and menacing dogs are also required to be micro-chipped.
- 1.10. This process is followed by the issue of infringements to owners of all non-complying dogs, with a 28-day waiver opportunity. Owners are charged only \$27 to cover microchip costs and Animal Control Officers, who have received training, carry out the micro-chipping. Council has noted an increase in the number of owners failing to microchip their dogs and waiting to be infringed (or in some cases disqualified) before taking action.
- 1.11. The continued focus on unregistered dogs has resulted in a re-registration rate exceeding 98%. 182 dogs were known to be unregistered as at 30 June, and most have received infringement notices for that offence where it has been confirmed that the dog is still in the District. Council has continued to send annual renewal notices earlier than it has in the past, in May, and has offered the chance to win free registration for the life of the dog and other prizes as an incentive for early registration. This has been well received. COVID restrictions contracted this process slightly as there were delays in the approval of fees and other organisational processes.

2. Dog control enforcement practices

- 2.1. For the period to the end of June 2020 Council received 1706 dog-related complaints that required action and a further 1917 general enquiries. This does not include complaints about stock or other animals.
- 2.2. 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.
- 2.3. Complaints relating to wandering dogs numbered 767 this year (989 last year), and 392 complaints were received in relation to barking dogs (476 last year). These are also the most common complaints in other Districts. In the case of wandering dogs, animal control staff work with complainants to track and capture dogs, sometimes using Council-owned cage traps. COVID restrictions saw a reduction in general complaints presumably because owners were home with their dogs more often.
- 2.4. 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, with any objections heard by Council's Regulatory Committee. Staff have found this a useful tool and have in recent years have not had to ask an owner to remove their dog from a property and keep it elsewhere permanently.

- 2.5. General aggression complaints also fell compared to last year, as did reported attacks. Council received 168 complaints related to attacks, rushing or aggressive dog incidents (186 last year) though a spike was noted during lockdown as more people went walking. 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.
- 2.6. Council submitted feedback to the Associate Minister for Local Government during 2016 that infringement notices could be made available for minor attacks to increase Council's enforcement options, but this did not eventuate. This has resulted in an increase in menacing classifications as few other options exist in many cases where an attack does not warrant prosecution and no infringement offence is committed.
- 2.7. To the end of June 2020, 88 infringement notices were issued (and not cancelled).
 - 12 for breach of section 20(5) breach of bylaw
 - 2 for breach of section 28(5) disqualified owner in possession of dog
 - 1 for breach of section 32(2) failure to comply with dangerous classification
 - 7 for breach of section 33EC(1) failure to comply with menacing classification
 - 46 for breach of Section 42 for non-registration
 - 2 for breach of Section 52(a) failure to confine
 - 15 for breach of Section 53(1) failure to control.
 - 1 for breach of section 54(2) failure to provide care and attention
 - 1 for breach of section 55(7) failure to comply with barking abatement notice
 - 1 for breach of section 72(2) unlawfully release dog from custody
- 2.8. Only 39 of these infringement notices have been paid to Council to date, with the majority being filed in court. This does not make them a particularly effective enforcement measure.
- 2.9. The relatively small number of infringements is due principally to the high registration rate and the focus on getting dogs registered rather than on enforcement action. One owner was disqualified due to three or more infringements within the prescribed period.
- 2.10. There were no prosecutions by Council in 2019/20; however a small number of section 71 notices were issued which lead to owners surrendering dogs at which time it was decided not to proceed with legal action.

3. Dogs prohibited, leash only and dog exercise areas

- 3.1. 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's playgrounds and schools. Signage is installed in exercise and prohibited areas to distinguish them.

- 3.2. There remains a total of 42 dog faeces receptacles which are regularly emptied. They are located mainly at exercise areas. 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 the dog faeces bins. This allows Animal Control Officers to concentrate on their core duties.

4. Dog registration and other fees

- 4.1. The fees for the 18/19 year were held at the previous levels and essentially had not increased in over 5 years. The fees for 2019/20 increased by \$1 for urban dogs. The fees are low compared to many other locations. For the 2020/21 year rural fees will increase by \$2 per dog to \$52.
- 4.2. There are still discounts of \$15 and \$10 available to urban owners for fencing and neutering respectively. These can be regarded as good preventative measures to stop dogs wandering which account for the majority of complaints referred to Council. Rural dogs pay a lesser registration fee due to them generally having less access to Council services.
- 4.3. 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 took place immediately the infringement fine was sometimes waived, except in the case of repeat offenders. There were also a small number of seizures of dogs that were held until the owner completed registration.
- 4.4. Dog owners are now able to pay online via Council's website and this method of payment is strongly encouraged as an alternative to on-line bank payments, due to the significant levels of staff time spent managing bank payments. Council has implemented a pre-payment arrangement where owners who struggle to pay registration can start paying in advance for the coming year's registration. This is as the result of an invite from Council to participate. While great for the customer, payment arrangements also take a considerable amount of administration time.
- 4.5. The levy share for Waipa District in the operation of the National Dog Database for the 2019/20 was \$5,266.

5. Dog education and dog obedience courses

- 5.1. An annual newsletter is sent to all dog owners, and each year Council either organises or attends a seminar or event to which owners/public are invited. This year staff had planned to run a series of educational evenings at local dog parks during late summer to encourage safe and responsible dog management, but only one was held before COVID restrictions meant the remainder had to be cancelled. There are plans to do this again next Spring/Summer – COVID restrictions pending. Animal Control Officers attended local puppy pre-school classes during the year, and are available to visit schools, kindergartens and other groups on request.
- 5.2. 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.
- 5.3. Statistics show that most dog attacks on children occur in the home where the dog and/or child resides, and these attacks are not usually brought to the attention of animal control. This is where pre-school education is important to teach children how to behave appropriately around known dogs, and not to approach unknown dogs.

- 5.4. Council has also been a lot more active in the online and social media space with an increased number of dog related press releases and articles, and has been able to provide education when matters are seen being discussed in social media. However the negative aspect of social media, circulating misinformation and criticising Council has also been prominent.

6. Disqualified and probationary dog owners

- 6.1. There are currently 12 disqualified owners in the district, with one owner disqualified due to three or more infringements within the prescribed period. This owner appealed the disqualification, and this is currently waiting to be heard. We also have one classified probationary owner. For the first time Council applied for and was granted a search warrant to enter a dwelling and seize a dog from a disqualified owner. Despite us issuing warning letters with all fines owners do not appear to appreciate that, unlike other infringement notices, dog control infringements can lead to this significant level of action. Council is planning publicity on this topic in the future.

7. Menacing and dangerous dogs

- 7.1. At the end of June 2020 five dogs remained classified as dangerous in the District out of a population of over 8,700 dogs and 126 as menacing.
- 7.2. Dangerous dogs are classified following receipt of a sworn statement from a complainant attesting the dog is a threat to any person or domestic animal, or following prosecution. Menacing dogs can be classified under two subsections of the Act (commonly referred to as “breed” or “deed”) i.e. 33A due to reported or observed menacing behaviour of the dog, and 33C due to the dog's breed or type being one listed in schedule 4 of the Dog Control Act - in most cases an American Pitbull Terrier type.
- 7.3. Any new dog of a menacing breed/type identified following registration, is classified and referred to Animal Control Officers for a compliance check. Dogs classified menacing due to "deed" go through a similar process. One owner objected to a dangerous classification which was heard by an independent Officer (due to a staff member owning one of the dogs involved). Council approved the Officers recommendation that the classification be upheld. Another had their dangerous classification overturned and replaced with a menacing classification.
- 7.4. Council’s Dog Control Policy requires menacing dogs to be neutered and most owners comply with this requirement without further enforcement. Council staff follow this up during compliance checks. Animal Control Officers endeavour to assist owners with full compliance by providing low-cost micro-chipping. The dangerous dog classification is a more useful tool, due to the legislative requirement for the dog to be kept within a fenced enclosure. In some cases the owner has arranged for the dog to be destroyed following an attack rather than be classified.
- 7.5. Under the Act, owners may object within 14 days to classifications, which are usually heard by Council’s Regulatory Committee.
- 7.6. As discussed previously, the steady increase in menacing classifications is partly due to a gap in enforcement options when, following an attack, a decision is made not to prosecute. No infringement offence exists for an attack. So unless the dog owner has committed another offence, classification is the only alternative. A high-value infringement for minor attacks would be a useful addition to the schedule. Monitoring compliance can be onerous and an increasing requirement, as new dogs are added to the list.

7.7. Council has continued with its policy that any American-Staffordshire terrier that does not have pedigree papers will be considered “predominantly American pit-bull type” where it exhibits those traits.

8. Other information

8.1. Council requires owners of more than five dogs on rural properties and owners of more than two dogs on any urban land to apply for a three-year permit from Council. As registration applications are received, owners are advised to apply for a permit.

8.2. Waipa District Council has entered an arrangement with a charity to manage and better promote the rehoming of unclaimed dogs within the District. Council continues to operate a very successful Facebook page (facebook.com/WaipAnimalControl). This has provided an additional avenue to promote rehoming, and to provide general information to dog owners. This works in conjunction with Council’s formal Facebook page (facebook.com/WaipDistrictCouncil).

8.3. Council is also working closely with its neighbours, including through shared training assisted by the Waikato/BOP branch of the New Zealand Institute of Animal Management. This has seen a range of networking and/or training opportunities for staff.

8.4. Council has also made a significant investment in dog agility related equipment with the aim of developing “destination dog parks” in Te Awamutu and Cambridge areas. A full set of agility equipment has been installed in two parks and has been well received.

8.5. With the recent movement of Council systems to “the cloud” staff will hopefully be able to complete a range of administration tasks in the field, using tablets in the near future.

PART 2 – STATISTICAL INFORMATION

Category		1 July 2016 – 30 June 2017	1 July 2017 – 30 June 2018	1 July 2018 – 30 June 2019	1 July 2019 – 30 June 2020
1	Total # active dogs	8033	8229	8561	8714
2	Total # probationary owners	0	0	1	1
3	Total # disqualified owners	1	7	15	12
4	Total # dangerous dogs (current at end of period)	5	6	8	5
	▪ Dangerous by owner conviction under s31(1)(a) – new	0	0	0	
	▪ Dangerous by sworn evidence s31(1)(b) - new	1	3	3	4
	▪ Dangerous by owner admittance in writing s31(1)(c) - new	0	0	1	1
5	Total # menacing dogs (end of period)	95	113	118	126
	▪ Menacing under S33A(1)(b)(i) - i.e. by Behaviour - new	9	10	13	5
	▪ Menacing under s33A(1)(b)(ii)- by Breed Characteristics – new	0	0	1	0
	▪ Menacing under s33C(1) by Schedule 4 Breed – new	12	30	14	20
6	Total # infringement notices (excluding cancelled)	133	146	121	88
7	Total # complaints received (needing action)	2147	2334	2133	1706
	▪ Aggressive	46	53	64	47
	▪ Bins/signs	10	24	18	21
	▪ Bite/attack	80	85	75	84
	▪ Barking	466	546	476	392
	▪ Breach of Council bylaw or permits	34	34	14	22
	▪ Lost dog/other	307	354	360	247
	▪ Rushing in public place	48	38	47	37
	▪ Unregistered	71	57	48	40
	▪ Wandering	1,049	1,081	989	767
	▪ Worrying animals	9	13	5	9
	▪ No water, shelter, food or exercise	27	48	37	40
8	Total # prosecutions taken	0	0	0	0

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