

**To:** The Secretary for Local Government  
**From:** Karl Tutty, Environmental Services Team Leader  
**Subject:** **Report on Waipa District Council Dog Control Policy and Practices 2017/18**  
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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 2017 to 30 June 2018, 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 previously 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 2017/18 registration year was 8229, up from 8033 in 2017/18 an increase of 196 (2.5%). Only 76 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.

Council provides a twenty-four hour animal control service, with Council's Animal Control Officers covering business hours. Council has retained *First Security Guard Services Limited* as Council's contractor to cover urgent calls after-hours, at weekends and on public holidays. This contract is due to end and be retendered in 2019. 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 re-homing organisations. The Waikato SPCA has reopened but appears to be dealing only with

urgent welfare issues. An active Institute of Animal Management has also been valuable.

Council continues to employ three full time Animal Control Officers, an Animal Control Officer Co-ordinator and an Animal Control Administrator, with the Environmental Services Team Leader as supervisor of the team. Approval has been given for an additional Administration role starting in the new financial year due to the growth in dog numbers and internal organisational requirements.

Council continues to operate two animal control pounds, one in Cambridge and one in Kihikihi with facilities for impounding dogs. The latter is now considerably overdue for replacement. A site adjacent to the existing pound site was confirmed as the preferred site and progressed to the design stage, however public opposition saw this option eventually rejected by Council. An alternative site has not been confirmed. Improvements have continued at both pounds, and an independent health and safety audit has been completed.

A number of processes have been changed, with offal holes no longer used for disposal, and dog carcasses being transported to Hamilton for cremation.

This year the statistics show the number of impoundings has increased compared with previous years. There have been 478 dogs impounded (440 last year), with 368 dogs claimed, 59 dogs destroyed, and 47 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 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 provided it is registered.

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.

Microchipping continues to be a key focus. Weekly clinics continue to give owners flexibility as to when this can occur. 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.

This process is followed by the issue of infringements to owners of all non-complying dogs, with a seven-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. The clinics also provide a useful opportunity for interaction between animal control staff and dog owners.

The continued focus on unregistered dogs has again resulted in a re-registration rate exceeding 99%. 76 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 reminder 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.

## **2 Dog Control Enforcement Practices**

For the period to the end of June 2018 Council received 2334 dog-related complaints that required action and a further 2514 general enquiries. This does not include complaints about stock or other animals.

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 1081 this year (1049 last year), and 546 complaints were received in relation to barking dogs (466 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.

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.

General aggression complaints increased slightly compared to last year, as did reported attacks. Council received 176 complaints related to attacks, rushing or aggressive dog incidents (174 last 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.

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 as part of the proposed Amendment Act. This has resulted in an increase in menacing classifications as few other options exist in many cases where an attack does not warrant prosecution.

To the end of June 2018, 146 infringement notices were issued. Of those 52 were paid and 67 lodged at Court with the remainder in their appeal/reminder period.

The infringement notices were:

- 1 for breach section 18 wilfully obstructs officer
- 2 for breach of section 19(2) provides false details
- 23 for breach of section 20(5) breach of bylaw
  - 18 for breach 3.9.1 fail to control or confine
  - 2 for breach 3.2.1 fail to leash in public
  - 1 for breach 3.8.2 allowing dog to be a nuisance
  - 2 for breach 3.4.1 exceed two dogs in urban area without permit
- 2 for breach section 32(2) failure to comply with dangerous classification
- 10 for breach of section 33EC(1) failure to comply with menacing classification
- 10 for breach of section 36A failure to microchip
- 71 breach of Section 42 for non-registration
- 3 breach of Section 52(a) failure to confine
- 19 breach of Section 53(1) failure to control
- 1 for breach section 54(2) fail to provide food, water, shelter
- 2 for breach section 62(4) classified dog at large unmuzzled
- 2 for breach section 72(2) unlawfully release dog from custody

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. Five owners were disqualified due to three or more infringements within the prescribed period. Two appealed and had their disqualification upheld.

There were no prosecutions by Council in 2017/18; 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**

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. Council is currently embarking on an organisation-wide review of signage. This approach was supported by the public through the formal Policy and Bylaw review process undertaken in 2015.

There are now 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**

The fees for the 17/18 were held at the previous levels and essentially have not increased in over 5 years. With the continued increase in dog numbers the fees for 2018/19 will hopefully also remain constant. The fees are low compared to many other locations.

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.

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.

Dog owners are now able to pay online, and 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, online payments take a considerable amount of administration time.

The levy share for Waipa District in the operation of the National Dog Database for the 2017/18 was \$5,120.29.

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

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. An electronic newsletter is also circulated. Staff assisted with workshops and open days conducted by Council and carried out school, kindergarten, Plunket group and other visits. Animal Control Officers also attend local puppy pre-school classes each month to provide education on Council/legislative requirements of dog ownership.

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.

Staff have distribute the book "*How to Keep Kids Safe from Dogs*" by Pauline Blomfield to medical centres in the district. 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.

## 6 Disqualified And Probationary Dog Owners

Five dog owner have been disqualified this year due to having received three or more infringement notices.

## 7 Menacing And Dangerous Dogs

At the end of June 2018, there were 6 dangerous dogs (5 in June 2017) and 113 menacing dogs (95 in June 2016) classified in the District out of a population of over 8,200 dogs.

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. 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.

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.

Under the Act, owners may object within 14 days to classifications, which are heard by Council's Regulatory Committee. There were two objections to classifications this year, one was upheld and one was overturned with a preference that a notice be issued enforcing section 62 in respect to muzzling the dog.

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.

If there is a breach of classification conditions, the legislation allows Council animal control staff to uplift and retain the dog until the owner makes reasonable efforts to comply, or staff may issue infringement fines for breaches of this nature, of which a number were issued this year. Most of the dogs classified as menacing continue to be due to breed/type and have never offended. Monitoring compliance can be onerous and an increasing requirement, as new dogs are added to the list.

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**

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. 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. This process has been reviewed and refined, with an application by a hunting club to keep 35 dogs on a rural site highlighting some issues with the previous process.

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 <https://www.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 <https://www.facebook.com/WaipadistrictCouncil>.

Council is also working closely with its neighbours, including through shared training assisted by the New Zealand Institute of Animal Management. This has seen a range of training opportunities for staff.

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. Once received, staff will assess appropriate sites and engage with the public on the installation process.

## PART 2 – STATISTICAL INFORMATION

Category	For Period 1 July 2014 – 30 June 2015	For Period 1 July 2015 – 30 June 2016	For Period 1 July 2016 – 30 June 2017	For Period 1 July 2017 – 30 June 2018
1) Total # Registered Dogs	7485	7738	8033	8229
2) Total # Probationary Owners	0	0	0	0
3) Total # Disqualified Owners	3	1	1	7
<b>4) Total # Dangerous Dogs (current at end of period)</b>	<b>8</b>	<b>8</b>	<b>5</b>	<b>6</b>
➤ Dangerous by Owner Conviction Under s31(1)(a) - new	0	0	0	0
➤ Dangerous by Sworn Evidence s31(1)(b) - new	3	1	1	3
➤ Dangerous by Owner Admittance in Writing s31(1)(c) - new	0	0	0	0
<b>5) Total # Menacing Dogs (end of period)</b>	<b>62</b>	<b>77</b>	<b>95</b>	<b>113</b>
➤ Menacing under s33A(1)(b)(i) - i.e. by Behaviour - new	4	8	9	10
➤ Menacing under s33A(1)(b)(ii)- by Breed Characteristics – new	0	0	0	0
➤ Menacing under s33C(1) by Schedule 4 Breed – new	16	25	12	30
6) Total # Infringement Notices (excluding cancelled)	80	59	133	146
7) Total # Complaints Received (needing action)	2,145	2,263	2147	2334
➤ Aggressive	32	55	46	53
➤ Bins/Signs		18	10	24
➤ Bite/attack	81	84	80	85
➤ Barking	482	476	466	546
➤ Breach of Council Bylaw or permits	0	40	34	34
➤ Lost Dog/other	410	330	307	354
➤ Rushing in public place	43	43	48	38
➤ Unregistered	32	66	71	57
➤ Wandering	1039	1108	1049	1081
➤ Worrying animals	8	25	9	13
➤ No water, shelter, food or exercise	18	18	27	48
8) Total # Prosecutions Taken	0	0	0	0



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