

ANNUAL REPORT

DOG CONTROL POLICY AND PRACTICE

2020/21

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INTRODUCTION

This is Waipa District Council's report on Council's Dog Control Policy and Practices for the period 1 July 2020 to 30 June 2021, 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 2020/21 registration year peaked at 8983, up from 8719 in 2019/20 an increase of 264. This is a consistent level of growth over the past 5 years and is in keeping with levels of population growth across the district. Only 123 dogs were recorded as unregistered at the end of the year.
- 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, and this has been renewed.
- 1.3. An active Institute of Animal Management has been valuable, with Waipā District Council hosting a number of the meetings for the Waikato/BOP branch of the Institute. Good relationships have also been maintained with the Police and other agencies.
- 1.4. Council restructured the Animal Control Team in 2020 to form a dedicated Team Leader, plus 3 full-time animal control officers and one part-time. An additional fixed term Administrator was employed in 2018/19 (total of 1.75) due to the growth in dog numbers and internal organisational demands. Part-time assistance has been contracted during busy periods such as registration time. 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. Council has approved a project in its Long Term Plan to replace one pound and upgrade the other.
- 1.6. Overall the number of complaints and subsequent enforcement action has fallen compared to the previous year. There have been 224 dogs impounded (291 last year), with 177 dogs claimed, 20 dogs euthanased, and 26 re-homed, with one dog stolen from the pound.

- 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 already currently 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 consists of four dedicated vehicles. Two were upgraded in the 20/21 financial year. All are now GPS fitted .
- 1.9. Microchipping services continue to be offered to dog owners at weekly clinics, by appointment. 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 carry out the micro-chipping. Currently 90% of all dogs on the register are microchipped.
- 1.11. The continued focus on unregistered dogs has resulted in a re-registration rate exceeding 98%. 123 dogs were known to be unregistered as at 30 June, and most received infringement notices for that offence where it was confirmed that the dog was still in the District. Council has continued to start the annual renewal process early with notices posted out to dog owners 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.

2. Dog control enforcement practices

- 2.1. For the period to the end of June 2021 Council received 1575 dog-related complaints that required action and a further 1758 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 currently registered dog is picked up for a first wandering offence, the dog is usually returned to the owner free of charge with a verbal warning rather than impounding.
- 2.3. Complaints relating to wandering dogs numbered this year 695 (767 last year), and 369 complaints were received in relation to barking dogs (392 last year). These are also the most common complaints in other districts. In the case of wandering dogs, we generally ask the caller to contain the dog if at all possible until it can be collected. When this isn't possible animal control staff work with complainants to track and capture dogs, sometimes using Council-owned cage traps.
- 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 in recent years there haven't been any situations where an owner has had to remove the dog from the property permanently.

- 2.5. General aggression complaints also fell compared to last year, as did reported attacks. Council received 166 complaints related to attacks, rushing or aggressive dog incidents (168 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.
- 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 2021, 119 infringement notices were issued (and not cancelled).
- 1 for breach section 18 wilful obstruction of officer
 - 16 for breach of section 20(5) breach of bylaw
 - 1 for breach of section 33EC(1) failure to comply with menacing classification
 - 3 for breach of section 36A failure to microchip
 - 71 for breach of Section 42 for non-registration
 - 1 for breach of Section 49 fail to notify transfer of dog
 - 1 for breach of Section 52(a) failure to confine
 - 24 for breach of Section 53(1) failure to control.
 - 1 for breach of section 72(2) unlawfully release dog from custody
- 2.8. Only 44 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. However wilful offences such as obstruction and unlawfully releasing a dog from custody both feature, along with failing to control (either in a public place or on private property other than where the dog usually resides).
- 2.10. There were no prosecutions by Council in 2020/21.
- 2.11. Council impounded a dog for not complying with a menacing classification. This followed the owner being arrested on other matters. Council held the dog to investigate other complaints including an alleged attack. Police signalled a prosecution, but Council later opted to give the owner notice under section 33EC. The owner appealed Council's decision not to release the dog. This decision was upheld in the District Court and the dog eventually disposed of.

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 are 43 dog faeces receptacles across the District 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.
- 3.3. Council has had a request from Te Kopoua Marae Trustees to restrict dog access to the entire Kakepuku Maunga, near Te Awamutu. Council's reserve abuts Department of Conservation land that is already prohibited to dogs, and Council is in discussion to confirm the Department's view on the matter. This may trigger a review of Council's Dog Control Policy which is not otherwise due until 2025.

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. In the 2020/21 year rural fees increased by \$2 per dog to \$52. No changes were made to fees for the 2021/22 period. The fees are low compared to many other locations
- 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 followed up on unregistered dogs as they do each year and, following a reminder letter and a follow-up phone call or property visit, issued 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 bank payments, due to the significant levels of staff time spent managing bank payments. In previous years Council implemented a pre-payment arrangement where owners who struggle to pay registration were able to start paying in advance for the coming year's registration. A number of dog owners were invited, however there wasn't a large uptake. And some dog owners reneged on the arrangement. As a result we haven't continued with offering pre-payment options, but where there is a genuine desire to pay off dog registration fees, our admin team will work with dog owners to achieve this.
- 4.5. The levy share for Waipa District in the operation of the National Dog Database for the 2020/21 was \$5,327.

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 held a series of educational evenings at local dog parks during late summer to encourage safe and responsible dog management. Animal Control Officers are available to visit schools, kindergartens and other groups on request.
- 5.2. 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.

- 5.3. 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 with specific issues.
- 5.4. Council has continued with its Facebook page dedicated to Animal Control (Waipā Animal Control). The page is used to try and locate the owners of impounded dogs, to advise about events and topical information, and to advertise dogs needing homes. This is usually well received by the public, however the negative aspect of social media i.e. circulating mis-information and criticising Council has also continued to some extent.

6. Disqualified and probationary dog owners

- 6.1. There are currently 18 disqualified owners in the district, and we also have one classified probationary owner.

7. Menacing and dangerous dogs

- 7.1. At the end of June 2021, 135 dogs remained classified as menacing in the District out of a population of over 8,900 dogs and seven as dangerous.
- 7.2. 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. 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. Both menacing and dangerous dogs are required to be muzzled when in any public place.
- 7.3. The details of any dog classified as either menacing or dangerous are referred to Animal Control Officers for a compliance check after one month. Council’s Dog Control Policy requires classified menacing dogs to be neutered and most owners comply with this requirement without further enforcement. Animal Control Officers endeavour to assist owners with full compliance by providing low-cost micro-chipping.
- 7.4. 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 addition to being neutered. 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 outlined in the Enforcement section a dog was seized for failing to comply with a dangerous classification, and following an unsuccessful appeal by its owner to the District Court, was disposed of.
- 7.7. 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.

- 7.8. 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 continues to have a high rehoming rate of unclaimed pound dogs. A local charity assists with most of the adoptions, but other charities have also taken in dogs on occasion while the remainder of adoptions are co-ordinated by the animal control team. Council continues to operate a very successful Facebook page (facebook.com/WaipAnimalControl) which 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 in recent years 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 IT 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 2017 – 30 June 2018	1 July 2018 – 30 June 2019	1 July 2019 – 30 June 2020	1 July 2020 – 30 June 2021
1	Total # active dogs	8229	8561	8714	8983
2	Total # probationary owners	0	1	1	1
3	Total # disqualified owners	7	15	12	18
4	Total # dangerous dogs (current at end of period)	6	8	5	7
	▪ Dangerous by owner conviction under s31(1)(a) – new	0	0		0
	▪ Dangerous by sworn evidence s31(1)(b) - new	3	3	4	4
	▪ Dangerous by owner admittance in writing s31(1)(c) – new	0	1	1	0
5	Total # menacing dogs (end of period)	113	118	126	135
	▪ Menacing under S33A(1)(b)(i) - i.e. by Behaviour – new	10	13	5	11
	▪ Menacing under s33A(1)(b)(ii)- by Breed Characteristics – new	0	1	0	0
	▪ Menacing under s33C(1) by Schedule 4 Breed – new	30	14	20	24
6	Total # infringement notices (excluding cancelled)	146	121	88	119
7	Total # complaints received (needing action)	2334	2133	1706	1575
	▪ Aggressive	53	64	47	52
	▪ Bins/signs	24	18	21	24
	▪ Bite/attack	85	75	84	71
	▪ Barking	546	476	392	369
	▪ Breach of Council bylaw or permits	34	14	22	23
	▪ Lost dog/other	354	360	247	202
	▪ Rushing in public place	38	47	37	43
	▪ Unregistered	57	48	40	39
	▪ Wandering	1,081	989	767	695
	▪ Worrying animals	13	5	9	6
	▪ No water, shelter, food or exercise	48	37	40	51
8	Total # prosecutions taken	0	0	0	0

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