

# ANNUAL REPORT

DOG CONTROL POLICY AND PRACTICES

2022/23

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## 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 2022 to 30 June 2023, as required by section 10A Dog Control Act 1996.

## 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

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### 1. Dog control in Waipā District

- 1.1. The total number of active dogs on Council's register at the end of the 2022/23 registration year peaked at 9495, up from 9292 in 2021/22 an increase of 203. There has been a consistent level of growth over the past five years which is in keeping with levels of population growth across the district. Only 99 active 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, and contractors covering after hours. The after-hours contract combines after-hours animal control activities with noise control and general property security. The contract was initially awarded to Allied Security in September 2019, and has since 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. These meetings have helped foster good connections with staff from our neighbouring Councils. 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 part-time Administrator was employed in 2018/19 (total of 1.6) 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. Council has approved a project in its Long-Term Plan to replace one pound and upgrade the other.
- 1.6. The total number of complaints received increased by around 245 from the previous year. Impounding rates also increased a little. There were 266 dogs impounded (245

last year), with 200 dogs claimed, 22 dogs euthanased, and 21 re-homed with 7 still in care at the end of June.

- 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 and not already chipped). 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 in 2019 to a two-tier rate rather than an increasing scale per impounding, which has made administration easier.
- 1.8. The associated fleet consists of four dedicated vehicles. Two were upgraded in the 20/21 financial year, and the remaining two are to be replaced very soon. All are now GPS fitted. Specially designed dog cages have been provided in three of the vehicles to ensure the safety of the dogs being transported and the safety of staff.
- 1.9. Microchipping services continue to be offered to dog owners at weekly clinics held at our pounds, by appointment. Owners were charged \$28 to cover microchip costs and Animal Control Officers carried out the micro-chipping.
- 1.10. 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). 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 28-day waiver opportunity. Currently 93% of all dogs on the register are microchipped.
- 1.11. The continued focus on unregistered dogs has resulted in a re-registration rate exceeding 99%. 99 dogs were known to be unregistered as at 30 June, and the owners of most of these dogs received infringement notices for that offence where it was confirmed that the dog was still in the district.
- 1.12. Council has continued to start the annual renewal process early with notices posted out to dog owners in May. Once again Council offered the chance for one dog to win free registration for the life of the dog and other prizes as an incentive for early registration. In the last two years we have sent email reminders to dog owners just prior to the final due date before penalty fees are applied, with great results. A reminder letter was sent to dog owners without email addresses.

## **2. Dog control enforcement practices**

- 2.1. For the period to the end of June 2023 Council received 1722 dog-related complaints that required action and a further 1712 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 charging an impound fee.

- 2.3. Complaints relating to wandering dogs numbered 676 this year (621 last year), and 377 complaints were received in relation to barking dogs (333 last year). These seem to be the most common complaints in other districts also. 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. One formal notice to abate nuisance barking was issued this year, and was not appealed. The same dog was subsequently seized and impounded following more complaints. The dog was released when staff were satisfied that the owner would meet the requirements of the abatement notice, and there have not subsequently been any further issues.
- 2.5. Aggressive dog complaints decreased slightly compared to last year, while reported attacks increased slightly. Council received 158 combined complaints related to attacks, rushing or aggressive dog incidents (152 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. Attacks often result in an infringement notice or a menacing classification (or both), as few other options exist in many cases where an attack does not warrant prosecution. While Councils are required to classify dogs as dangerous when we have sworn evidence attesting to the dog's aggression, the legislation around the disposal of seized/impounded classified dangerous dogs is not practical, and staff can usually obtain better outcomes with classified menacing dogs.
- 2.7. To the end of June 2023, 136 infringement notices were issued, with 38 subsequently cancelled, mostly due to compliance by the dog owner. The remaining 98 notices were issued under the following Sections of the Act:
- 3 for breach of section 20(5) breach of bylaw
  - 5 for breach of section 33EC(1) failure to comply with menacing classification
  - 16 for breach of section 36A failure to microchip
  - 55 for breach of Section 42 for non-registration
  - 5 for breach of Section 52A for failing to confine dog on owner's property
  - 13 for breach of Section 53(1) failure to control
  - 1 for breach of Section 55(7) failure to comply with requirements of barking notice.
- 2.8. Only 21 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 as many of these will not be paid, and some may be cancelled by Courts and substituted for community work.

- 2.9. The relatively small number of infringements is due principally to our initial focus on education rather than on enforcement action. Most of the infringements were issued for failing to register, however other offences such as failing to comply with the requirements of a menacing dog classification, and failing to microchip also 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 2022/23.

### **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, except in designated dog exercise (off leash) areas, and most dog owners adhere to this. There are also areas that are prohibited to dogs such as some sports grounds, children's playgrounds and schools (subject to change in the new Policy/Bylaw). Signage is installed in exercise and prohibited areas to distinguish them.
- 3.2. There are 45 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. We experienced some issues with contractors not emptying the bins in a timely manner during the last year which resulted in an increased number of complaints from the public. With a new contract now in place (and new contractors) these issues seem to have been resolved.
- 3.3. Last year Council received a request from Te Kopoua Marae Trustees to restrict dog access to the entire Kakepuku Maunga, near Te Awamutu. This triggered a review of Council's Dog Control Policy which would not otherwise have been due until 2025. Council started early public engagement last year, and the formal consultation process for the review was completed in June this year. 277 individuals provided a formal submission, with some of these opting to present their submission verbally to Council. Council deliberated during August 2023, and the confirmed new Dog Control Bylaw and Policy documents will come into effect from 1 December 2023.

### **4. Dog registration and other fees**

- 4.1. There was a small increase of \$1-\$2 per dog for dog registration fees for the 2022-23 year. The fees are still low compared to many other locations.
- 4.2. There are 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 usually waived, but a number of dog owners still failed to register within the time frame resulting in the infringements being processed.

- 4.4. Dog owners are able to pay online via Council’s website and this method of payment is strongly encouraged as an alternative to online 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. There was no levy last year for Waipa District in the operation of the National Dog Database. The levy for the 2021/22 year was \$6,200 including GST. We expect the levy this year to be at a similar level to the 2021-22 year.

## **5. Dog education and dog obedience courses**

- 5.1. An annual newsletter is sent to all dog owners with their registration notice. Usually each year Council either organises or attends a seminar or event to which owners/public are invited. There haven’t been any events the past 2-3 years though due to Covid restrictions. Likewise Animal Control Officers did not visit any schools, kindergartens or other groups over the same period. In the last few months however, there have been a couple of requests for the team to provide some training to groups around responsible dog ownership. One of these was completed in April, and the other is pending. We hope this will be the start of renewed efforts to provide some quality education services to the public.
- 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 with specific issues.
- 5.3. 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.

## **6. Disqualified and probationary dog owners**

- 6.1. There are currently 19 disqualified owners recorded in our database, with three of these due to expire soon. We also have three classified probationary owners recorded.
- 6.2. We received one disqualification objection from a dog owner this year, with the appeal being heard by Council’s Regulatory committee. The disqualification had been issued following three infringement offences being committed by the dog owner within a two year period. The date of termination was brought forward by the committee resulting in a reduced disqualification period of one year.

## 7. Menacing and dangerous dogs

- 7.1. During this period 32 dogs were classified as menacing, and at the end of June 2023 a total of 139 active dogs remained classified as menacing in the District. 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.
- 7.2. There was just one new dangerous dog classification, plus we inherited two that transferred into Waipa from other districts, with a total of eight classified dangerous dogs on the register at 30<sup>th</sup> June. 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.
- 7.3. Both menacing and dangerous dogs are required to be muzzled when in any public place.
- 7.4. The dangerous dog classification is a useful tool, due to the legislative requirement for the dog to be kept within a fenced enclosure, in addition to being neutered. As mentioned above however, the legislation around the disposal of seized/impounded classified dangerous dogs is not practical, and staff can usually obtain better outcomes following the seizure of non-complying classified menacing dogs.
- 7.5. Animal Control Officers do compliance checks after one month for any dog newly classified as either menacing or dangerous. 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. Local charity Pound Hounds Rescue also offers reduced cost desexing, and this is actively promoted by animal control staff. Monitoring compliance for classifications can be onerous requirement.
- 7.6. In this period one dog was seized due to its owner not complying with menacing classification requirements, and was held in the pound because its owner failed to show willingness to comply. The owner did not appeal Council’s decision through the Courts, and the dog was subsequently disposed of after the required period of time.
- 7.7. Under the Act, owners may object within 14 days to classifications, which are usually heard by Council’s Regulatory Committee. There were five hearings in the 2022-23 period, with the committee rescinding classifications in three of the hearings, and they upheld the classifications for the remainder.
- 7.8. The number of menacing classifications pursuant to Section 33A (deed) reflects one of the enforcement options following an attack when a decision has been made not to prosecute. No infringement offence exists specifically for an attack, and a high-value infringement for minor attacks would be a useful addition to the schedule.
- 7.9. Council’s dog control policy 2015 included that any American-Staffordshire terrier that does not have pedigree papers will be considered “predominantly American pit-bull



type” where it exhibits those traits, and be classified menacing pursuant to Section 33C. As part of the current policy review, this statement has been removed from the 2023 draft policy document.

## **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. Local charities assist with some of the adoptions, 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](https://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](https://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. Council’s animal control team leader is also Secretary/Treasurer for the branch.
- 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” we are hopeful that staff will 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 2019 – 30 June 2020	1 July 2020 – 30 June 2021	1 July 2021– 30 June 2022	1 July 2022 – 30 June 2023
1	Total # active dogs	8714	8983	9292	9495
2	Total # probationary owners	1	1	0	3
3	Total # disqualified owners	12	18	16	19
4	<b>Total # dangerous dogs (current at end of period)</b>	5	7	5	8
	▪ Dangerous by owner conviction under s31(1)(a) – <b>new</b>	0	0	0	0(0 new)
	▪ Dangerous by sworn evidence s31(1)(b) – <b>new</b>	4	4	0	6 (1 new)
	▪ Dangerous by owner admittance in writing s31(1)(c) – <b>new</b>	1	0	0	2 (0 new)
5	<b>Total # menacing dogs (end of period)</b>	126	135	136	139 (32 new)
	▪ Menacing under S33A(1)(b)(i) - i.e. by Behaviour – <b>new</b>	5	11	7	38 (20 new)
	▪ Menacing under s33A(1)(b)(ii)- by Breed Characteristics – <b>new</b>	0	0	0	0
	▪ Menacing under s33C(1) by Schedule 4 Breed – <b>new</b>	20	24	24	98 (12 new)
6	Total # infringement notices (excluding cancelled)	88	119	124	98
7	Total # complaints received (needing action)	1706	1575	1477	1722
	▪ Aggressive	47	52	53	48
	▪ Bins/signs	21	24	65	180
	▪ Bite/attack	84	71	63	69
	▪ Barking	392	369	333	377
	▪ Breach of Council bylaw or permits	22	23	24	34
	▪ Lost dog/other	247	202	228	219
	▪ Rushing in public place	37	43	36	41
	▪ Unregistered	40	39	17	19
	▪ Wandering	767	695	621	676
	▪ Worrying animals	9	6	9	7
	▪ No water, shelter, food or exercise	40	51	28	52
8	Total # prosecutions taken	0	0	0	0

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