

# ANNUAL REPORT ON DOG CONTROL FOR THE YEAR ENDED 30 JUNE 2021

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## **Purpose of Report**

This report is for information purposes only.

This Report covers the year 1 July 2018 to 30 June 2019 and has been prepared pursuant to Section 10A of the Dog Control Act 1996.

## **1. The Report**

This Report covers the year 1 July 2020 to 30 June 2021 and has been prepared pursuant to Section 10A of the Dog Control Act 1996.

## **2. Dog Control in the District**

The South Waikato District Council has a registered dog population of **4,074** which are owned by **2,761** owners. The biggest population of dogs is to be found in the urban areas.

Dog control in the district is implemented pursuant to Council's Dog Control Policy (as required by Section 10 of the Dog Control Act 1996) and Council's Dog Control Bylaw 2017.

## **3. Resources**

Council employs a total of 4 full time staff. Staff comprises the Manager of the Animal Control Unit and 4 Field Officers. There are 3 vehicles available, 2 are fitted with purpose built canopies, for the securing and transporting of impounded dogs.

## **4. Dog Control Enforcement Practices**

Council provides a seven day a week service. Staff working to a roster, are proactive in patrolling throughout the district to apprehend straying dogs and to deal with complaints regarding inadequate control of dogs. Many offences against the provisions of the Dog Control Act and Dog Control Bylaw are detected by staff during the course of their patrols. A significant number of complaints about dog control matters are phoned directly to Council or alternatively through to the After hours service which pick up all calls that are made between the hours of 8am and 4 30pm Monday to Friday and then on a 24 hour basis over the weekend and any Stat until Council Offices are open again the following Monday at 8am.

The majority of complaints received relate to roaming and barking dogs. A significant number of complaints are dealt with by written/verbal warnings but repeat offenders are dealt with by the issue of Infringement Offence Notices as provided for in the Dog Control Act 1996.

Council provides cage traps, free of charge to residents who are experiencing problems with dogs wandering on to private property.

## **5. Prohibition of Dogs in Public Places**

Council's Policy and Bylaw requires that dogs in public places must be on a lead at all times. In terms of the provisions of the Dog Control Act 1996 there are some

exceptions from the Bylaw provisions which relate to working and hunting dogs whilst each are engaged in their respective activities. Dogs are allowed to be off leads in dog exercise areas provided they are at all times under full voice command of the person in charge of the dog. There is generally a good level of compliance with the leash requirements with most first time breaches generally being dealt with by way of a warning. Officers are permitted to use individual discretion in issuing Infringement Notices for repeat offenders.

Dogs are prohibited from the entire Central Business District of Tokoroa between the hours of 8am and 6pm daily. They are also banned from all school grounds, public barbeque areas and children's playgrounds including those that may be included in dog exercise areas. With the latest amendments to the 2017 Dog Control Bylaw, the Central Business Districts of Putaruru and Tirau are now classified as 'dogs on leash' areas.

## **6. Dog Registration and Other Fees**

Dog registration fees are set by Council in respect of each registration year. These fees are set on the basis of recovering the balance of Council's costs for providing dog control after allowing 40 percent which is currently provided from General Rates towards the cost of the operation. The percentage of operating costs has been fixed on the basis that dog control is a community issue and not solely the responsibility of dog owners. The setting of fees takes into account direct costs that Council incurs in its administration of the Dog Control Act 1996 and its Dog Control Bylaw 2004.

There is an ongoing door to door programme that the Animal Control Unit carries out to check for the existence of unregistered dogs. Any person located with an unregistered dog for the current year is issued with an Infringement Notice. That notice is cancelled providing the dog is registered or automatic payments have been activated within 28 days of the notice being issued. Seizure under the Dog Control Act is often an option the Animal Control Unit enforces to achieve compliance.

## **7. Fee Differentiation**

The fee for registering a dog domiciled in an urban area within the South Waikato District is greater than that payable by owners whose dogs are domiciled in the rural area or who have qualified for selected owner policy status.

The reasoning for the differential in fee is the continually higher number of complaints within urban areas compared with those received for rurally domiciled dogs and continue to use a greater portion of resource available to the Animal Control operation.

## **8. Dog Pound**

Council operates a Dog Pound where up to 35 dogs are able to be contained in humane conditions pending recovery by their owners. Dogs are kept in pound custody for a minimum of 7 days. If they remain unclaimed by owners after the expiry of 7 days, dogs are re-homed to new owners where possible or are disposed of. The Pound facilities are open to the public for the inspection and/or retrieval of impounded dogs five days a week between the hours of 9.00am and 4.30pm by appointment. Staff maintain the Pound to a very high standard of hygiene but despite this many of the dogs that are found wandering the streets have never been vaccinated for any diseases. Parvo Virus, a debilitating and often fatal disease that affects canines, is frequently encountered.

## **9. Menacing Dogs**

There are 3 breeds listed in Schedule 4 of the Dog Control Act 1996 and one 'type' of dog which Territorial Authorities are required to classify as "menacing".

The three breeds of dogs listed in the Act are the Brazilian Fila, Dogo Argentino and the Japanese Tosa. The Animal Control Unit has only identified one of these breeds in the South Waikato District, a Dogo Argentino and that dog has been classified menacing in accordance with the Act and microchipped.

The type of dog listed in the Act is the American Pitbull Terrier. All dogs of that type and cross breeds of that type that are known to Animal Control Staff have been classified as "menacing".

It is the belief of Animal Control practitioners in Council that breed specific legislation achieves nothing in reducing dog attacks and for that reason, is active in classifying dogs known to exhibit aggressive behavior under Section 33A of the Dog Control Act 1996. It should be noted that amendments to this Section of the Dog Control Act are currently being reviewed.

### **10. Dog Exercise Areas**

Council provides a number of areas throughout its district where dogs are able to be exercised off a lead, providing they are at all times under the strict control of the person in charge of the dog. Council provides a list of dog exercise areas and details as to their location are included in Council's Dog Policy. Within the South Waikato District all Bylaws relating to dog control will be under review and out for public consultation within the following reporting year.

### **11. Dog Education and Dog Obedience Courses**

Council has a wide range of information available to dog owners about dog control and responsible dog ownership. Council does not provide dog obedience or education programmes itself but supports the work done by local dog obedience clubs and will direct all enquiries of this nature from interested dog owners accordingly.

The Animal Control Unit has an education programme on safety around dogs, available for delivery in primary and intermediate schools on an "as requested" basis.

Council provides a bark collar hire service which has been very successful in abating nuisance barking. The service is regularly recommended by Officers when dealing with complaints of this nature.

### **12. Infringement Notices**

Section 66 of the Dog Control Act 1996 provides for the issue of infringement offences for minor offences under the Act. Council uses the infringement offence provisions and finds this to be an extremely useful tool in dealing with minor offences. The alternative of laying an information in the District Court can sometimes be a lengthy process given the delays that exist in the Court system. The infringement offence procedure is a preferable method, used by the Dog Control Unit as a method of achieving compliance.

### **13. Dangerous Dogs**

Section 33A of the Dog Control Act requires the classification of dogs as dangerous based on one of the following criteria:

- a) Any dog, in respect of which, the owner has been convicted of an offence under Section 57A(2) (this relates to dogs rushing persons, animals or vehicles);
- b) Any dog, which the Territorial Authority has, on the basis of sworn evidence attesting to aggressive behavior by the dog on one or more occasions, reasonable grounds to believe constitutes a threat

- to the safety of any person, stock, poultry, domestic animal or protected wildlife; and
- c) Any dog that the owner admits in writing constitutes a threat to the safety of any person, stock, poultry, domestic animal or protected wildlife.

Compliance with a classification of either "dangerous" or "menacing" of dogs can be described as unsatisfactory. Owners that own classified dogs are therefore infringed if found in breach of any of the conditions that need to be complied with following classification.

#### **14. Classes of Dog Ownership**

**Council has four categories of dog ownership. These are:**

- a) Rural Dog Owners (those whose dogs are domiciled in the rural area of the district);
- b) Urban Dog Owners (those whose dogs are domiciled within the urban area of the district);
- c) Those who have qualified for "selected owner status";
- d) Those owners who own sterilized, (neutered or spayed) dogs.

**A Selected Owner Policy requires an owner to meet the following criteria:**

1. Keep the dog(s) within a suitably fenced property with suitable kenneling for their dog.
2. Must not have been the subject of any justified complaints regarding his/her dog(s) for the 12 months prior to the application.
3. Must not have had a prosecution for a dog related offence for the 24 month period prior to the application.
4. Must have paid the dog registration fees before the 1<sup>st</sup> August each year.

#### **15. Disqualified and Probationary Dog Owners**

Council has classified no owners in accordance with the Dog Control Act 1996 during the 12 months under review, on behalf of the SPCA as a result of a conviction under the Animal Welfare Act. There are no owners classified as probationary during the period under review.

#### **16. Statistical Information**

The statistical information attached to this Report meets the requirements of Section 10A of the Dog Control Act 1996.

### **Recommendation**

*That Report No 2018–, Annual Report on Dog Control for the year ended 30 June 2018, be received.*

<b>CATEGORY</b>	<b>AS AT 30 JUNE 2020</b>	<b>FOR PERIOD 1 JULY 2020 TO 30 JUNE 2021</b>
<b>Total No. Registered Dogs</b>	<b>3860</b>	<b>4074</b>
<b>Total No. Probationary Owners</b>	<b>0</b>	<b>0</b>
<b>Total No. Disqualified Owners</b>	<b>0</b>	<b>0</b>
<b>Total No. Dangerous Dogs</b>	<b>2</b>	<b>2</b>
<b>Dangerous by Owner Conviction Under s31(1)(a)</b>	<b>0</b>	<b>0</b>
<b>Dangerous by Sworn Evidence s31(1)(b)</b>	<b>2</b>	<b>2</b>
<b>Dangerous by Owner Admittance in Writing s31(1)(c)</b>	<b>0</b>	<b>0</b>
<b>Total No. Menacing Dogs</b>	<b>123</b>	<b>130</b>
<b>Menacing under s33A(1)(b)(i) – i.e. by Behaviour</b>	<b>10</b>	<b>30</b>
<b>Menacing under s33C(1) by Schedule 4 Breed</b>	<b>113</b>	<b>100</b>
<b>Total No. Infringement Notices</b>	<b>203</b>	<b>191</b>
<b>Total No. Complaints Received</b>	<b>2256</b>	<b>3310</b>
<b>TA Complaint Category 1 (Attack and Rushing)</b>	<b>70</b>	<b>153</b>
<b>TA Complaint Category 2 (Barking and Roaming)</b>	<b>842</b>	<b>997</b>
<b>Total No. Prosecutions</b>	<b>1</b>	<b>0</b>