

## ROTORUA LAKES COUNCIL

### ANNUAL REPORT ON DOG CONTROL FOR THE YEAR ENDED JUNE 2018

#### 1. The Report

This Report covers the year 1 July 2017 to 30 June 2018 and has been prepared pursuant to Section 10A of the Dog Control Act 1996.

#### 2. Dog Control in the District

The Rotorua District has a registered dog population of 11,831 which are owned by approximately 8,600 owners. By far the biggest population of dogs is to be found in the urban area.

Dog control in the district is implemented pursuant to the Dog Control Act, Council's Dog Policy (as required by Section 10 of the Dog Control Act 1996) and Council's Dog Control Bylaw 2005. Both Council's Dog Policy and Dog Control Bylaw were last reviewed in September 2012.

#### 3. Resources

Council employs a total of 8 staff in the Dog Control role. Due to an incident where a staff member was injured, an extra officer was appointed which allows two members to be available at any time and eliminates the need for an officer to work alone in a potential high risk situation. Staff comprise the Team Leader of the Animal Control Unit, 6 Field Officers and 1 Pound Keeper. The unit's business support is carried out by staff attached to the Customer Services Department. The 6 field staff and team leader each have a vehicle, fitted with purpose built canopy's, 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 about inadequate control of dogs. Many offences against the provisions of the Dog Control Act and the 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 where details are taken by Customer Advisors and forwarded to an Administration inbox from where they are accessed through tablets and actioned by the field staff.

Priority one complaints which comprise of dog attacks on persons or domestic animal, dogs rushing, stock on roads and secured dogs are radioed to field staff for immediate attention. The use of the tablets has significantly reduced the amount of radio traffic, and has made for a more efficient service to the community.

The majority of complaints received relate to roaming and barking dogs. A significant number of complaints are dealt with by way of 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, free of charge, cage traps to residents experiencing problems with dogs wandering on to private property. Captured dogs are collected immediately at any time as it is appreciated they can cause further nuisance from being secured in a cage.

## 5. Prohibition of Dogs in Public Places

Council's Policy and Bylaw require 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 command of the person in charge of the dog either by way of voice or whistle command or by hand signal. Generally there is a reasonable level of compliance with the leash requirements with first time breaches generally being dealt with by way of a warning. Infringement notices are issued for further breaches at the discretion of individual officers.

While there has been some lobbying from city dwellers, dogs remain prohibited from the entire Inner City area of the District. Those inner city dwellers however are permitted to walk their dogs, on lead in specified areas during specified times. They are also prohibited from principle reserves such as the Government Gardens and Lakefront. They are also banned from all school grounds, public barbeque areas and children's playgrounds that might be located on an area set aside as a dog exercise area.

## 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 moving to cost recovery of this activity with an input from rates for wandering stock. Due to the current pound upgrades that consist of an additional 25 individual cages, new security fencing, and new CCTV security system there has been an increase to the dog registration fee of \$10.00 across the board for the 2018/19 registration year.

The setting of fees takes into account any adjustment in the Consumer Price Index and any additional direct costs that Council incurs in its administration of the Dog Control Act 1996, its Dog Control Bylaw 2005 and the Dog Policy.

Each year the Animal Control Unit carries out a door to door survey 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. If the dog remains unregistered, legislation allows for seizure of the dog. For the 2017-2018 year, 101% of known dogs were either registered or infringed. This increase over the 100% is due to new dogs being identified during the street to street compliance program where dogs not known at the beginning of the registration year were identified.

## 7. Fee Differentiation

The fee for registering a dog domiciled in the urban area of the district is greater than that payable by owners whose dogs are either domiciled in the rural area or who have qualified for selected dog owner status.

The rationale for the differential in fee is that statistical information continues to prove that those dogs that are kept within the urban area of the district are the subject of more complaints and therefore require use of the greater portion of resource available to the Animal Control operation.

## 8. Dog Pound

Council operates a Dog Pound where up to 70 dogs are able to be contained in humane conditions pursuant of the Animal Welfare Act 1999 pending recovery by their owners where those owners are known. In terms of the Dog Control Act 1996 impounded dogs are kept for a minimum of 7 days. If they remain unclaimed by known owners after the expiry of 7 days the dogs are, where possible, re-homed to new owners, or are humanely euthanazed.

The Pound facility is open to the public for the inspection and/or retrieval of impounded dogs five days a week between the hours of 2pm and 4.30pm. Owners wishing to recover dogs outside of those hours can do so by arrangement with the on duty Animal Control Officer. Staff maintain the Pound to a very high standard of hygiene. Many of the dogs that are found wandering on the street have never been vaccinated for any diseases and Parvo Virus, a debilitating and often fatal disease that affects canines, is occasionally encountered. This is in spite of the very strict hygiene protocols followed by staff at the Pound.

Due to the increase of impounded dogs, currently pound upgrades are being undertaken that consist of an additional 25 indivial cages, new security fencing, and new CCTV security system. There has been an increase to the dog registration fee of \$10.00 per dog across the board to ultimately fund these upgrades.

The pound has been inspected twice in recent years by Ministry of Primary Industry staff, one inspection being unannounced following complaints being received from one person who does not agree with our operation. In both instances, the complaints were found to be totally unsubstantiated; in fact MPI staff were impressed with the condition of the pound and the dogs.

## 9. Menacing Dogs

Schedule 4 of the Dog Control Act 1996 lists four breeds of dogs and one type of dog which Territorial Authorities are required to classify as "menacing". The four breeds of dogs listed in the Act are the Brazilian Fila, Dogo Argentino, the Japanese Tosa and the Perro de Presa Canario, a recent addition to the list. So far as is known there are none of these dogs in the district.

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 a problem with American Pit Bull Terriers and their crosses exists. This council is exercising the option provided in section 33E(i)(b) of the Dog Control Act 1996 and ensure all dogs classified as menacing are desexed. Council further supported the option by introducing a bylaw to that effect. Council have adopted a zero tolerance policy on all dogs classified as dangerous or menacing. Failure to comply with any effect of a classification is dealt with by way of an Infringement Notice or a District Court Prosecution.

## 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 continues to endeavour to identify and make available, additional areas that are suitable as dog exercise areas. A list of dog exercise areas and details as to their location is included in Council's Dog Policy, while a booklet of aerial maps is available for public perusal and on Council's website.

#### 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 rather supports the work done by local dog obedience clubs.

Council does have an education programme on safety around dogs, available for delivery in primary and intermediate schools on an “as requested” basis, by those schools. This service has been delivered to classes in several local primary and middle schools during the past year. The programme will expand with the adoption of the Christchurch City Councils educational programme with the theme “if a dogs on its own, leave it alone.”

Staff have identified an opportunity to work with the local SPCA staff in delivering an education programme to the schools going forward and are in early steps in progressing this.

Council provides a bark collar hire or purchase service which has been very successful in curing dogs from nuisance barking.

#### 12. Infringement Notices

As alluded to earlier in this report, section 66 of the Dog Control Act 1996 provides for the issue of infringement offence notices for 27 minor offences under the Act. Council uses the infringement offence provisions and finds it to be a useful tool in dealing with minor offences rather than having to go through the process of lodging a charging document in the District Court and the subsequent prosecution process that follows. Given the delays that exist in the Court system, the infringement offence notice procedure is a far preferable method of achieving compliance. We use this tool as part of our graduated response model to all issues the team deal with.

#### 13. Dangerous Dogs

Section 31(1) 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 behaviour 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.

The compliance with a classification as either “dangerous” or indeed “menacing” dogs could only be described as less than satisfactory. As a matter of practice Council will infringe or prosecute owners found in breach of any of the conditions that need to be complied with following “classification”. Classification as dangerous is based on exhibited aggressive behaviour of the dog.

#### 14. Classes of Dog Ownership

Council has three 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 dog owner status".

This latter category is able to be applied for by dog owners who meet the following criteria:

- 1. Any person who has owned a dog for more than one year.
- 2. Any person whose dog has not been impounded in the last two years.
- 3. Any dog owner whose dog has not been the subject of a justified complaint in the two years prior to application.
- 4. Any person who has not been the subject of any legal proceedings in relation to the control of dogs.
- 5. Any person whose dog is registered in accordance of the Dog Control Act 1996.
- 6. Any person whose property is adequately fenced to contain the dog and who has adequate kennelling for their dog.

Qualification for select dog owner status also requires a secure area on the property the dog is domiciled. Applications for this status must be made prior to 31 March in any year (to assist in the setting of budgets) and also to ensure that the property checks are completed prior to the commencement of the next registration period. Granting of this status will result in a registration fee which is the same as that for a rural domiciled dog.

#### 15. Disqualified and Probationary Dog Owners

Two dog owners have been disqualified from owning a dog in accordance with the Dog Control Act 1996 during the 12 months under review. There were no owners classified as probationary owners during the period under review.

#### 16. Level of Satisfaction with the Dog Control Service

There is a comparatively high level of satisfaction on the part of Rotorua residents with the service provided by Council's Animal Control Unit. The National Research Bureau Communitrak Survey has been completed in May 2018, the results are not to hand at the time of writing this report.

#### 17. Statistical Information

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

**PART 2 - Statistical Information**

<b>Category</b>	<b>As at 30 June 2018</b>	<b>For Period 01 July 2017– 30 June 2018</b>
1) Total # Registered Dogs	11,831	~ Not Required ~
2) Total # Probationary Owners	-	-
3) Total # Disqualified Owners	9	2
4) Total # Dangerous Dogs	21	6
➤ <i>Dangerous by Owner Conviction Under s31(1)(a)</i>	1	0
➤ <i>Dangerous by Sworn Evidence s31(1)(b)</i>	19	7
➤ <i>Dangerous by Owner Admittance in Writing s31(1)(c)</i>	5	2
5) Total # Menacing Dogs	478	89
➤ <i>Menacing under s33A(1)(b)(i) - i.e. by Behaviour</i>	82	26
➤ <i>Menacing under s33(1)(b)(ii) – by Breed Characteristics</i>	0	0
➤ <i>Menacing under s33C(1) by Schedule 4 Breed.</i>	440	132
6) Total # Infringement Notices.	~ Not Required ~	799
7) Total # Complaints Received	~ Not Required ~	5070
➤ <i>TA Complaint Category 1</i>	~ Not Required ~	472
➤ <i>TA Complaint Category 2...</i>	~ Not Required ~	4598
8) Total # Prosecutions Taken	~ Not Required ~	3

1. Column titled "As at 30 June 2018" covers the 12 month period prior to 30 June 2018
2. Category 1        Complaints – attacks on persons and animals and rushings.  
Category 2        Bark, roam etc.