



Whangarei
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Whangarei District Council

Annual Report on Dog Control Policy and Practice

2020 - 2021

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1 Introduction

1.1 Purpose

Section 10A of the Dog Control Act 1996 requires each territorial authority to report on its dog control policy and practices and provide specific statistical information.

This report acts as a medium for this information and is an update on the progress and processes of the Whangarei District Council Dog Control activities.

1.2 Background

Whangarei District Council has contracted Armourguard ('Council's Regulatory Services contractor') to undertake the Council's duties under the Dog Control Act 1996, Impounding Act 1955, and relevant animal management bylaws and policies.

Armourguard commenced providing dog control services for the Council from 16 September 2016.

Through the contract, and during the period to which this report relates, Council funded four (4) full time Animal Control Officers, in addition to an adequate number of pound (shelter) staff and administrator/receptionist staff, the same number, as in previous years. Recent enhancements in resourcing approved by Council fall outside the timeframe for this report, which will be captured in the next annual report covering 2021/22.

Dog control services operate 24 hours from a Council owned Animal Management (dog pound) Shelter based in Kioreroa Road, Whangarei.

The contractor's animal control team is responsible for the field services of the department, including but not limited to, the reactive response to complaints about animals at large, or causing nuisance, ensuring compliance with the Dog Control Act 1996 ('the Act'), encouraging responsible dog ownership and registration of dogs as well as community education.

This year, the focus has been on compliance in all areas including registration, microchipping, and responsible dog ownership.

2 The Council's Dog Control Policy and Practices

2.1 Council adopted the Dog Management Policy in May 2013

The policy provides vision and guidance to ensure;

- The prevention of danger, distress and nuisance to the community by uncontrolled dogs in public spaces
- providing for the exercise and recreational needs of dogs and their owners
- the protection of kiwi and other indigenous wildlife
- encouragement of good dog ownership relating to compliance and welfare.

The statutory review of this policy and the related bylaw is planned for 2022/23, as provided for under relevant legislation.

2.2 Fees

Dog registration fees, fines and impound fees aim to contribute up to 90% of the cost of dog control in Whangarei District. The Council provides a discounted rate for owners of 'working dogs'; dog owners that de-sex their dog and for those who pay registration prior to 1 August. In addition, Council charges a zero rate for "service" dogs.

Fees are used for:

- Dog Control activities including complaint investigation, patrols, and law enforcement
- Dog incident prevention (including finding unregistered dogs, owner disqualification, and the classification and enforcement of menacing and dangerous dogs)
- Running the annual dog registration renewal program.
- Signs for the Council's Dog Management Bylaw and Dog Management Policy
- Shelter (pound) Services, including lost and found, and adoption
- Education programs for schools and community groups

3 Key Achievements 2020/2021

3.1 Responding to complaints (CRM)

There were 4,981 dog control service requests over the 2020/2021 period. This represents a just over 14% increase, when compared to the previous year's total of 4358.

While complaints about 'wandering' dogs decreased by approximately 14% when compared with last year, there was a small, 5%, increase in the number of barking complaints.

The contractor also carried out 269 proactive patrols in identified risk areas taking the total number of service actions to 5,250. When compared to last year's figures of 4,358, this represents an increase of 892 service activities carried out on Council's behalf during 2020/21 compared to the previous year.

3.2 Enforcement Activities

There were 688 infringements issued for offences under the Dog Control Act in 2020/21. This represents a 50% increase or an increase of 229 infringements from the 459 infringements issued in 2019/2020. It also illustrates an overall increase in the quality of investigation/files being produced by the contractor's officers, leading to enforcement action where deemed appropriate.

In addition to the increase in infringements, Council's contractor has increased its focus on the 'three strikes' rule. Section 25 of the Act provides that where three or more infringements (relating to more than one incident) are issued within twenty-four months, then Council must disqualify the dog owner from dog ownership (except in certain limited circumstances).

In coming months this approach will be further underpinned by the increase in infringements issued over the last year, along with the issue of formal warning letters where practicable, highlighting to the owner that they are at risk of disqualification.

Attacks, decreased by 114 this year, which is a significant reduction. While 'rushings' increased, this was only by a very small number, (ten more incidents in total), than in 2019/20. It is too soon to say if this is a trend, however, it is hoped that the increase in proactive work undertaken by the contractor combined with earlier intervention strategies such as the increase in issuing of infringements and warnings, including around disqualification risk, is making an impact. Staff are

cautiously optimistic that the expansion of this approach will continue to reduce the harm and suffering that accompanies dog attacks in the community. It is noteworthy that the proactive patrols carried out by the contractor were not specifically required under the contract at that particular time, and in that respect the contractor went above and beyond, to demonstrate the potential positive impact of enhanced proactivity.

Going forwards, dog classification (menacing/dangerous) will be a heightened area of focus. The expectation is that this will also expand into further proactive monitoring for compliance, and increased enforcement where necessary.

A total of four prosecutions were concluded during the period covered by the report. Each of these prosecutions were successful. Two prosecutions were commenced during the period, but as at 30 June 2021 had not been concluded. In addition, a further prosecution was successfully concluded just after 30 June 2021, which had been commenced by Council back in 2019/20.

Therefore, a total of seven files, were being actively prosecuted, during the period covered by this report.

3.3 Impounded dogs

During the year, there were 502 dogs impounded at the shelter, which is 134 more dogs impounded than in the previous period.

The business case for the scope for a new Animal Management Shelter was completed in 2017/18 year. Council has acquired a new site, and through the 2021-31 Long-term Plan, has put aside funding for the design, procurement, and construction processes currently being worked towards.

As many dogs as possible that enter the shelter (that are assessed as suitable), are rehomed. This is supported by adoptions, the 'Pound Pooch' feature in the 'Whangarei Leader', and through relationships that have been developed by the Shelter Supervisor with charitable trusts that rescue, rehabilitate, and rehome dogs.

45 dogs were rehomed from the shelter in 2020/2021 compared to 54 dogs in the previous year. It should be noted, however, that no dogs could be rehomed during the level 3 and level 4 Covid-19 lockdown restrictions.

The number of dogs having to be euthanized this year decreased by 21% or 37 dogs from last year and is at the lowest number it has been for at least five years. It is hoped that this positive trend continues.

3.4 Menacing Dogs

Under the Dog Control Act 1996, all dogs must be classified as menacing that belong to a breed or type currently listed in schedule 4 of the Act, or if the local authority considers the dog poses a threat to people or other animals and wildlife due to its behavior. A classified dog must be muzzled when in a public place and be de-sexed. De-sexing menacing dogs is a key component of reducing dog-related harm.

155 dogs were classified in the district as menacing dogs under section 33C of the Act. These dogs were of the American Pitbull Terrier type.

While the number of dogs classified as menacing based on reported behavior increased to 51 in 2020/21 from 36 the previous year, the number of dogs classified based on breed/type dropped from 178 to 104.

The recent contract enhancement will allow for an increased focus on this important area of enforcement over the coming year. Council's contractor has already reviewed and strengthened its classification protocol. In preparation, the contractor has drafted a standard operating procedure in

relation to the identification and classification of menacing dogs, which is currently being reviewed by Council.

3.5 Challenges and Achievements

The previous reporting year (2019/20) was a particularly challenging one for Council's animal management contractor. This was due to significant staffing changes, and recruiting challenges, along with the commencement of the Covid 19 pandemic and periods of alert levels 3 and 4, and attacks trending upwards. As a result, in 2019/20, officer response was largely limited to critical functions only.

This was reflected both in the number of registrations, and in relation to further follow-up and enforcement activity around non-registration, that was carried out by the contractor that year.

This year (2020/21), however, has seen a period of consolidation and development of (new) staff. There was an improved focus on dog registration, which increased to 12,349, from 10,852 in 2019/20.

Specifically, as at, 31 July 2020, there were only 10,668 dogs that had been registered in a timely and voluntary way by owners and so the impact of follow-up activities, including property checks made by the contractor, is evident in the final number of 12,349 registrations, captured on 30 June 2021.

Likewise, infringements issued for non-registration increased by 120, from 165 issued in 2019/20 to 285 issued in 2020/21, and there has been a material reduction of attack numbers and stabilization of rushing numbers is discussed above.

Acceptance and agreement that dog control was both understaffed and underfunded and in urgent need of "enhancement", as of 1 July 2021, resulted in significant levels of personal goodwill and collaboration, from key contracted officers. Dog control management and senior officers went 'above and beyond' in terms of time worked, intensity of work, and personal toll, in order to demonstrate what could potentially be achieved with appropriate resourcing. This commitment has been instrumental in the reduction of more than 100 dog attacks during the reporting period.

The full impact of the recently implemented contractual enhancement will not be able to be quantified until the end of the current year on 30 June 2022. However, it is anticipated that the additional resourcing that has been provided, will serve to enhance the earlier and more comprehensive intervention that has been occurring with dog owners. It is anticipated that this will translate into ongoing stabilization and hopefully further reductions in attacks, and therefore harm and suffering in the community.

Finally, it is noted that the contractor and specifically the Manager of the Animal Management team, (Shaun Holland), has been committed both within his contracted role, and outside of it in a voluntary capacity, to local conservation efforts, (particularly in regard to protecting kiwi). Mr Holland has been liaising with the Department of Conservation, and with Council's RMA Compliance team to establish protocols for identifying the presence of dogs on properties in contravention of resource consent conditions. Going forwards, dog control officers' work in the field, will feed into, and support the work of the RMA compliance team in this space.

Lastly, as noted above, there is still much more to be done. This includes a focus on ensuring menacing classifications are appropriately issued and enforced. Likewise, there will be a renewed emphasis on the dog safety in schools program.

3.6 Planned Activities for 2021/2022

- Continued focus on comprehensive and early intervention in response to negative dog behaviours, such as wandering, and aggressive behaviours with a view to maintaining and enhancing reductions in dog attack numbers.
- Continuing and expanding the greater focus on proactive work carried out by the contractor, in terms of locating, and enforcement in relation to unregistered dogs
- A renewed focus on working with local schools to provide dog safety education to high risk and hard to reach communities
- Placing renewed priority on ensuring all dogs that are required to be classified either by reason of the animal's breed or type, or due to observed, or reported behaviour, are identified and classified
- Enhanced focus on the development and review of standard operating procedures to ensure Council, via its contractor is meeting its statutory requirements, and wherever possible exceeding these
- Exploring further opportunities to increase dog adoption rates

4 Summary

The Council's regulatory enforcement contractor, Armourguard, has now completed five years as the Animal Management unit for the Whangarei District with a variation for one further year having been approved.

Future work will be focused on encouraging responsible dog ownership, concentrating on the registration and compliance of dogs, along with ongoing enforcement.

As the project culminating in the construction of a new shelter advances, Council staff will also be increasingly involved in supporting implementation of this project.

Going forward, the animal management team aims to achieve a continued improvement in all these areas as well as focusing their resources on consistency in operations and improving value for the customer in the 2021/2022 year.

5 Dog Control Statistics

5.1 Table one: Registration/Classification related data

	Total 2020/21	Total 2019/20	Total 2018/2019	Total 2017/2018	Total 2016/2017
Dogs Registered	12,349	10,852	12,019	9,081	7,423
Dog Owner Classification					
Probationary	1	1	1	0	0
Disqualified	12	10	1	1	0
Menacing Classification					
By Breed	104	178	67	132	0
By Deed	51	36	5	2	0
Combined	155	214	72	134	0
Dangerous Classification					
Section 31(1) a	0	0	0	0	0
Section 31(1) b	2	2	2	2	0
Section 31(1) c	0	0	0	0	0
Total Dangerous	2	2	2	2	0

5.2 Table two: Service data

		Customer Request breakdown by job type			
Job Type	2020/2021	2019/2020	2018/2019	2017/2018	2016/2017
Wandering	1901	2213	1883	1653	1623
Barking	1234	1174	1504	1541	1142
Attacks	166	281	293	272	209
Rushing	186	176	242	154	167
Unregistered dog check	1117	158	812	996	119
Miscellaneous*	377	356	68	101	57
Total	4,981	4,358	4,802	4,717	3,317
Proactive community patrols	269				
Service total	5250				

*Miscellaneous: Reactive patrols, worrying/trapping, fouling, condition check, miscellaneous bylaw breach

5.3 Table three: Compliance Data

	2020/21	2019/2020	2018/2019	2017/2018	2016/2017
Prosecutions					
Number of people prosecuted (note there may be more than one charge)	Concluded (Successful) 4 Concluded Total 4 Commenced but not concluded in the period 2	Concluded (Successful) 9 Concluded Total 12 Commenced but not concluded in the period 4	5	1	0
Infringement offence					
18 Willful Obstruction of dog control officer or ranger	11	6	1	2	0
19(2) Failure or refusal to supply information or willfully providing false particulars	0	3	0	2	0
19A (2) Failure to supply information or willfully provide false about dog	0	0	0	0	0
20(5) Failure to comply with any bylaw authorised by the section	2	0	0	0	0
23A (2) Failure to undertake dog owner education program of dog obedience course (or both)	0	0	0	0	0
24 Failure to comply with the obligations of a probationary owner	0	0	0	0	0
28(5) Failure to comply with the effects of disqualification	0	0	0	0	0
32(2) failure to comply with the effects of classification of dog as dangerous	0	0	0	0	0
32(4) Fraudulent sale or transfer of dangerous dog	0	0	0	0	0
33EC (1) Failure to comply with the effects of	10	6	2	0	0

	2020/21	2019/2020	2018/2019	2017/2018	2016/2017
classification of dog as menacing					
33F (3) Failure to advise person of muzzle and leashing requirements	0	0	0	0	
36A (6) Failure to implant microchip transponder in dog	34	66	174	259	245
41 False statement in relation to dog registration	0	0	0	0	0
41A Falsely notifying death of dog	0	0	0	0	0
42 Failure to register dog	285	165	321	557	404
46(4) Fraudulent procurement or attempt to procure replacement dog registration label or disc	0	0	1	0	0
48(3) Failure to advise change of dog ownership	0	0	1	0	0
49(4) Failure to advise change of address	0	0	3	0	0
51(1) Removal, swapping or counterfeiting of registration label or disc	0	0	0	0	0
52A Failure to keep dog controlled or confined	298	208	203	146	149
53(1) Failure to keep dog under control	45	3	9	8	10
54(2) Failure to provide proper care and attention, to supply proper and sufficient food, and to provide adequate exercise	2	1	0	0	0
54A Failure to carry leash in public	0	0	0	0	0
55(7) Failure to comply with barking dog abatement notice	1	1	0	2	0

	2020/21	2019/2020	2018/2019	2017/2018	2016/2017
62(4) Allowing dog known to be dangerous to be at large unmuzzled or unleashed	0	0	0	0	0
62(5) Failure to advise of muzzle and leashing requirements	0	0	0	0	0
72(2) Releasing dog from custody	0	0	0	0	0
Total	688	459	715	976	808

5.4 Table four: Shelter data

	2020/21	2019/2020	2018/2019	2017/2018	2016/2017
Impounded Total	502	368	557	388	275
Total number of returned to owner	320	140	231	164	68
% dogs returned to owners	63%	38%	42%	42%	25%
Total number of adopted dogs	45	54	33	40	29
% dogs adopted	9%	15%	6%	10%	11%
Total number of euthanised dogs	137	174	293	184	178
% dogs euthanised	27%	47%	52%	47%	65%