

REPORT ON QUEENSTOWN LAKES DISTRICT COUNCIL'S

DOG CONTROL POLICIES AND PRACTICES

2011 – 2012 Financial year

Section 10A of the Dog Control Act 1996 requires that a territorial authority report each financial year on its dog control policies and practices.

THE DOG CONTROL ACT 1996

The objects of the Act are as follows:

(a) To make better provision for the care and control of dogs

(i) By requiring the registration of dogs;

(ii) By making special provision in relation to dangerous dogs;

(iii) By imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and

(iv) By imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and

(b) To make provision in relation to damage caused by dogs.

Queenstown Lakes District Council has also adopted a policy and has a bylaw, which specify dog control measures throughout the district. It also educates dog owners of their responsibilities, in order that we have a safe environment for all to enjoy.

DUTY OF TERRITORIAL AUTHORITIES TO ADOPT POLICY ON DOGS

Section 10 of the Act has been amended by the 2003 Amendment Act and requires QLDC to develop a policy on dogs. The purpose of the policy is to set out QLDC's direction for dog control within the District.

The amendment to Section 10 also reinforces the safety provisions QLDC must have regard to in adopting this policy on dogs. Added considerations are the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places frequented by children, and the importance of enabling the public to use streets and public amenities without fear of attack or intimidation by dogs.

ANIMAL CONTROL OFFICERS

There are **1.7 FTE** who respond to animal control issues throughout the district. This is approximately **1.3 FTE** based in Queenstown and the other **0.4 FTE** in Wanaka.

Animal control officers can be contacted 24 hours a day, with Lakes Environmental (CCO) receiving the calls during office hours (Monday to Friday 8am – 5pm). If a complaint is

received outside of these times, this is referred to our after-hours team to respond to the matter. The afterhour's numbers for animal control being:

- Wanaka – 443 0024
- Queenstown – 441 0499

DOG CONTROL ENFORCEMENT PRACTICES

The Dog Control Act 1996 and QLDC Dog Control Bylaw 2006 are enforced by Queenstown Lakes District Animal Control Officers. Anyone found in contravention of the Dog Control Bylaw 2006 or Act is generally issued a warning for a first offence. If there is a further contravention the dog owners are likely to be issued an Infringement Notice without further warning.

In 2010 – 2011 the main issue identified was barking dogs.

Over the last year there has been a focus to reduce the number of such complaints regarding barking dogs, through better education and response to complaints. This year 2011-2012 there was almost a 50% reduction in the number of barking dog complaints from 100 to 52.

The significant decrease in complaints can be directly attributed to the efforts put in by Lakes Environmental and its officers educating dog owners who Lakes Environmental have received complaints about and providing them with brochures specifically developed by Lakes Environmental re this issue. The escalated enforcement approach has also ensured that owners of barking dogs have taken quick action to implement mitigation where necessary.

The main issues identified over the last year 2011-2012 has been “lost dogs reported by their owners” and “Roaming Dogs” reported by the public. The increases have been 87-184 and 42-158 respectively.

Due to the significant increase discussed above, the subject areas will form the focus of education and enforcement to owners during the coming year.

DOG PROHIBITED, LEASH ONLY AND EXERCISE AREAS

Areas Where Dogs Are Prohibited

Dogs are not permitted in the following areas at any time with the exception of Companion dogs, Guide dogs and Hearing dogs.

Arrowtown: Buckingham Street between Berkshire and Wiltshire Streets and including the Arrowtown Village Green and Marshall Park.

Queenstown: Beach Street, the Mall, the Village Green and Earnslaw Park

Wanaka: Bremner Bay, between 1 December and 31 March

And:

- Areas laid out and equipped as children's play grounds
- Areas within a 50 meter radius of defined children's play grounds;
- Defined playing areas of sports fields;
- All Cemeteries.

National Parks

A significant part of Mount Aspiring National Park (as constituted under National Parks Act 1980) is located within the Queenstown Lakes District. Dogs are not permitted in any National Parks.

Conservation Areas

The Department of Conservation (DOC) advised QLDC of controlled or open dog areas under Section 26ZS of the Conservation Act 1987 for inclusion in this Policy. Separate rules and regulations apply to these areas as determined by DoC.

Areas where dogs are required to be on a leash

Dogs are generally permitted in residential and urban areas at any time if they are on a leash. Dogs may not be let off their leashes in these areas i.e. not under control.

In general these are residential or distinctly urban areas, but do not include reserves or QLDC owned walking tracks.

In any case dogs are required to be on a leash in the following (but not limited to) zones:
Any areas zoned as follows in the QLDC District Plan and any roads running through or adjacent to these Zones:

- Wanaka Town Centre Zone
- Queenstown Town Centre Zone
- Arrowtown Town Centre Zone
- Corner Shopping Centre Zone
- High Density Residential Zone
- Low Density Residential Zone
- Residential Arrowtown Historic Management Zone
- Township Zone
- Remarkables Park Zone
- Resort Zone
- Bendemeer Zone
- Penrith Park Zone
- Quail Rise Zone
- Airport Mixed use Zone

Dogs may be allowed off a leash in areas where they are not specifically prohibited or required to be on leash.

In any area where a dog is not required to be on a leash and the dog has been allowed off the leash, the owner of that dog must have the dog under voice control and be carrying a leash at all times.

Should the dog be deemed as causing a threat or nuisance to any person or animal, the dog must be immediately leashed and brought under control.

DOG REGISTRATION FEES

Registration

Every person who has in their possession a dog over three months old is required to register their dog annually, and to advise the QLDC promptly of any change of address or ownership of the dog. If owners do not meet the obligations to register their dogs, enforcement procedures are initiated.

Lakes Environmental advise all registered dog owners at least two weeks in advance of the renewal of registration date, in order to try and facilitate the renewal process, in order that owners are not penalised. This is a graduated approach, which follows the following format:

- A public notice to remind owners of their obligations to register their dog(s) and when, along with a letter/invoice to each owner, including an amnesty period for any un-registered dog(s).
- A reminder letter with a 50% penalty increase for non – registration within the specified time frame.
- An infringement is issued
- Unregistered dogs may be seized and impounded

There has been a significant increase (13%) in the number of registered dogs over the last year, however, the number of menacing and dangerous dog has altered to very minor degree as outlined below:

Category	2009 - 2010	2010 - 2011	2011 - 2012
Total number of Registered Dogs	3225	3277	3713
a) Dangerous by owner conviction under s.31(1)(a)	0	0	1
b) Dangerous by sworn evidence under s.31(1)(b)	2	2	2
c) Dangerous by owner admittance in writing under s.31(1)(c)	0	0	0
Total number of Dangerous Dogs	2	2	3
a) Menacing under s33A(1)(b)(i) – Behaviour	5	10	11
b) Menacing under s33A(1)(b)(ii) - Breed characteristics	0	0	0
c) Menacing under s33C(1) - Schedule 4 Breed/Type	0	3	3
Total number of Menacing Dogs	5	13	14
Total number of Probationary Owners	0	0	1
Total number of Disqualified Owners	0	0	0

Dogs Registered Outside of the Queenstown Lakes District

Due to the large percentage of holiday homes in the District, there is often an influx of dogs from other Districts at certain times of the year. Currently there is no mechanism to keep track of visiting dogs and, as such, problems can arise when endeavoring to enforce Council's bylaws. The Dog Control Act requires that any dog that is kept in a District for four weeks or more be registered within that District.

Registration Fees

QLDC has a tiered fee structure(as below), allowing fees to be set at various levels for those categories of dogs that Council may from time to time choose to recognise.

Category	Fee if paid on or before 31 July 2012	Fee if paid after 31 July 2012
Disability Assist Dog (e.g. Guide Dog)	NIL	NIL
Working Dog	\$35	\$52.50
Spayed/Neutered Dog	\$60	\$90
All Other Dogs	\$70	\$105

Dangerous/Menacing Dog	\$145	\$217.50
Impound Fees		
1st Impound Fee	\$100	
2nd Impound Fee	\$160	
3rd Impound Fee	\$240	
Feeding Fees (while impounded)		
	\$35 per day	
Microchip Fee		
	\$35	

Dogs assisting the disabled are exempt from registration fees. This recognises the contribution of these dogs to the community.

The registration fees are intended to contribute to:

- Administration of the registration process and collection of fees;
- Information provision to dog owners;
- Patrolling; and
- Enforcement (with the exception of prosecution).

The fee structure takes into account the actual cost of the services used by dog owners. However, Council currently provides approximately 40% of the costs of the service.

Neutered Dog Discount

QLDC wishes to encourage neutering of dogs as part of promoting responsible ownership and reducing the incidents of straying and unwanted dogs. The registration fee structure recognises this by setting a lower rate for neutered dogs.

DISQUALIFIED & PROBATIONARY DOG OWNERS

There was one probationary Dog Owners in the Queenstown Lakes District within this financial period.

MENACING AND DANGEROUS DOGS

There were 3 Dangerous Dogs and 14 Menacing Dogs registered in the district for the 2011-2012 period, which is an increase of only 1 in regards to menacing dogs.

The owner of a dog that is classified as dangerous or menacing must not allow the dog to be at large or in any public place without being muzzled in such a manner as to prevent the dog from biting but to allow it to breath and drink without obstruction.

MANDATORY OBLIGATIONS UNDER THE ACT

The Dog Control Act 1996 sets out provisions that QLDC is obliged to comply with and enforce i.e. QLDC has no discretion to set these aside.

In terms of this policy, the statutory requirements are summarised below:

It is unlawful to import any of the following breeds/types of dog:

Breed of dog

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa

- Perro de Presa Canario

Type of dog

- American Pit Bull Terrier

If QLDC has reasonable grounds to believe that a dog belongs wholly or predominantly to one of the four breeds/types listed above it must classify the dog as 'menacing'. Menacing dogs must be muzzled when in public. Lakes Environmental currently makes an assessment regarding these dogs, to determine if they meet the criteria of the Act.

Leash

The QLDC Policy requires those taking dogs out in public to use or carry a leash at all times. In addition it requires Dangerous and Menacing dogs to be leashed when in public and owners of dangerous and menacing dogs must advise anyone to whom they lend the dog of the requirement that it must be muzzled and leashed (in the case of dangerous dogs) when in public.

Unlawful Release of Dog from Pound

It is an offence to attempt to unlawfully release a dog from a pound or to be in possession of a dog that has been unlawfully released from a pound.

Control

Dog owners must ensure at all times that, when their dog is on their property, it is either:

- (a) under direct control of a person; or
- (b) confined in such a manner that it cannot freely leave the property.

Micro-chipping

All dogs registered for the first time on or after 1 July 2006, and all dogs classified as dangerous or menacing since 1 December 2003 are required to be micro-chipped.

DOG CONTROL RESPONSE

This section describes the number and type of complaints received and the manner in which Queenstown Lakes District Council has responded to address the complaints and general issues regarding dogs over the last year.

Category of Complaint	2009 - 2010	2010 - 2011	2011 - 2012
Public Safety related complaints			
Dog attack on people - minor	10	4	4
Dog attack on people – serious	1	15	4
Dog attack on animal – minor	4	17	12
Dog attack on animal – serious	12	19	13
Dog attack on stock (worrying stock)	3	8	4
Dog rushing	0	13	17
Roaming dogs	62	42	158
General concern	101	56	31
Non-safety Concerns			
Lost dogs	141	87	184
Barking	34	100	52
Fouling/breach of Bylaw	2	7	17
Total complaints	370	368	496

Attacks

When an attack occurs on a person or animal, the incident can be extremely distressing for all parties. It is imperative that we have a rapid response to such matters and appropriate action is taken.

Over the last year we have seen an decrease in the number of serious attacks from 23 to 8, which is reflected in the reduced number of infringements issued for dogs not being under control and the limited increase in Menacing dog classifications this year.

Lost & Roaming Dogs

Roaming dogs are a District wide issue, which can frighten, intimidate or annoy others, in addition to attacking other animals and people.

There has been a 276% increase in the number of roaming dogs reports this year from 42 to 158. Due to increased education to the public in general about the wider issues of roaming dogs the public are increasing their reporting of these dogs to Lakes Environmental.

As discussed earlier in this report the subject area will form the focus of education and enforcement to owners during the coming year.

There will be key “hot spot areas” identified and patrols increased in these areas.

Barking Dogs

Barking dogs can create a significant nuisance, as discussed earlier in the report Lakes Environmental has achieved almost a 50% decrease in Barking dog complaints over the last year though educating dog owners and providing them with brochures specifically developed by Lakes Environmental re this issue. The escalated enforcement approach has also ensured that owners of barking dogs have taken quick action to implement mitigation where necessary.

General Concerns

There was a 45% reduction in the number of ‘general concerns’ from 56-31. This area also includes aspects of welfare.

Prosecutions

There has been an on-going prosecution by Council during this period which has not yet been heard. The focus of this prosecution was a “Pit Bull Type Dog” (not wholly or predominantly) already classified as menacing due to dog on dog attack, attacking a dog for a second time.

Infringements

There has been a 16% decrease in the number of infringements issued during this period from 151 to 126. The main and significant decrease has been in regards to owners failing to keep their dogs under control, this is a direct reflection on the reduction of serious attacks on people and animals.

OFFENCE	2009 - 2010	2010 - 2011	2011 - 2012
Failure to comply with classification	1	2	0
Failure to register dog	73	105	98
Failure to advise of address change	1	0	0
Failure to keep dog controlled/confined on owners property	11	27	23
Failure to keep dog under control	24	15	2
Failure to carry a leash in public	1	1	0
Total	111	151	123