

6. PROPOSED DOG CONTROL POLICY AMENDMENTS

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The purpose of this report is to present the findings of the Dog Control Subcommittee which met to consider 1,200 submissions on the dog control policy amendments. The report is for consideration of the Committee and recommends amendments to the Dog Control Policy.

The report also considers some other matters that arose through the hearing process or were considered by the Dog Control Subcommittee in its deliberations.

INTRODUCTION

On 22 August 2002 the Council resolved that staff investigate a bylaw that required dogs to be on a leash when in public places and report back to the Regulatory and Consents Committee. Following a report back from staff the Council at its meeting on 21 November 2002 resolved.

- That the Council not amend clause 3 of the current Dog Control Policy but that it review the list of restrained and prohibited areas and that a working party with representatives of the Animal Control Unit, Parks and Waterways Unit, City Streets Unit and Director of Policy's office be formed to undertake this review, and that Councillor representation be Councillors Sue Wells, Ishwar Ganda and Chrissie Williams.*
- That the Council strengthens its publicity on the existing dog control regulations.*
- That publicity be given to the levels of fines for which people are liable if they are served with an infringement notice.*
- That officers report back to the Committee on the issues involved in preparing a submission to central Government seeking to amend the Dog Control Act so that enforcement can be undertaken by other Council officers (e.g. parking enforcement staff) in addition to dog control officers.*
- That the working party on Dog Control also consider issues of tougher enforcement and a stronger visible presence of dog control officers.*
- That the City Streets and Parks and Waterways Units be asked to assist with the removal of outdated dog signs currently in place around the city and their replacement with new signs.*

The current policy which was adopted in 1997, and reviewed in 1999, is difficult for both dog owners and the public to understand. Compliance difficulties with the current policy and the bylaw requirements have arisen from this and further educational efforts as well as better signage are needed to reinforce even current requirements. These are operational matters which should be addressed in the implementation of the policy.

The policy defines four types of areas in relation to dogs:

1. Prohibited;
2. Restrained (in which the dogs were required to a leashes;
3. Under control (voice control only); and
4. Special dog exercise areas.

Dog owners and the general public are confused as to the areas that these categories apply and these are not made adequately clear by the signage in many cases. There is also a perceived lack of promotion of the dog control policy, and bylaw, and its requirements. In addition the Parks and Waterways Unit has provided a list of ecologically sensitive sites that they consider should be made prohibited areas to protect wildlife. This was not a category currently included in the policy. The reasons for identification of these ecologically sensitive areas are outlined in Attachment 1.

In June 2003, the proposed amendments to the policy were publicly notified and sent to all registered dog owners as required by the Dog Control Act 1996. Brochures with provision for sending in submissions on a freepost basis were sent to all dog owners and copies made available at Service Centres and libraries. Online consultation was available on the "Have Your Say" website. The closing date for submissions was set as the 18 July 2003.

SUBMISSIONS

As previously reported to the Committee the “Have Your” Say website provided 162 responses, and 20 individual email responses. The brochure response totaled 1,034, a number of which included lengthy attached letters.

Both the “Have Your Say” website and the brochure indicated that if persons wished to tell Councillors their views in person they should include their contact details in their response. About 200 submitters provided contact details and they were contacted to determine if they wished to attend a hearing. Twenty-six persons attended the hearings on 9, 10, and 11 September 2003.

The submissions covered a wide range of matters. The Government legislative proposals to amend the Dog Control Act, following media coverage of the injuries caused by dogs to children, had also been publicised about the same time and there were comments on these. Both the brochure and the website contained questions to assist submitters indicate simply their agreement or not to the proposals. An analysis of these has revealed that there was considerable support for most of the suggested changes as can be seen from the table below.

Responses to Questions contained in the Dog Policy Consultation Documents - 2003

Totals All Sources	Do you support the Council banning Dogs from Ecologically Sensitive Areas?	Have any areas been missed, where you think native birds are being endangered by dogs?.	Does the new wording make it easier for people to understand that dogs are not allowed near children's playground equipment in parks and reserves?	Does the new wording make it easier for people to understand that they should not take their dogs to the most popular sections of beaches during the summer months?
No	320 (29%)	811 (92%)	266 (26%)	157 (15%)
Yes	765 (71%)	74 (8%)	753 (74%)	863 (85%)
	1085	885	1019	1020

Many submissions, despite indicating support for the proposals in general, raised matters that were helpful to the Subcommittee in determining its recommendations. Some of these matters related to clarifying the requirements of suggested restrictions in some areas. Others related to a perception that, with the Government proposed changes to the Act, responsible dog owners and their pets were being unfairly treated.

Matters also were raised about a perceived lack of enforcement of the requirements on those owners whose dogs created problems. These were seen as a small percentage of the total dog owning population.

Some matters were raised that were not part of the consultation process. These included suggestions that areas, other than those put out for consultation, should be included as either leashed or prohibited to dogs. The Subcommittee was advised that under the provisions of the Dog Control Act 1996 it was only legally able to consider matters that had been put out to consultation at this time. These further suggestions are noted for possible consideration in any further review of the Dog Control Policy.

Some submissions sought the Council to take a more positive view of dog ownership and to publicise more actively those areas where dogs could be freely exercised. Conversely, more adequate signage displaying restrictions was seen to be needed. Some dog owners did not consider they should be expected to carry written information on where they were permitted (or not) to go to exercise their dogs.

Written submissions raised the following issues:

- The wording in relation to restrictions on playgrounds and the area to which they applied.
- The wording in relation to beach restrictions and the perceived extensions to such controls.
- The use of prohibited versus leashed requirements in ecologically sensitive areas.
- The need for an increased number of dog parks.
- The provision of “dog” beaches.

- The provision of areas where dogs could swim.
- The use of extendable leads as a means of adequate control.
- The need for additional signage regarding dogs.
- The need for more enforcement of the requirements.
- The introduction of a requirement for owners to carry leads at all times in public.
- The need for increased education of both dog owners and non-dog owners re dog safety issues.
- There were comments made in regard to the design of playgrounds in some parks as not being “family friendly” particularly in relation to dogs.
- The proposals of the Government in relation to law changes re dogs.
- A number of submissions relating to controls being proposed for specific areas.

Where appropriate the Subcommittee has addressed these matters in the proposed changes to the Dog Control Policy (Attachment 2).

DISCUSSION

While the changes to the Dog Control Policy were related to a limited number of issues and areas, and were supported by the majority of submitters, there were other issues raised of worth that the Subcommittee wishes to be examined.

During the consultation process period there was media comment that an extremely popular dog park at Styx Mill was to be closed by the Council. This was not a matter that had been considered previously by the Dog Control Working Party and it was understood the Animal Control Section staff were not aware of this proposed change.

Any such changes in the availability of such dog exercise areas must be considered within the context of the Dog Control Policy and as such should only be implemented through a special consultative procedure. This matter was corrected at a recent Council meeting but the community was still raising the issue at the hearing of submissions.

In the view of the Subcommittee this raised a wider issue of the need for an overall Council strategy that needed to be developed in relation to dog parks, exercise areas, and playgrounds in parks. Such a strategy could address matters such as the long term development of dog parks, the placement of children’s playgrounds to provide safe and hygienic areas for children with provision for family pets to attend the parks, and the identification and promotion of areas where dogs are able to be exercised freely. It could also be developed on wider matters relating to promoting responsible dog ownership. The Subcommittee considered that such a strategy would enable all the appropriate Council departments to more easily work together on dog-related issues and to improve Council wide co-ordination of these issues. The strategy should cover matters such as communication, education, infrastructure, enforcement.

The Subcommittee also noted that there appeared to be a relatively low level of public information about wildlife (particularly ground nesting, bush and water birds) and this was a matter that should be addressed in order to clarify the needs for certain dog controls and prohibited areas.

Staff

- Recommendation:**
1. That the Regulatory and Consents Committee approve the changes to the Dog Control Policy recommended by the Subcommittee (Attachment 2), and that consideration be given to possible amendments to the Dog Control Bylaw 1997 to bring these into effect.
 2. That the Regulatory and Consents Committee approve the development of a draft dog strategy, as noted above by the Dog Control Subcommittee, and that this be presented to the November meeting of the Committee.

Recommendation from the Chair:

That the Regulatory and Consents Committee invite the Parks, Gardens and Waterways Committee and Urban Planning and Growth Special Committee to assist in the development of a dog strategy which will consider matters such as new dog parks, use of roads by dogs and signage.