
REPORT 1
(1252/52/IM)

DRAFT DOG CONTROL POLICY 2009

1. Purpose of Report

This report presents the draft Dog Control Policy 2009, attached as Appendix 1, for approval for public consultation.

2. Executive Summary

The Dog Control Policy (the Policy) was adopted by the Council in 2004 with a resolution to review the policy in 2009. The policy is largely concerned with community safety and health, animal welfare and providing mechanisms for the registration of dogs. The policy also sets out restrictions over dog access to public places (with the exception of disability-assist dogs which are exempt from all the restrictions).

The Policy has worked well overall, but an opportunity exists with this review to balance the policy's regulation and control focus with recognition of the community health benefits of dog ownership. This report recommends that the following issues and associated proposed policy changes are agreed for consultation:

- a) New policy objectives recognising the positive community health benefits of dog ownership in addition to the existing policy focus on the control of dogs.
- b) Improved access to the waterfront through the central city dog restriction area.
- c) New provisions to encourage the take up of responsible dog ownership (RDO) status including emphasis on the need for timely payment of fees in order to maintain RDO status, new requirements to ensure owners have adequate knowledge of dog care, and easier retention of RDO status when dogs die.
- d) Changes to controlled public places, prohibited public places and exercise areas, including increased numbers of exercise areas, and a new category of exercise area (specified times).
- e) A destination dog park.
- f) Provision of criteria for determining the requirement to neuter menacing dogs.
- g) Provision of a new bylaw requirement for dog owners to carry a receptacle for removal of dog faeces while in public places.
- h) A new provision to encourage dialogue between owners and the Council to promote responsible dog ownership.

The Wellington Consolidated Bylaw: Part 2; Animals (Animals Bylaw), which provides the Council powers to enforce the Dog Control Policy, is also being reviewed. A report on the review of this part of the bylaw is also being presented to the Committee for approval for public consultation.

3. Recommendations

Officers recommend that the Committee agree to:

1. *Receive the information.*
2. *Note that the current Dog Control Policy was passed by the Council in 2004 with a resolution to review the policy in 2009.*
3. *Note that the current policy is generally working well and the current review provides the opportunity to balance its regulatory and control focus with recognition of the community health benefits of dog ownership.*
4. *Recommend to the Council that it agree to the proposed draft Dog Control Policy 2009, as set out in Appendix 1, for consultation using the special consultative procedure under section 10(8) of the Dog Control Act 1996 and section 83 of the Local Government Act 2002.*
5. *Agree that a non-Council publication for educational purposes is part of the regular communication between BCLS and dog owners.*
6. *Agree that a destination dog park and funding options be considered as a proposed new initiative for the 2010/11 annual plan.*
7. *Authorise the Chief Executive and the Associate Social Portfolio Leader to make minor editorial changes to the Summary of Information and Statement of Proposal prior to going to Council, if required as a result of any amendments from this Committee.*
8. *Note that officers will report the results of the public consultation, with a revised proposed draft of the Dog Control Policy 2009, to the Strategy and Policy Committee in October 2009.*
9. *Note that a report on the review of the Wellington Consolidated Bylaw 2008: Part 2 – Animals, is also being considered at this meeting and should be read alongside this report.*

4. Background

4.1 Legislative requirements

The Dog Control Act 1996 and its subsequent amendments, together referred to as “the Act” throughout this report, require Council to develop a Dog Control

Policy and allow it to conduct a review at any time. At the adoption of Council's existing policy in 2004 a review was scheduled for 2009. Council's policy must:

- 1) specify the nature and application of all bylaws made or to be made under the Act
- 2) identify public places where dogs shall be controlled on a leash, prohibited or allowed off leash
- 3) state whether dogs classified as menacing by the Council must be neutered and the criteria used in deciding whether to neuter
- 4) include any other details as the territorial authority thinks fit, including but not limited to:
 - fees or proposed fees
 - owner education programmes
 - dog obedience courses
 - classifying owners as probationary
 - disqualifying owners from owning dogs
 - the issuing of infringement notices.

When adopting a policy on dogs the Council must have regard to the following matters:

- the exercise and recreation needs of dogs and their owners
- the need to minimise danger, distress and nuisance to the community generally
- the need to avoid the inherent danger of uncontrolled dogs in public places frequented by children, whether or not accompanied by adults, and
- the importance of enabling the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs.

4.2 The Policy Review

The current policy provides for a large degree of access to Wellington city's public spaces. Dogs are welcome on a leash in most areas except for the CBD during business hours and certain beaches. Owners' responsibilities in public places include keeping their dogs under control at all times and removing their dogs' faeces.

Dog control is a matter of significant public interest as indicated by the 1019 written submissions received in the development of the policy in 2004.

The purpose of this review is to ensure that the Council's Dog Control Policy and associated Animals Bylaw are relevant and contain the necessary provisions to continue to deliver high quality public health and safety outcomes for Wellingtonians, striking a balance between the needs of the general public and those of dog owners.

To inform this policy review, in May 2008, a dog exercise area survey was distributed with registration applications to all registered dog owners in

Wellington City. There were 3494 responses, 39% of registered owners. The purpose of the survey was to find out where Wellington City dog owners exercise their dogs and which designated dog exercise areas are preferred. Extensive discussions have also been held with Council’s dog control officers, Parks and Gardens staff, and Direct Service Solutions Ltd – Animal Management (DSS), Council’s contracted service providers.

4.3 Dog numbers and locations

In June 2008 there were 8,570 dogs registered to approximately 7,300 dog owners in Wellington city. The Northern Ward and the Onslow-Western Ward have the highest number of registered dogs as shown below. Eight percent of Wellington households own dogs.

Table 1. Number of Registered Dogs by Ward - 2008

Ward	Number of Registered Dogs	Percentage
Eastern Ward	1754	20.47%
Northern Ward	2578	30.08%
Southern Ward	1107	12.92%
Onslow-Western Ward	2312	26.97%
Lambton Ward	819	9.56%
Total	8570	100%

4.4 Exercise areas

There are currently 55 designated exercise areas in Wellington enabling dog owners to exercise their dogs off leash provided they are under control at all times. The Council’s policy to provide exercise areas is now recognised in the draft Dog Control Policy by the addition of Policy 4 in section 4.1: *Access to Public Places*.

These dog exercise areas have been in effect for approximately ten years and were not fully reviewed in 2004.

Key data identified by the May 2008 dog exercise survey included:

- Lyall Bay Beach was the most frequently used exercise area with more than three times the responses received for the second most visited area. It provides for users city wide and indicates that people are prepared to drive significant distances to access high quality exercise facilities¹
- The five least visited exercise areas in that month were Weka Bay Beach, Little Karaka Bay Beach, The Terrace, Kio Bay Beach and Cliff Gaskin Reserve. While these areas each received less than ten reported visits in the month, they provide a local dog exercise option for residents at little or no additional cost to Council.

¹ The survey revealed that 642 dog owners visited Lyall Bay Beach at least once during the month of the survey, 85% of these respondents drove and of these 70% drove more than 5 km.

- Most respondents (62.5%) reported that they walked their dogs every day. Common times for dog walks were weekend afternoons and weekday evenings.

It was identified that the most popular aspects of exercise areas were their size and proximity to home. Other factors were the presence of water to play in, car parking and safety. Most popular exercise areas are those that have the features of safety for dogs, parking, rubbish bins, a water source and interest for the dog as shown in Table 2 below.

Table 2. Most popular dog exercise areas by feature criteria

Rank	Area	No.	Safety	Parking	Water	Bins	Interest	Total
1	Lyall Bay	399	√	√	√		√	4/5
2	Seton N.	110	√	√	√	√	√	5/5
3	Cummings	109	√	√	√	√	√	5/5
4	Karori Park	98	√		√	√	√	4/5
5	Ataturk Memorial	86	√	√		√	√	4/5
6	Willowbank Park	86	√	√	√	√	√	5/5
7	Tinakori Hill	84	√	√			√	3/5
8	Trelissick Park	82	√	√	√	√	√	5/5
9	Ohiro Park	76	√	√		√	√	4/5
10	Wahinahina	73	√	√		√	√	4/5
	Total		10/10	9/10	6/10	8/10	10/10	

4.5 Compliance

In general, Wellington dog owners comply with the rules and responsibilities of dog ownership. Animal control officers report for the 2007/08 financial year that 23 (0.2%) dogs are classified as dangerous² and that there were 44 recorded attacks on people and 58 on animals. In total, Council officers issued 279 infringement notices; 60% of these infringements were for failure to register a dog.

5. Discussion

Officers consider that the current policy's emphasis on education and enforcement options such as infringements, rather than prosecution under the Act, is working effectively. However, an opportunity exists with this review to balance its regulatory and control focus with recognition of the community health benefits of dog ownership.

The following issues and associated proposed policy changes have been identified (through the results of a survey of dog owners³, by officers, DSS⁴ staff

² "Dangerous dog" means any dog that behaves aggressively and threatens the safety of the public, stock, poultry, domestic animal or protected wildlife. Dogs classified as dangerous must wear a muzzle in public.

³ Wellington City Council (2008) Dog Exercise Area Survey – Summary Results.

⁴ Direct Service Solutions are the Council's contracted provider of animal management services.

involved in the provision of animal management services, and by dog owner feedback) for public consultation.

5.1 Proposed addition to policy objectives

The current Dog Control Policy (2004) objectives are to:

- ensure that the owners of dogs comply with their obligations under the Dog Control Act 1996
- prevent the danger caused by dogs to the public and to wildlife and natural habitats
- minimise the distress and nuisance caused by dogs to the public and to wildlife and natural habitats
- actively promote the responsible ownership of dogs
- provide for the reasonable exercise and recreational needs of dogs and their owners.

These dog control focused objectives are currently being met as evidenced by the low levels of dangerous dogs and attacks, with 1.0% of dogs recorded as being involved in an attack on people or animals in the 2007/08 year.

However, reflecting the issues identified (as noted above) this policy review provides an opportunity to balance the current regulatory focus of the policy with one that also reflects the community health benefits of dog ownership.

The draft Dog Control Policy 2009, attached as Appendix 1, contains the following proposals:

- Insert new introductory text to section 2.0 Objectives of the Policy - *“The Policy aims to balance the rights of the public with freedom of ownership and movement of dog owners and their dogs.*
- That the existing Objective 1 be extended to read – *“To ensure that the owners of dogs comply with their obligations under the Act, that dogs are well cared for and Wellingtonians are able to enjoy dog ownership”.*

These new objectives acknowledge that dog owners exercising their dogs on a regular basis results in positive health benefits for both dogs and owners.

In keeping with the changes to the objectives, changes are proposed to the wording of section 3.1: Community Safety, Health and Wellbeing as follows:

- In the Description of Issue section:
“Council has a responsibility to safeguard community safety and health by controlling the activities of dogs. Council also recognizes the health and wellbeing benefits of dog ownership and associated exercise”.
- In the Access to Public Places section by adding:

“In most public places dogs are welcome on leash and there are only a few places that are prohibited to dogs in Wellington. Council also provides a range of off leash exercise areas”.

5.2 Proposed new provisions to encourage responsible dog ownership (RDO)

The Council encourages responsible dog ownership as an effective means of preventing danger and minimising distress and nuisance. Owners who qualify for the Responsible Dog Owner (RDO) Status are eligible for a reduction in dog registration fees. Approximately 22% of Wellington dog owners currently hold RDO status.

Face-to-face dialogue between owners and Council officers is a practical means of emphasising the benefits of responsible dog ownership. This approach has proven useful for Porirua City Council which uses annual home visits to dog owners as a means of building rapport and addressing potential issues before they become enforcement problems.

While a home visit programme for Wellington is considered by officers as too expensive in the current economic environment, an opportunity exists to use the proposed new microchipping service as a similar rapport building initiative.

The Act requires that all dogs are microchipped by three months of age, unless they were first registered before 1 July 2006. The Council is proposing a new microchipping service be provided at the Animal Shelter on a nominated day each month. While this service would be priced for full cost recovery, the economies of scale would provide a 50% saving in comparison with other options for microchipping. This service provides an excellent educational opportunity for owners, particularly first time owners with young dogs, to speak to dog care professionals and ask questions.

It is recommended that section 4.3 ‘Education and Obedience’ of the Policy reflect this initiative as set out below:

“An opportunity exists to use the microchipping service provided at the Animal Shelter to build rapport with dog owners and encourage responsible dog ownership”.

The requirements for achieving RDO status are set out in section 4.2 of the Policy. Some additions and clarifications to the criteria are proposed and these are set out in Table 3 together with the reasons for each change.

Table 3: Proposed changes/additions to RDO criteria

Proposed Change/addition	Reason for change
Owners seeking RDO status would be required to correctly answer questions about dog care and welfare as part of	This is intended to reinforce knowledge of rules concerning dog ownership and animal welfare.

their application.	
The owner must not have been the subject of a substantiated public complaint in the last two years.	This provision ensures that dog owners continue to demonstrate behaviour consistent with RDO status.
An owner applying for RDO status is required to pay for a site inspection of their property with their application.	Current practice but not set out in the Policy.
An owner with RDO status who changes address must reapply for RDO status at the new address and pay a new fee to recover the costs of a property inspection.	The criteria for RDO status require that the area of the owner's property to which the dog has free access must be fully fenced and gated. The fee covers a site visit to confirm this.
Unless cancelled for one of the reasons set out in the criteria, RDO status remains valid unless an owner has had no registered dogs for at least 24 months.	Currently owners are required to re-apply for RDO status when replacing a dog that has died. This approach is insensitive.

5.3 *Proposals for changes to controlled public places, prohibited public places, and exercise areas*

Ninety-two percent of Wellington households are not dog owners. When considering the exercise and recreation needs of dogs and their owners, it is important to ensure that the general public are not intimidated by uncontrolled dogs and that conflict of use is avoided or mitigated.

All public places in Wellington are classified as controlled public places under the Animals Bylaw unless they are classified as prohibited public places or exercise areas. Dogs are allowed in controlled public places, on leash, at any time. In prohibited places, dogs are not allowed except in clearly defined circumstances, such as transiting through Wellington Airport (which is a prohibited public place). In exercise areas, dogs are allowed off leash at all times (unless otherwise specified in certain locations), as long as they are under control. Changes to the areas to which the various classifications apply are detailed below.

5.3.1 *Controlled public places*

As stated above, all public places in Wellington are controlled public places, unless otherwise classified. The changes in respect of this classification therefore result from the changes proposed to prohibited public places and exercise areas.

5.3.2 *Prohibited public places*

Sportfields and children's playgrounds are prohibited public places to dogs due to safety and conflict of use issues. Excited children at a playground may not approach a dog in a safe manner and may put themselves at risk. At sportsfields

dogs that dig and scratch the turf can cause damage. Dogs are also incompatible with artificial turf surfaces as dog faeces deposits necessitate professional disinfecting of the affected surface.

In addition to those places listed in the Animals Bylaw as prohibited places, there is also a number of areas defined as prohibited public places (specified times). These areas include areas around the south coast, which are prohibited to dogs from May to August when seals are breeding and raising pups, and five beaches which are prohibited places between 9.00 am and 7.00 pm during daylight saving time.

Island Bay Beach, from the pier to the eastern end of the beach, is currently a prohibited public place. It is proposed, in section 4.1.3 of the draft Policy, to reclassify this part of the beach as a prohibited place between the hours of 9.00 am and midnight, all year round.

5.3.3 Exercise areas

The designated off leash exercise areas in Wellington enable dog owners to exercise their dogs off leash provided they are under control at all times.

The number, quality and demarcation of exercise areas were the subject of many of the 1,019 written submissions on the 2004 draft Policy. Officers report ongoing feedback from owners on a lack of quality off leash exercise areas. The e-Petition, signed by 106 people, in August 2008 requesting that Karori Cemetery be an off leash area during specific times, and an e-petition signed by 37 people for lighting in dog exercise areas in the Town Belt/Newtown area are examples.

The May 2008 dog exercise area survey identified that dog owners frequently travel to a preferred dog exercise area that meets their needs. Lyall Bay Beach was reported as the most frequently used exercise area due to its features of safety for dogs, parking, nearby rubbish bins, a water source and interest for the dog. These criteria should be considered in determining resources for the development of exercise areas.

Additions and deletions of exercise areas

It is proposed to add five exercise areas at Chelmsford Reserve (Ngaio), Vice Regal North and Alexandra Road West (Newtown), Owhiro Bay, and Te Kopahou in response to user demand and to delete three exercise areas at Arthur Carmen Park, Kaiwharawhara Park and McAlister Park due to use as sportsfields.

The draft Policy also proposes a new category “exercise area (specified time)”. Three beach areas are proposed to be included in this category at Worsler Bay Beach, Seatoun Beach, and Island Bay Beach. These areas will be classified as exercise areas between the hours of midnight and 9.00 am all year round. This enables dog owners to exercise their dogs in the early morning before potential

significant conflict with other user groups arises. A summary of changes to access at these beaches is shown in Table 4.

Table 4. Proposed changes to beach access

Beach	Current access	Proposed access
Island Bay Beach – from the pier to the eastern end of the beach (in front of surf club)	Prohibited at all times	<i>Off leash</i> access prior to 9am all year round, otherwise as current
Worsler Bay Beach	Prohibited between 9am and 7pm during daylight saving hours. On leash at all other times	<i>Off leash</i> access prior to 9am all year round, otherwise as current
Seatoun Beach		

It is proposed that Section 4.1 of the draft Policy, Access to Public Places, is amended by adding this exercise area (specified time) category.

Boundary changes for exercise areas

The other proposed modifications to exercise areas are the adjustment of boundaries in line with natural or built features to avoid confusion by owners and the general public. While natural or built features are the preferred method of delineating boundaries, additional signage may be considered as a result of the policy review. Funding for new and additional signage is an annual plan issue and no changes to the policy text are proposed.

The net gain from the changes to exercise areas is five new areas, giving a total of 60 and an expanded total dog exercise area of 11 hectares. Table 5 summarises these changes, with full details of the changes set out in Appendix 2.

Table 5. Proposed Exercise Area Changes Summary

Current Exercise Areas	Proposed Exercise Areas
48 exercise areas	50 exercise areas
7 beach exercise areas	7 beach exercise areas
	3 beach exercise areas (specified time)
Total 55	Total 60

5.3.4 Karori Cemetery

Officers have considered the issue raised by the e-petition seeking the designation of Karori Cemetery as an exercise area allowing off leash access. On leash access is already available in the cemetery and a water bowl for dogs has been installed. Officers note that it is common for other councils to treat cemeteries as prohibited areas as it brings dogs into contact with graves. For this reason, officers do not recommend that Karori Cemetery be made an off leash exercise area because there is no area for dogs to be off leash where they

are not coming into contact with graves. As there are a limited number of exercise areas in Karori, however, officers recommend that the Karori Cemetery continue to be accessible to dogs on leash.

5.4 Central Business District

The CBD is an increasingly popular location for people wishing to live in close proximity to their place of work and the broad range of amenities that are available⁵. In keeping with the character of the CBD the current policy contains the following restrictions regarding access to dogs:

- dogs are permitted in the CBD on leash outside 8am – 6pm seven days a week.
- dogs are prohibited between 8am and 6pm in order to minimise potential conflict between dogs and the general public.
- owners of dogs registered within the central city area are allowed to move through the CBD (with their dogs on lead) during the prohibited times specifically for the purposes of moving in or out of the restricted area, provided that they move directly through the area.

There are approximately 50 registered dog owners in the CBD. These owners have not requested a relaxation of the existing access restrictions nor have any issues been raised suggesting a requirement to increase current restrictions. The DSS consider that the existing policy is working well and no change is recommended to the policy regarding dog ownership in the CBD. However, Officers will continue to monitor any growth in the number of dogs in the CBD and any associated issues. Future policy reviews will take any such issues into account.

5.4.1 Central City Restriction Area

“*Section 4.1.3 Prohibited – specified times*” provides a map defining the central city dog restriction area. The restricted area rules allow people living within the zone to move directly through and out of and in to the zone.

However, the zone provides a barrier to those living in Te Aro and Thorndon from accessing the waterfront on foot with their dogs. These people are currently not provided with a right of passage through the CBD between 8am and 6pm.

It is proposed that all dog owners are afforded a right of direct passage through the zone to access the waterfront. This would allow all dog owners to access the zone at all times provided the ultimate destination was outside the central city dog restriction area. This improved access through the zone is not likely to cause significant problems in light of the lack of dog related issues experienced to

⁵ Approximately 12,000 people now live in the central city (Central City Apartment dwellers Survey – March 2009).

date. It is expected that dog owners will continue to respect the requirement to move directly through the zone.

It is also proposed to remove Kent Terrace from the Central City Dog Restriction Area to provide for direct access to the waterfront at all times.

5.5 Proposal for destination dog parks

Destination dog parks are areas which typically feature concrete agility equipment, bins, dog faeces bag dispensers, water facilities, holding areas and wash down areas for dogs. These parks allow both socialisation and training opportunities for dogs within a safe environment. An example of a successful facility is Horseshoe Lake Dog Park in Christchurch; development costs were just over \$100,000.

Officers consider that development of destination dog parks could address concerns about the quality of dog exercise areas. An accessible destination dog park would likely attract dog owners from a wide area, given that the 2008 exercise area survey found that dog owners consistently travelled significant distances to good quality off leash areas.

Two existing dog exercise areas, Waihinahina Park (northern area) and Prestons Gully Reserve⁶ (southern area); have been considered as potential sites for development as a 'destination dog park' in Wellington.

The development of Waihinahina Park was identified by submitters to the Northern Reserves Management Plan (NRMP). This site is large, enclosed, has adequate parking and is located near the areas with highest numbers of dog owners. The NRMP states that a plan for the development of the exercise area as a dog park will be prepared by 2012/13.

Prestons Gully also has a landscape plan that includes use as a dog exercise area. While the area is suitable in most respects, Parks and Gardens officers advise that the potential for increased impacts on natural flora and fauna and reduced sight lines as vegetation grows means that Prestons Gully should not be recommended as a destination dog park.

Funding options for destination dog park development include general rates, an approximate form of user pays through short term (say one to three years) increases in dog registration fees, commercial sponsorship (most likely in return for signage rights), or a mix of the above mechanisms.

Park funding is ultimately an annual plan issue, it is recommended that a destination dog park and funding options be considered as a proposed new initiative for the 2010/11 annual plan.

⁶ It is currently proposed that this area be named Tawatawa Reserve

5.6 No changes proposed to the type and number of rubbish bins in exercise areas

The current expectation is for owners to take responsibility for their dog's waste by removing and disposing of it. Bins are provided in eight of the top ten exercise areas.

The standard parks bins are costly to install (\$1200) and maintain (\$1000 per annum). The Council also seeks to maintain an appropriate balance between provision of a reasonable disposal service and an open space network free of cluttering structures.

In 2002, the Council initiated a trial by providing special dog faeces bins in areas where dog fouling was identified as a problem. The trial resulted in no material improvements. In 2002 the cost to install 50 Dog Doo bins across the city was \$19,650 and annual operating costs were \$33,000 - \$43,500, dependent on the cleaning cycle.

Officers recommend that while the Council should continue to consider case-by-case proposals for location of further standard parks bins, the current level of service provision is considered to be generally adequate. No changes to the Dog Control Policy are proposed.

5.7 Criteria for neutering menacing dogs.

The Act provides for dogs to be classified as menacing either on the basis of breed or behaviour. Section 33C of the Act states that dog breeds and types listed in Schedule 4 are by definition menacing, and must be neutered. Section 33A allows Councils to determine that a dog is menacing on the basis of deeds/behaviour. When the Council makes such a determination it may choose whether or not to order the dog to be neutered. Currently, the Council's policy states that such dogs may be required to be neutered, but does not include any criteria for determining whether or not to neuter on a case by case basis.

To address this, it is recommended that section "4.4.6 Classification as menacing dog" include the following provision:

"The matters taken into account in requiring a dog to be neutered include the likelihood of the dog posing a threat in public and whether neutering is likely to curb the menacing behaviour."

5.8 Proposed new provisions to require owners to carry a receptacle for the removal of dog faeces

The current policy requires that owners remove and dispose of dog faeces, but there is no requirement to carry a suitable receptacle. Porirua and Manukau City Councils have both experienced a decline in dog faeces complaints with their bylaw requirement for dog owners to carry a receptacle for dog faeces. It is expected that this new initiative would reduce the incidence of dog litter by

ensuring dog owners are prepared and also by facilitating peer monitoring. It is also noted that the Council already offers, for sale through service centres, bags and bag dispensers that attach to leads. The Council is also considering the installation of bag dispensers at some popular sites.

It is recommended that section 4.6.3 *Fouling of Public Places* be amended by adding the following sentence:

“Owners and handlers shall carry a receptacle for the collection and removal of dog faeces at all times when in a public place”.

5.9 Enforcement

The Animals Bylaw regulates animal keeping for poultry, stock and dog-related matters. The concurrent review of the Animals Bylaw primarily addresses issues relating to dogs⁷. The proposed amended bylaw includes the following changes relevant to Dog Control Policy :

- Inclusion of a list of controlled public places, prohibited public places, and exercise areas as Appendix 1 to the Bylaw.
- Compulsory carrying of a receptacle for collection and removal of dog faeces as discussed in section 5.8 of this report.
- Clarification of the requirement for the Council’s permission to keep more than three dogs on a property.

5.10 Sponsorship

Direct Service Solutions produce an informative booklet regarding responsible dog ownership. The booklet costs are not significant to local authorities as publication is partially financed by commercial sponsors. It is proposed that the Committee consider the benefits of allowing the distribution of a non-Council publication for educational purposes as part of the regular communication between BCLS and dog owners.

Christchurch City Council has also permitted a major sponsor to contribute to the development of Radley Dog Park, the first known agility course in New Zealand. Small promotional signage is attached to one dog exercise apparatus.

It is recommended that the Council consider the possibility of sponsorship arrangements and that the following amendment be made to the “Mechanisms” part of section 3.9 - “Costs” of the policy to give effect to that recommendation:

“Council may consider sponsorship arrangements to offset Council’s capital or operating costs”.

⁷ In addition, the opportunity has been taken to address matters concerning keeping poultry and feeding animals in a manner not to cause public nuisance.

5.11 Other proposed changes to the policy document

Other minor changes to the policy have been made. These are mainly minor wording changes to clarify the existing policy. All such changes are highlighted in grey in the draft policy document.

5.12 Process and timeline

External consultation with the general public will be undertaken using the special consultative procedure as required by the Dog Control Act 1996. The process is as follows in Table 6 below.

Table 6: Process and Timeline

Date	Action
May 2009	Strategy and Policy Committee will consider the draft Dog Control Policy, draft Animals Bylaw and associated summaries and statements of proposal and refer them to the Council for consideration and initiation of the special consultative procedure.
26 June to 7 August 2009	Special consultative period.
September 2009	Strategy and Policy Committee hears oral submissions. In 2004 twenty-two oral submissions were heard.
October 2009	Presentation of analysis of submissions to the Strategy and Policy Committee for consideration. Reference of the recommended draft Dog Control Policy 2009 and Animals Bylaw to the Council for adoption.

The Consultation Plan for the draft Dog Control Policy 2009 is attached as Appendix 3.

6. Conclusion

Wellington enjoys high levels of responsible dog ownership complemented by an effective regulatory service.

While the policy is working overall, the policy review seeks to strike a balance between the protection of the general public and facilitation of the benefits of dog ownership.

Contact Officers: *Genevieve Drake, Policy Adviser and Dr Michael Dale, Senior Policy Adviser*

Supporting Information

1) Strategic Fit / Strategic Outcome

The Council has a statutory duty under the Dog Control Act 1996 to adopt a policy and bylaw on the control of dogs in Wellington. This paper supports the Council's outcome '6.5 healthier – Wellington's population will enjoy a healthy lifestyle and high standards of public health'.

2) LTCCP/Annual Plan reference and long term financial impact

The Dog Control Policy and Bylaw are monitored and enforced by the Property, Consents and Licensing directorate under Activity 6.5.3 and are funded from the operating project C478 Public Health Inspection and Control. Potential costs to the Council have been flagged in this report.

3) Treaty of Waitangi considerations

No Treaty of Waitangi implications have been identified.

4) Decision-Making

This is not a significant decision. The report sets out a number of options and reflects the views and preferences of those with an interest in this matter.

5) Consultation

a) General Consultation

Consultation will take place during May and June 2009.

b) Consultation with Maori

Local iwi will be provided with a draft of this policy during the special consultative period.

6) Legal Implications

The policy amendments are required to fulfil the Council's obligations under the Dog Control Act 1996.

7) Consistency with existing policy

This report makes recommendations for amendments to the Dog Control Policy 2004.

Appendix Two

Proposed exercise area modifications to be incorporated into the Animals Bylaw.

Additions – new areas		
Exercise area name	Exercise area location	Area gained m²
Chelmsford Reserve	Chelmsford Street, Ngaio	2,711
Vice Regal North	Coromandel Street	4,165
Alexandra Road West	Alexandra Road	7,912
Te Kopahou	Beach area from Owhiro Bay Parade to Fly Rock	49,249
Owhiro Bay	Beach area along Owhiro Bay Parade	14,601
	Total additions – new areas	78,638
Deletions		
Exercise area name	Exercise area location and reason for deletion	Area lost m²
Arthur Carmen Park	Collins Ave, Linden. Proposed sports field.	(8,653)
Kaiwharawhara Park	Hutt Rd, Kaiwharawhara – A sports field	(5,990)
Macalister Park	Adelaide Rd Berhampore – area south of existing sportsfield. Proposed sports field.	(7,224)
	Total deletions	(21,867)
Boundary Expansions		
Exercise area name	Exercise area location	Area gained m²
Taylor Park	Taylor Tce, Tawa – southern area of park behind badminton hall	1,950
Willowbank Park	Main Rd, Tawa – area north of scout hall and area on eastern side of stream	2,299
Edward Wilson Park	Churton Dr, Churton Park – hill slopes to Middleton Rd	2,456
Seton Nossiter Park	Mark Ave, Paparangi/Newlands –valley floor, not including the Mark Avenue access path, up to the stream crossing adjacent to the Paparangi School boundary and the titoki grove	5,794
Meekwood Reserve	Ohariu Rd, Johnsonville – Ohariu Rd side of	12,265

	reserve up to crest of hill	
Trelissick Park	Ngaio Gorge Rd, Ngaio – valley floor from Ngaio Gorge Rd to first sewer trap	4,628
Top of Tinakori Hill	Weld St, Wadestown – open areas along summit	5,740
Tinakori Slopes	Wadestown Rd, Thorndon – hill slopes from summit to Wadestown Rd	736
Kowhai Park	Mitchell St, Brooklyn	155
Owen Street	Lower terrace on southern end of Owen St	3,333
Mt Albert	Mt Albert Rd, Melrose – hill areas behind hockey stadium and Chinese Sports and Cultural Centre	8,698
Sinclair Park	Houghton Valley Rd, Melrose – terraced areas in park down from Houghton Valley School excluding bottom field	478
Dorrie Leslie Park	Queens Dr, Lyall Bay – open space along coast north from Arthurs Nose to residential area	6,513
Ataturk Memorial	Eastern Walkway, grass valley on left arm of walkway heading north from the Memorial	7,525
	Total expansions	62,570
Boundary Reductions		
Exercise area name	Exercise area location	Area lost m²
Duncan Park	Linden Ave, Tawa – area between stream and Nathan St Reason: Concrete path boundary identifier	(369)
Silverstream Rd Reserve	Silverstream Rd, Crofton Downs – part of Huntleigh Park, area south of play area Reason: Road reserve	(270)
Karori Park	Karori Rd, Karori – area north of sports field Reason: One area of land is no longer WCC owned and the other two areas are now developed.	(4,709)
Ohiro Park (aka Tanera Park)	Ohiro Rd, Brooklyn – open area on ridge Reason: Community gardens	(2,649)
Hataitai Park	Ruahine St/Alexandra Rd Hataitai – open area along Ruahine St from badminton hall to park entrance. Open area from Alexandra Rd to behind badminton hall	(1,989)

	Reason: Area for children's bike skills equipment	
	Total deletions	(9,986)
Net area gained		109,355

Appendix Three

Consultation Plan for the proposed revisions to the Dog Control Policy 2004

1. Consultation Focus

Consultation regarding the proposed revisions to the Dog Control Policy 2004 is focused on obtaining comments from the general public, dog owners, potential dog owners, and owners of disability assist dogs and working dogs. The special consultative process will be followed as required by the Dog Control Act 1996.

2. Objectives

The objectives of the consultation are to:

- Obtain feedback from the general public, dog owners, potential dog owners, and owners of disability assist dogs and working dogs
- Ensure requirements for consultation are met including provision of the information and opportunity to make a submission
- Improve outcomes for dog control.

3. Key Messages

- Changes to achieve a balanced approach between the control of dogs and recognising the positive community health benefits of dog ownership
- Proposals for additions, expansions, deletions and reductions in exercise areas, resulting in a net improvement in the quantity and quality of dog recreation opportunities
- A proposal for a destination dog park
- Provision of a new bylaw requiring dog owners to carry a receptacle for removal of dog faeces while in public spaces.

4. Target Audience

- All registered dog owners
- Community boards
- Parks and Gardens interest groups
- Appropriate Council advisory groups (Disability Reference Group, Environment Reference Group)
- Mana Whenua – Wellington Tenth Trust and Te Runanga o Toa Rangatira
- Federation of Residents and Progressive Associations
- Residents' and Progressive Associations
- Disability Forum mailing list
- Regional Guide Dog Mobility Instructors
- Department of Conservation

- Ministry of Health
- Ethnic Forum mailing list
- Pacific Island Forum mailing list
- Wellington Ethnic Council
- Wellington Council of Churches
- Retailers' Association

5. Consultation Techniques

The documents prepared for the consultation include:

- a draft Dog Control Policy, Statement of Proposal and Summary of Information
- a freepost submission form that sets out questions asking for people's views of the aims and objectives of the Policy and which projects/services they would most like to see implemented.

These documents will be:

- provided directly to all of the identified stakeholders
- posted on the Council's "Have Your Say" section of the website, which will include the ability for people to submit their views online
- available at the Council's libraries, service and recreation centres.

Officers will meet with the community boards and advisory groups to obtain feedback on the draft policy.

Consultation on the proposed draft policy will be publicised via:

- media releases
- an article in "Our Wellington"
- an article in the Council's *APW* newspaper
- the Mayor and Chief Executive's radio interviews on The Breeze and Newstalk ZB.

Written comments on the proposal will be invited and submitters will also be given the opportunity to make an oral submission. Submitters will receive advice that their written submission has been received.

6. Consultation Evaluation

Written and oral submissions will be summarised and analysed. The result of the consultation will be reported back to the Strategy and Policy Committee in October 2009.

All submission writers will be notified of the results of consultation.