

## Notice of Meeting:

I hereby give notice that an ordinary meeting of the Dog Control Policy and Dog Control Bylaw Hearing Subcommittee will be held on:

**Date:** Thursday 7 May 2015  
**Time:** 10:30am  
**Meeting Room:** Committee Room 1  
**Venue:** Municipal Building, Garden Place, Hamilton

Richard Briggs  
Chief Executive

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# Dog Control Policy and Dog Control Bylaw 2015 Hearing Subcommittee OPEN AGENDA

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## Membership

Chairperson Cr L Tooman  
Members Cr G Chesterman  
Cr A O'Leary

**Quorum:** A majority of members

**Meeting Frequency:** The Subcommittee will be disestablished following the completion of the hearing of submissions to the Proposed Dog Control Policy and Dog Control Bylaw 2015.

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Brendan Stringer  
Committee Advisor

**29 April 2015**  
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## **Terms of Reference:**

A Dog Control Policy and Dog Control Bylaw 2015 Hearing Subcommittee of the Strategy and Policy Committee was established on 24 February 2015. The Subcommittee was delegated to hear submissions for the Proposed Dog Control Policy and Dog Control Bylaw 2015, deliberate and make recommendations to the Strategy and Policy Committee on the matters consulted on in the draft Statement of Proposal (including a Summary of Information, draft Dog Control Policy 2015, draft Hamilton Dog Control Bylaw 2015, and proposed Dog Control Exercise and Prohibited Areas Register).

The Subcommittee will be disestablished following the completion of the hearing of submissions to the Proposed Dog Control Policy and Dog Control Bylaw 2015.

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**1 Apologies**

**2 Confirmation of Agenda**

The Committee to confirm the agenda.

**3 Declaration of Interest**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

**Committee:** Dog Control Policy and Dog Control Bylaw Hearing Subcommittee  
**Date:** 07 May 2015

**Report Name:** Dog Control Policy and Bylaw 2015 Hearings and Deliberation Report  
**Author:** Liz Hallsworth

<b>Report Status</b>	<i>Open</i>
<b>Strategy, Policy or Plan context</b>	<i>Review of existing Dog Control Policy and Bylaw 2009</i>
<b>Financial status</b>	<i>There is budget allocated to the review of the policy and bylaw</i>
<b>Assessment of significance</b>	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

## 1. Purpose of the Report

2. To provide an overview of submissions received in relation to the Proposed Dog Control Policy and Bylaw 2015 which was adopted by the Council on [24 February, 2015](#) for the purposes of consultation.
3. This submission analysis report (Attachment 1) is organised in two parts:
  - Part 1: Summary of submissions
  - Part 2: Submission analysis and staff recommendations are to help inform the subcommittee's deliberation and subsequent recommendations to the strategy and Policy Committee.

## 4. Executive Summary

5. Consultation was open for submissions from 4 March 2015 to 7 April 2015. The slightly longer submission period was established due to public holidays falling within this period.
6. A total of 49 submissions were received, with 6 submitters requesting to speak at the hearing on Thursday 7 May. The majority of the submitters (69%) supported the proposed policy and bylaw. For an overview and analysis of the submissions, please see Attachment 1.
7. Full submissions are available on Council's website at [www.hamilton.govt.nz/dogbylaw](http://www.hamilton.govt.nz/dogbylaw).
8. Staff are recommending minor amendments to the Policy and Bylaw to address the issues raised through consultation.

**9.Recommendations from Management**

a) That the Report be received

*Part 1*

b) That the Subcommittee hear the submitters wishing to present in support of their submission.

*Part 2*

c) That the Subcommittee provides staff with direction on recommendations to the proposed Dog Control Policy and Bylaw.

d) That the final draft of the Dog Control Policy and Bylaw be reported back 26 May 2015 Strategy and Policy Committee for adoption.

**10. Attachments**

11. Attachment 1 - Submissions Analysis Report

**12. Delegation**

13. At its meeting on 24 February 2015 the Strategy and Policy Committee resolved that a subcommittee be established to hear verbal submissions on this proposed Policy and Bylaw.

14. This subcommittee also has delegated authority to deliberate on the written and verbal submissions and make recommendations to the Strategy and Policy Committee.

**Signatory**

Authoriser	Brian Croad, General Manager City Environments Group
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# ATTACHMENT 1: SUBMISSION ANALYSIS REPORT

## PROPOSED DOG CONTROL POLICY AND BYLAW 2015

### Summary of submissions

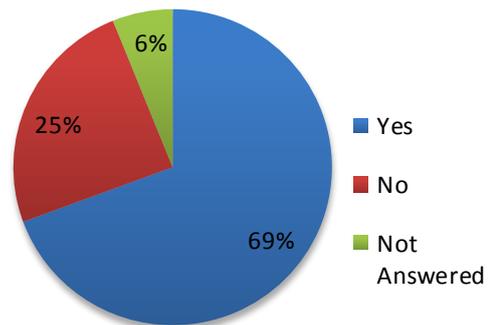
<b>This report:</b>	This report provides a summary of the main themes and points included in submissions to Council's proposed changes to the Dog Control Policy and Bylaw.
<b>Submission Period:</b>	4 March – 7 April 2015
<b>Total Submissions:</b>	49
<b>Hearing requests:</b>	6
<b>Hearings date</b>	7 May 2015

### 1. PART 1 – summary of submissions

In general do you support the proposed changes to the bylaw and policy?

Of the 49 submissions received:

- 34 submitters (69%) *supported* the proposal in principle
- 12 submitters (25%) *did not support* the proposal in principle, although of those, 9 were submitting on a specific park that was not supported and had no further comments on the proposed policy and bylaw.
- 3 submitters (6%) did not answer this question



#### Supports the proposed policy and bylaw in principle

Of the 34 submitters that supported in principle, the main reasons were as follows:

SUPPORT FOR PROPOSED BYLAW	
Reasons	Number of submissions commenting on this topic
Support off lead parks register in general	11
Neutering of roaming dogs	8
Emphasis on education in parks and communities	11
Support approach but changes required to boundaries	3

**Oppose the bylaw in principle**

Of those submitters (12) that disagree in principle with the proposal, the main reasons were as follows:

<b>OPPOSE THE BYLAW IN PRINCIPLE</b>	
<b>Reasons</b>	<b>Number of submissions commenting on this topic</b>
<b>Not support Hammond Park as an off lead exercise area</b>	9
<b>Multiple dog permit process</b>	1
<b>General dislike of dogs in parks</b>	2

**Additional issues not included with policy and bylaw**

Submitters also referenced other issues not directly referred to in the policy and bylaw.

<b>Issues not included</b>	
<b>Issues</b>	<b>Submissions commenting on this topic</b>
<b>Reducing fees for Community Card holders</b>	1
<b>Classifying dog owners based on previous performance - relating to roaming dogs. A poor rating means not being able to own a dog.</b>	1

## PART 2 - Deliberations

Submitters made comments in relation to specific clauses within the proposed policy and bylaw. The following table outlines the key issues and staff recommendations on how to address them within the policy and bylaw.

COMMENTS ON POLICY AND BYLAW CLAUSES		
Policy, Clauses 1 and 2	Summary of Submitter Comments	Staff Recommendation
<p><b>1. Council considers that involvement in education, and liaison with dog clubs and other service providers, is an appropriate and valuable role. Dogs need to be trained and socialised so that they learn how to behave in a public environment. Council staff will undertake education initiatives with dog owners to enhance the knowledge and skill of dog owners on the care and control of dogs, with a particular focus on the owners of dogs with behavioural issues.</b></p> <p><b>2. Council will also seek to enhance the knowledge of the public generally, particularly children, on safety around dogs and other dog-related issues. Liaison with dog obedience clubs and other service providers in the city is considered an important role for Council. Council will seek to develop a partnership with the clubs and service providers to achieve the objective of this policy.</b></p>	<p>General support for emphasis on education.</p> <ul style="list-style-type: none"> <li>• Education is fine but must be followed up with enforcement.</li> <li>• Dog owners must understand how to train their dogs (socialisation, obedience under all situations)</li> <li>• All park users should be educated, not just dog owners, so that everyone is aware of how to behave around dogs.</li> <li>• Ensure good signage is included for off lead areas as well as critical on lead areas such as the River walkway.</li> <li>• Reference to specific resource to be made available to dog owners – “A Dogs Life”.</li> </ul> <p><b>Submitters that addressed this issue:</b> 1, 9, 18, 24, 30, 37, 39, 45, 46, 47, 48</p>	<p>Submitter comments noted.</p> <p>An education plan is being developed and submitter comments will be used to inform this plan.</p> <p>The implementation of new off lead areas requires signage. Effective signage will help to ensure boundaries between off lead areas are clear. These signs will be installed as funding permits.</p> <p><b>Recommendation:</b> No change to policy</p>

Policy: Section 5/6, Bylaw: Section 5	Summary of Submitter Comments	Staff Recommendation
<p><b>Policy Clause 5</b> Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated a number of areas within the city where dogs may exercise without being on a lead or similar device (see clause 6), and areas where dogs are prohibited (see clause 7).</p> <p><b>Bylaw - Clause 5.2.</b> The Dog Control Off lead Exercise and Prohibited Areas Register, Part 1, lists each Off lead Dog Exercise Area with the date from which each area is available to be used as an Off lead Dog Exercise Area and any rules that apply to its use as such.</p>	<p>Inclusion of Hammond Park as an off lead dog exercise area is not supported for a number of reasons, including:</p> <ul style="list-style-type: none"> <li>• High ecological value of neighbouring areas could be threatened.</li> <li>• Proximity of Hamilton Gardens means no need for further off lead area.</li> <li>• High number of other uses for the park (running, children’s play, general family use) incompatible with off lead dogs especially when uncontrolled.</li> <li>• Uncontrolled dogs entering unfenced properties neighbouring the park.</li> </ul> <p>Note: a number of submitters referred directly to the Geoffrey Place section of Hammond Park as the area of concern.</p> <ul style="list-style-type: none"> <li>• A further submitter had concerns regarding Days’ Park due to uncontrolled dogs causing safety issues.</li> <li>• Submitters also asked for other parks to be made available for off lead dog exercise, including; expansion of the area in Innes Common as well as Chartwell, Donny, Sandford and Pukete Farm Parks. This was due to requirement for closer off lead parks.</li> </ul> <p><b>Submissions that addressed this issue:</b> 26, 30, 31, 33, 34, 35, 36, 38, 41</p>	<p>Hammond Park was included in the register due to a majority of people supporting the inclusion during the development of the Dog Plan in 2014 and recognition of existing use patterns. However, this consultation round has shown an increase in the number of residents not supporting the off lead status for the park.</p> <p>Staff recognise the added amenity of having off lead exercise parks within short walking distance of all residents. However the additional parks requested by the submitters are used intensively for sports, recreation, events and/or have a high ecological value and are not suitable for off lead exercise of dogs for these reasons.</p> <p><b>Recommendations:</b></p> <ul style="list-style-type: none"> <li>• The removal of Hammond Park from the register to address the concerns raised by the submitters.</li> <li>• No other changes to the register.</li> </ul>

Bylaw: Section 8 Limitation on number of dogs	Summary of Submitter Comments	Staff Recommendation
<p><b>Clause 8.1. No person shall keep, or permit to be kept, on or within any premises within the city, more than two (2) dogs of greater age than three months unless such premises have been approved by a dog control officer and a permit issued. Such permit will be subject to a fee approved and set by Council through the Annual Plan process and will be subject to renewal annually.</b></p>	<ul style="list-style-type: none"> <li>• Does not agree with the requirements for annual review and subsequent charges.</li> <li>• Creates uncomfortable situation with neighbours, especially if there is an issue.</li> <li>• Suggests that a number of multiple dog owners are not registering their dogs as a result of difficult process. These unregistered dogs are usually the cause of the problems.</li> </ul> <p><b>Submissions that addressed this issue:</b> 21, 28, 32</p>	<p>The bylaw does not specify the process for multiple dog permits. However, there has been a recent change in the renewal process for multiple dog permits. Dog owners renewing multiple dog permits are no longer required to seek approval from their neighbours annually; only on the initial application. A property inspection will still be undertaken annually as this is to ensure the property remains suitable for the housing of multiple dogs.</p> <p><b>Recommendation:</b> No change to the bylaw</p>
Bylaw - Clause 13, Requirement to neuter uncontrolled dog	Summary of Submitter Comments	Staff Recommendation
<p><b>Clause 13.1. The council may require the owner of a dog to cause that dog to be neutered if that owner has breached, on more than one occasion within a 12-month period, any of the subclauses 13 4.1-4.4 or 5.1 or 6.1 in respect of that dog. It is sufficient if the same sub-clause is breached twice or if two of the subclauses are breached.</b></p>	<ul style="list-style-type: none"> <li>• Neutering approach is generally supported by 3 submitters</li> <li>• Roaming process should include provision to increase the penalty, including; instant fine, requirement for dog to be neutered, dog is surrendered to HCC.</li> <li>• Submitters do not support the HCC approach of euthanizing unwanted dogs from the pound. As a method to address this issue, they have asked that all dogs (not from a registered breeder) be required to be neutered.</li> </ul>	<p>There is already a cost to dog owners whose dogs are caught while roaming and impounded. The current fee structure is as follows:</p> <ul style="list-style-type: none"> <li>• first impounding \$76,</li> <li>• second impounding \$138,</li> <li>• third impounding \$223.</li> <li>• In addition there is a sustenance fee while dog is impounded of \$18.50per night.</li> <li>• The dog owner could also receive a fine/infringement of \$200-\$300.</li> </ul>

	<p><b>Submissions that addressed this issue:</b> 10, 12, 24, 25, 45, 46, 47, 48</p>	<ul style="list-style-type: none"> <li>• A dog owner who receives three fines/infringements for three separate events in a 24 month period may then be disqualified from dog ownership and be required to rehome the dog.</li> </ul> <p>Staff consider this process to be an adequate response to the issue of roaming.</p> <p>While noting submitters dislike of the practice of euthanizing dogs at the pound, Staff do not consider neutering all dogs not from a registered breeder as a workable solution.</p> <p><b>Recommendation:</b> No change to the bylaw</p>
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### GENERAL COMMENTS FROM SOCIAL MEDIA

Jacqui Stokes	Isn't 15 enough, so long as they are spread around the city so that they are easily accessible to people. Some people are terrified of dogs and it would be terrible to not have a local park accessible to locals because there are dogs running around in it. Where my Aunt lives in Auckland they can take their dogs to parks and let them of the lead between 7pm and 7am and that works well.
Mamira Ali	I was almost attacked by a dog at Claudelands park once so I believe 15 are good especially with young children there should be parks without the dogs. Although I have seen people bringing their dogs even when they aren't allowed.
Cushla Kemp	Are any of them fully fenced, it makes me nervous letting our dogs off if it is by a busy road ie river road.
Kyle Carter	What there are 15 really I have only ever found two I feel the dog parks are great but really get up my nose when your dog is running off its lead then another person is doing the same and then if your dog gets to close to them the start to panic it's a golden lab btw and tells us to lead our dog so I would love to know we're these other parks are.
Christina Turner	They don't need more, they need a few of those fenced. Bristol park please. Since its only really used as a dog park not a sports or kids park
Kerri Grey	Another one near the outskirts of Nawton/Farnborough Drive area please current one in Nawton is horrible and close to a playground
Carolyn Notknown	There are already 15 areas for dogs - why do they need more???