

Michelle van Straalen

From: Michelle van Straalen
Sent: Thursday, 11 June 2020 12:16
To: [REDACTED]
Cc: official information
Subject: LGOIMA 20099 - Request regarding HCC COVID-19 level 2 dog park policy
Attachments: HCC dog parks.pdf

Kia ora

Further to your information request of 13 May 2020 in respect of our Covid-19 level 2 dog policy, I am now able to provide Hamilton City Council's response.

You requested:

- 1) *On what basis has Council determined that dogs off lead in a dog park pose a greater risk to public health than parents and children at a playground?*
- 2) *What evidence does Council have dog owners with dogs off leash at a dog park are more likely than parents at playgrounds to come within 2 metres of one another?*
- 3) *What evidence does Council have that dog fur is a more transmissible fomite than playground equipment?*
- 4) *What consultation was undertaken with dog behaviour experts and virologists/epidemiologists to inform Council's position? (please provide copies of letters/reports/advice)*
- 5) *On what legal basis does Council continue to prohibit the legally mandated use of public areas pursuant to Council's bylaws, given that Council's current prohibition of off lead exercise falls outside the scope of central Government's emergency powers?*

The above requests for information are made pursuant to the Local Government Official Information and Meetings Act 1987.

Our response:

Throughout the pandemic Animal Education And Control have followed the advice of Government, Ministry of Primary Industries and the Companion Animal Council.

- 1) **Council's policy is that dogs must remain on lead when using off lead dog parks at level 2. Government advice is that dogs may exercise off lead, so long as owners stay 2 metres apart.**

Council has re-opened off leash areas at alert L2, there was an initial delay to this as we waited for MPI and CAC to update the information on their website with respect to the exercising of dogs at alert L2.

- 2) **On what basis has Council determined that dogs off lead in a dog park pose a greater risk to public health than parents and children at a playground?**

As stated above, Council followed the advice of Government, Ministry of Primary Industries and the Companion Animal Council. We do not hold information on whether dogs pose a greater risk to public health than parents at a playground. Therefore, this information has not been provided under Section 17(g) of the Local Government Official Information and Meetings Act 1987 – in that the information requested is not held, and Hamilton City Council does not believe the information is held by, or is more closely connected with the functions of, any other local authority or Minister.

- 3) **What evidence does Council have dog owners with dogs off leash at a dog park are more likely than parents at playgrounds to come within 2 metres of one another?**

As above in question 2, Council does not hold this information.

4) What evidence does Council have that dog fur is a more transmissible fomite than playground equipment?

As above in question 2, Council does not hold this information.

5) What consultation was undertaken with dog behaviour experts and virologists/epidemiologists to inform Council's position? (please provide copies of letters/reports/advice)

Council did not contract independent "experts" as we followed the advice of Government, MPI and CAC during the pandemic.

6) On what legal basis does Council continue to prohibit the legally mandated use of public areas pursuant to Council's bylaws, given that Council's current prohibition of off lead exercise falls outside the scope of central Government's emergency powers?

See answer to Q1.

If you have any concerns with the decision(s) referred to in this response, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

For your information, the Ombudsman's contact details are:

Email: info@ombudsman.parliament.nz

Post: PO Box 10152, Wellington 6143

Telephone: 0800 802 602

Kind regards,

Michelle van Straalen

Official Information Advisor | Legal Services

DDI: 07 974 0589 | Michelle.vanStraalen@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: Michelle van Straalen

Sent: Thursday, 14 May 2020 1:46 PM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: HPE CM: LGOIMA 20099 - Request regarding HCC COVID-19 level 2 dog park policy

Kia ora

I write to acknowledge your information request of 13 May 2020 in respect of the HCC COVID-19 level 2 dog park policy.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not “as soon as reasonably practicable”, no later than 20 working days after the day we received your request. We will respond to you no later than **11 June 2020**.

Please feel free to contact me in the meantime if you have any queries regarding the progress of your request.

Kind regards,

Michelle van Straalen

Official Information Advisor | Legal Services

DDI: 07 974 0589 | Michelle.vanStraalen@hcc.govt.nz



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From: [REDACTED]

Sent: Wednesday, 13 May 2020 3:33 PM

To: Animal Web <Animal.Web@hcc.govt.nz>; Sean Hickey <Sean.Hickey@hcc.govt.nz>

Subject: LGOIMA Request regarding HCC COVID-19 level 2 dog park policy

Please see attached letter.

Kind regards



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478B Bedford Rd
RD 8
Te Kowhai 3288
Reply email: Hay.bales@outlook.com

15 May 2020

Hamilton City Council
Private Bag 3010
Hamilton

By email: animalweb@hcc.govt.nz; sean.hickey@hcc.govt.nz

Re: Access to Off Lead Dog Parks during Covid-19 Level 2

Council's policy is that dogs must remain on lead when using off lead dog parks at level 2. Government advice is that dogs may exercise off lead, so long as owners stay 2 metres apart.

Council has opened playgrounds. Parents tend to congregate and talk at playgrounds and may be called upon to help children or deal with incidents. Children from different bubbles will be touching surfaces without cleaning in between. On what basis has Council determined that dogs off lead in a dog park pose a greater risk to public health than parents and children at a playground? What evidence does Council have dog owners with dogs off leash at a dog park are more likely than parents at playgrounds to come within 2 metres of one another? What evidence does Council have that dog fur is a more transmissible fomite than playground equipment?

What consultation was undertaken with dog behaviour experts and virologists/epidemiologists to inform Council's position? (please provide copies of letters/reports/advice)

On what legal basis does Council continue to prohibit the legally mandated use of public areas pursuant to Council's bylaws, given that Council's current prohibition of off lead exercise falls outside the scope of central Government's emergency powers?

The continued lack of access to off lead dog exercise has a detrimental effect on animal welfare and will give rise to ongoing behavioural issues (e.g. digging and barking) that will be difficult to remedy. Further, the pet dog biting visiting children is the most likely circumstance in which bites happen. Dogs unable to access proper off lead exercise and socialisation will be much more likely to be highly stressed at a time when these visits are set to recommence. With owners and families returning to the demands of work and school, full access to high value off lead facilities is critical to help alleviate separation anxiety and to provide for animal welfare needs when owners' time is more limited. Finally, the on-lead only rules are much more detrimental to certain classes of dog owners (the elderly, the disabled, parents with small children) who cannot physically walk the distances required to provide the minimum exercise requirements on lead.

The above requests for information are made pursuant to the Local Government Official Information and Meetings Act 1987. Given the harm that may result from this policy, I look forward to your speedy response and/or reconsideration of Council's position.

Kind regards

Kate Hay