

Notice of Meeting:

I hereby give notice that an ordinary meeting of the Customer & Regulatory Services Committee will be held on:

Date: Tuesday 21 May 2024
Time: 11.00 am (or at the conclusion of the previous meeting)
Venue: Council Chamber, Dunedin Public Art Gallery, The Octagon,
Dunedin

Sandy Graham
Chief Executive Officer

Customer & Regulatory Committee

PUBLIC AGENDA

MEMBERSHIP

Chairperson	Cr Carmen Houlahan	
Deputy Chairperson	Cr Andrew Whiley	
Members	Cr Bill Acklin	Cr Sophie Barker
	Cr David Benson-Pope	Cr Christine Garey
	Cr Kevin Gilbert	Cr Marie Laufiso
	Cr Cherry Lucas	Cr Mandy Mayhem
	Cr Jim O'Malley	Mayor Jules Radich
	Cr Lee Vandervis	Cr Steve Walker
	Cr Brent Weatherall	
Senior Officer	Claire Austin, General Manager Customer and Regulatory	
Governance Support Officer	Jennifer Lapham	

Jennifer Lapham
Governance Support Officer

Telephone: 03 477 4000
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Note: Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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	The meeting will close with a Karakia Whakamutunga	

1 KARAKIA TIMATANGA

The meeting will be opened with a karakia timatanga

2 PUBLIC FORUM

At the close of the agenda no requests for public forum had been received.

3 APOLOGIES

At the close of the agenda no apologies had been received.

4 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

DECLARATION OF INTEREST

EXECUTIVE SUMMARY

1. Members are reminded of the need 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.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

RECOMMENDATIONS

That the Committee:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

Attachments

	Title	Page
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Customer and Regulatory Committee - Register of Interest - Current as at 8 May 2024				
Councillors are members of all committees				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Mayor Jules Radich	Shareholder	Izon Science Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Taurikura Drive Investments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Golden Block Developments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Cambridge Terrace Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Southern Properties (2007) Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Arrenway Drive Investments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Golden Centre Holdings Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	IBMS Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Raft Holdings Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Otago Business Coaching Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Effectivise Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Athol Street Investments Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Allandale Trustee Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Aberdeen St No2 Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Road Safety Action Plan	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	100% Shareholder/Director	Panorama Developments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Hospital Local Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Council of Social Services (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Sector Steering Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Bill Acklin	Shareholder/Director	Dunedin Brokers Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	APRA - AMCOS	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Entertainer	Various functions	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Strath Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Casual Employee	Insulmax	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Craigieburn Reserve Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Sophie Barker	Director	Ayrmed Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property Owner - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Beneficiary	Sans Peur Trust (Larnach Castle)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Mentor	Business Mentors NZ	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Southern Heritage Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Friends Otago Museum	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Orokonui Ecosanctuary	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Volunteer	Blue Penguins Pukekura	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Vegetable Growers Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Committee Member	Otago Anniversary Day Dinner	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Dunedin Heritage Fund (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Gasworks Museum Trust (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Dunedin Otaru Sister City Society (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Ao Tūroa Partnership (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr David Benson-Pope	Owner	Residential Property Ownership in Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee and Beneficiary	Blind Investment Trusts	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Yellow-eyed Penguin Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Christine Garey	Trustee	Garey Family Trust - Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Women of Ōtepoti	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Grow Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Sophia Charter (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Study Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Ashburn Hall Charitable Trust Board	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	St Paul's Cathedral Foundation (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Theomin Gallery Management Committee (Olveston) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Kevin Gilbert	Owner	Gipfel Limited - Bakery	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Schlubert Trust - Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Trustee	Schlup Family Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	BNI	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Business South	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Air New Zealand	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Kevin Gilbert and Esther Gilbert Partnership - Residential Rental Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Biddies Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Advisors	Ronald McDonald House Supper Club Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Fair Trading Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Settlers Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Saddle Hill Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Industry Advisors Group Food and Beverage (Workforce Development Council)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Carmen Houlahan	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Rental Property - North Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Part Owner	Adobe Group Ltd, Wanaka	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Property Investors Association	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Creative Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	KBCLR Family Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Theatre Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Marie Laufiso	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Moray Place Community Building Trust - Trust Owner of Property 111 Moray Place	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Otago Mental Health Support Trust	Potential grants applicant which would result in pecuniary interest. Duty to Trust may conflict with duties of Council Office	Do not participate in consideration of grants applications. If the meeting is in public excluded, to leave the room.
	Member	Women of Ōtepoti Recognition Initiative	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Family Member	Staff member a relative	Potential conflict depending on level of staff member involvement	Managed by staff at officer level if a perceived conflict of interest arises.
	Secretary	Brockville Improvements and Amenities Society (BIAS)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Corso Ōtepoti Dunedin Trust	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Member	Dunedin Manufacturing Holdings Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Secretary	BIAS Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Dunedin Branch Treasurer	P.A.C.I.F.I.C.A Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Green Party of Aotearoa New Zealand	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Abrahamic Interfaith Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Refugee Steering Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Grants Subcommittee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Cherry Lucas	Trustee	Otago Farmers Market	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago A & P Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Trustee	Henderson Lucas Family Trust - Residential Dunedin Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Institute of Chartered Accountants	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Chinese Garden Advisory Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Grow Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Airport Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosgiel Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Poāri a Pukekura Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Mandy Mayhem	Chairperson	Waitati Hall Society Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Blueskin News Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-ordinator	Waitati Market	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-ordinator	Emergency response group, Blueskin area	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	FENZ Local Advisory Committee for Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Waitati Music Festival Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin Bay Amenities Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin A & P Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Zone Representative and Board Member	Keep New Zealand Beautiful	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Coastal Community Cycleway Network	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	West Harbour Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Disability Issues Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Jim O'Malley	Owner	Biocentrix Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Ocho Newco Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Ayrmed Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Northern AFC	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ice Sports Dunedin Incorporated (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Hospital Local Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Waikouaiti Coast Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Lee Vandervis	Director	Lee Vandervis, Antonie Alm-Lequeux and Cook Allan Gibson Trustee Company Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Bunchy Properties Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Vandervision Audio and Lighting - Hire, Sales and Service Business	May contract and provide service to DCC	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Steve Walker	Board Member	Dunedin Wildlife Hospital Trust	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	Orokoni Ecosanctuary	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member-	Port Chalmers Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Society of Beer Advocates	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Port Chalmers Historical Society	Potential grants recipient	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Sea Lion Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Edinburgh Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Justice of the Peace		No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Predator Free Dunedin	No conflict	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Predator Free Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Brent Weatherall	Member	Urban Access	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Business George Street, Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Brent Weatherall Jeweller Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Weatherall Trustee Company	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Residential Rental Properties	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Craigieburn Reserve Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Andrew Whiley	Owner/Operator	Whiley Golf Inc and New Zealand Golf Travel Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder 22 May 2017	Estate of Grace Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Japek (Family Trust) - Property Ownership - Dunedin	Duties to Trust may conflict with duties of Council Office.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Dunedin South Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Board Chair and Acting Chief Executive	Volunteer South	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	President	New Zealand PGA (Professional Golf Association)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Dunedin Community House Executive Committee	Potential grants recipient	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Property Investors Association	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Shanghai Association (Sister City Society) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Grow Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Masters Games Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Puketai Residential Centre Liaison Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

CONFIRMATION OF MINUTES

CUSTOMER & REGULATORY COMMITTEE MEETING - 12 SEPTEMBER 2023

RECOMMENDATIONS

That the Committee:

- a) **Confirms** the minutes of the Customer & Regulatory Committee meeting held on 12 September 2023 as a correct record.

Attachments

	Title	Page
A↓	Minutes of Customer & Regulatory Committee meeting held on 12 September 2023	16

Customer & Regulatory Committee

MINUTES

Minutes of an ordinary meeting of the Customer & Regulatory Services Committee held in the Council Chamber, Dunedin Public Art Gallery, The Octagon, Dunedin on Tuesday 12 September 2023, commencing at 1.44 pm

PRESENT

Chairperson	Cr Carmen Houlahan	
Deputy Chairperson	Cr Andrew Whiley	
Members	Cr Bill Acklin	Cr David Benson-Pope
	Cr Christine Garey	Cr Kevin Gilbert
	Cr Marie Laufiso	Cr Cherry Lucas
	Cr Mandy Mayhem	Cr Jim O'Malley
	Mayor Jules Radich	Cr Steve Walker
	Cr Brent Weatherall	

IN ATTENDANCE

Sandy Graham (Chief Executive Officer), Paul Henderson (Acting General Manager Customer and Regulatory), Jeanine Benson (Group Manager Transport), Kevin Mechen (Alcohol, Psychoactive Substance and Gambling Advisor), Ros McGill (Manager Compliance Solutions), Neil McLeod () and Clare Sullivan (Principal Committee Advisor)

Governance Support Officer Wendy Collard

1 OPENING

Cr Carmen Houlahan opened the meeting with a karakia timatanga.

2 PUBLIC FORUM

2.1 Alex Macmillan

Dr Alex Macmillan spoke on climate change and the associated health issues. She commented the importance of the Zero Carbon Plan 2030 and the benefits to the community it would have. Dr Macmillan urged Council to adopt the draft Zero Carbon Plan 2030.

Dr MacMillan responded to questions.

3 APOLOGIES

Moved (Cr Carmen Houlahan/Cr Cherry Lucas):

That the Committee:

Accepts the apologies from Crs Sophie Barker and Lee Vandervis

Motion carried (CRC/2023/021)

4 CONFIRMATION OF AGENDA

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

Confirms the agenda without addition or alteration

Motion carried (CRC/2023/022)

5 DECLARATIONS OF INTEREST

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

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

- a) **Notes** the Elected Members' Interest Register; and
- b) **Confirms** the proposed management plan for Elected Members' Interests.

Motion carried (CRC/2023/023)

6 CONFIRMATION OF MINUTES

6.1 CUSTOMER & REGULATORY COMMITTEE MEETING - 7 AUGUST 2023

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

- a) **Confirms** the minutes of the Customer & Regulatory Committee meeting held on 07 August 2023 as a correct record.

Motion carried (CRC/2023/024)

PART A REPORTS

7 ACTIONS FROM RESOLUTIONS OF CUSTOMER AND REGULATORY COMMITTEE MEETINGS

A report from Civic provided the open actions from resolutions of Customer and Regulatory Committee meetings from the start of the triennium in October 2022.

Moved (Cr Carmen Houlahan/Cr Andrew Whiley):

That the Committee:

- a) **Notes** the Open Actions from resolutions of Customer and Regulatory Committee meetings.

Motion carried (CRC/2023/025)

8 CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME - SEPTEMBER 2023

A report from Civic provided the Customer and Regulatory Committee forward work programme to show areas of activity, progress and expected timeframes for decision making across a range of areas of work.

Moved (Cr Andrew Whiley/Cr Jim O'Malley):

That the Committee:

- a) **Notes** the Customer and Regulatory Committee forward work programme.

Motion Carried

9 DCC DRAFT SUBMISSION ON THE DRAFT GOVERNMENT POLICY STATEMENT ON LAND TRANSPORT 2024

A report from Transport sought Council approval for a Dunedin City Council (DCC) submission on the draft Government Policy Statement on land transport 2024/25 - 33/34 (draft GPS 2024).

The Group Manager Transport (Jeanine Benson) spoke to the report and responded to questions.

Moved (Cr Carmen Houlahan/Cr Steve Walker):

That the Committee:

Adjourns the meeting

Motion carried (CRC/2023/026)

The meeting adjourned at 2.33 pm and reconvened at 2.35 pm

Councillor Gilbert returned to the meeting at 2.41 pm.

Moved (Cr Jim O'Malley/Cr Andrew Whiley):

That the Committee:

- a) **Approves** the DCC submission to the draft Government Policy Statement on land transport 2024.
- b) **Authorises** the Chief Executive to make any minor editorial changes to the submission if required.

Motion carried (CRC/2023/027)

10 REVIEW OF GAMBLING AND TAB VENUE POLICY

A report from Civic provided an update on the review of the Gambling and TAB Venue Policy (the Policy) and sought approval for the statement of proposal for consultation.

The Acting General Manager Customer and Regulatory (Paul Henderson) and the Alcohol, Psychoactive Substance and Gambling Advisor (Kevin Mechen) spoke to the report and responded to questions.

Cr Mandy Mayhem left the meeting at 2:49 pm.

Moved (Cr Jim O'Malley/Cr Christine Garey):

That the Committee:

- a) **Notes** the update on the review of the Gambling and TAB Venue Policy
- b) **Approves** the statement of proposal and Gambling and TAB Venue Policy for consultation purposes

Motion carried (CRC/2023/028)

11 ANIMAL SERVICES ANNUAL REPORT TO THE DEPARTMENT OF INTERNAL AFFAIRS

A report from Customer and Regulatory provided the Animal Services Annual Report to the Department of Internal Affairs.

The Acting General Manager Customer and Regulatory (Paul Henderson) and the Manager Compliance Solutions (Ros MacGill) spoke to the report and responded to questions.

Moved (Cr Kevin Gilbert/Cr Jim O'Malley):

That the Committee:

- a) **Notes** the Animal Services annual report to the Department of Internal Affairs dated as at 30 June 2023.

Motion carried (CRC/2023/029)

12 DEMOLITION BY NEGLECT UPDATE

A report from Customer and Regulatory provided a further update on demolition by neglect.

The report noted that the Building Act 2004 provided no legal mechanisms to address demolition by neglect and the degradation of the Dunedin streetscape (other than where a building is declared to be, or is affected by a building which is, dangerous or insanitary).

Moved (Mayor Jules Radich/Cr Kevin Gilbert):

That the Committee:

- a) **Notes** this update on demolition by neglect
- b) **Notes** that this report will be referred to the Heritage Action Plan Advisory Group for its consideration as it develops a Draft Heritage Action Plan, noting that this Group will provide updates to Council.

Motion carried (CRC/2023/030)

13 ITEMS FOR CONSIDERATION BY THE CHAIR

There were no items for consideration

14 KARAKIA WHAKAMUTUNGA

Cr Carmen Houlahan closed the meeting with a Karakia Whakamutunga.

The meeting concluded at 2.59 pm

.....
CHAIRPERSON

PART A REPORTS

CUSTOMER AND REGULATORY COMMITTEE FORWARD WORK PROGRAMME

Department: Civic

EXECUTIVE SUMMARY

- 1 The purpose of this report is to provide a regular update of the Customer and Regulatory Committee forward work programme. This shows areas of activity, progress and expected timeframes for decision making across a range of areas of work (Attachment A).
- 2 As this is an administrative report only, there are no options or Summary of Considerations.

RECOMMENDATIONS

That the Committee:

- a) **Notes** the Customer and Regulatory Committee forward work programme as shown in Attachment A.

DISCUSSION

- 3 The forward work programme is a regular agenda item which shows areas of activity, progress and expected timeframes for decision making across a range of areas of work.
- 4 As an update report, purple highlights show changes to timeframes. New items added to the schedule will be highlighted in yellow. Items that have been completed or updated are shown as bold.

Signatories

Author:	Jennifer Lapham - Governance Support Officer
Authoriser:	Claire Austin - General Manager Customer and Regulatory

Attachments

Title	Page
A Forward Work Programmes	23

Key	
New item	
Changes to timeframes	
Completed; progress to date update	Bold
No meeting month	

Customer & Regulatory Committee Forward Work Programme 2024/2025 - May 2024															
Area of Work	Reason for Work	Council role (decision and/or direction)													
			Apr	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	May
Custome and Regulatory Issues and Trends Report	Provide an overview of activities of the Customer and Regulatory area.	Progress to date: Report is on the agenda.		Report											
Reforms															
Reforms	Central government proposals and impact upon customer and regulatory services	Consider, make recommendations to Council as necessary													
Bylaws															
Traffic and Parking	Bylaw review	Commence review, consider and make recommendations to Council. Progress to date: A report to commence the bylaw review will be presented in September 2024.							Report						
Trading in Public Places	Bylaw review	Noting the commencement date of the bylaw review Progress to date: A report to commence the bylaw review is on the agenda	Ongoing work	Early engagement	Analysis - draft SOP/Bylaw/Legal Review					Report draft bylaw	Ongoing work	Consultation			
Beauticians, Tattooists & Skin-piercers	Bylaw review	Noting the commencement date of the bylaw review. Progress to date: A report to commence the bylaw review will be presented in September 2024.						Commencement Report	ongoing work	Early engagement	Analysis - draft SOP/Bylaw/Legal Review				

Customer & Regulatory Committee Forward Work Programme 2024/2025 - May 2024															
Area of Work	Reason for Work	Council role (decision and/or direction)													
			Apr	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	May
Dog control bylaw review	Bylaw Review	Commence review, consider and make recommendations to Council. Progress to Date: At its meeting on 7 August 2023, the Committee gave approval to commence a review of the Dog Control Bylaw and Dog Control Policy.		Report Draft Bylaw	Consultation		Analysis - report to Hearings Committee		Hearings/Deliberations		Preparation of Report			Report to Council	
Policies															
Dunedin Local Alcohol Policy (LAP)	Policy Review	Consider Statement of Proposal Progress to Date: A report with the Statement of Proposal will be presented to the Customer and Regulatory Committee in August2024.					Report								

UPDATE ON ANIMAL SERVICES EDUCATION SESSIONS

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 This report updates the Customer and Regulatory Committee (the Committee) on the Animal Services' free dog education sessions being provided to Dunedin primary schools this year.
- 2 This programme is underway and is proving to be popular. 73 sessions have been scheduled so far and 17 completed to date.

RECOMMENDATIONS

That the Committee:

- a) **Notes** the update on Animal Services education sessions.

DISCUSSION

Proactive approach

- 3 This year, the Animal Services team took a proactive approach to promoting dog education, by emailing all Dunedin primary schools to offer them free education sessions for their children.
- 4 Animal Control officers provide these sessions, along with their dogs. Key messages are how to approach a dog, whether the dog is known or unknown, and what to do if they are attacked by a dog. The dogs are important parts of these sessions and allow the children to practise what they have learnt. Sessions take 30-45 minutes.

Response

- 5 Traditionally, schools have been able to request sessions via the Dunedin City Council (DCC) website with limited results. (In the 2022/2023 year, nine sessions were held.)
- 6 To date, the Animal Services proactive approach has yielded 73 bookings for dog education sessions. Requests range from 1-12 sessions per school depending on the school size. There is also interest from two pre-schools as well as a children's library book club.
- 7 Free dog education sessions are also provided for external organisations and internal teams who are out in the community in the course of their work, for example the DCC Resource Consent and Building Consent teams. Four of these sessions have been carried out this year.

OPTIONS

- 8 As this report provides an update only to the Committee, there are no options.

NEXT STEPS

- 9 The Animal Services team plans to continue this approach next year and to gradually extend it, at a manageable level, to organisations whose staff regularly enter people's properties, for example NZ Post.

Signatories

Author:	Anne Gray - Policy Analyst Ros MacGill - Manager Compliance Solutions
Authoriser:	Claire Austin - General Manager Customer and Regulatory

Attachments

There are no attachments for this report.

REVIEW OF DOG CONTROL BYLAW AND DOG CONTROL POLICY

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 In August 2023, the Council resolved to commence review of the Dog Control Bylaw (the Bylaw) and Dog Control Policy (the Policy). This review must be carried out under requirements of the Dog Control Act 1996 (the Act) and the Local Government Act 2002 (LGA).
- 2 This report presents the results of early engagement on the review of the Bylaw and Policy, conducted in November 2023. This early engagement has informed the development of a draft Bylaw and Policy.
- 3 In order to meet requirements of the Act and the LGA, and for consultation purposes, this report asks the Committee to:
 - a) Approve a draft Dog Control Bylaw - see Attachment A
 - b) Approve a draft Dog Control Policy - see Attachment B
 - c) Adopt a statement of proposal (SOP) - see Attachment C.
- 4 Proposed changes to the Bylaw and Policy seek to:
 - Improve opportunities for the recreational needs of dogs and their owners: for example, proposing that dogs are allowed on-leash in central business district areas (such as the Octagon) where they are currently prohibited.
 - Protect wildlife and minimise the potential for danger, distress or nuisance, by requiring:
 - i) dogs to be on-leash in all coastal dune areas, including access paths
 - ii) the number of dogs an owner may have on-leash in a public place is limited to six, and off-leash is limited to two at any one time.
 - Make the Bylaw and the Policy clearer and simpler, providing notes explaining the Bylaw and Policy and removing duplication, for example of maps.
- 5 Proposed changes, including reasons for the proposals and an analysis of options, are set out in the SOP.

RECOMMENDATIONS

That the Committee:

- a) **Notes** the review's early engagement results.
- b) **Approves** the draft Dog Control Bylaw and draft Dog Control Policy for consultation purposes, subject to any amendment.
- c) **Adopts** the Statement of Proposal, for consultation purposes, subject to any amendment.
- d) **Resolves** that the proposed draft Dog Control Bylaw meets the requirements of section 155 of the Local Government Act, in that:
 - i) the proposed Bylaw is the most appropriate form of Bylaw
 - ii) the proposed Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

BACKGROUND

Dog Control Act 1996

- 6 The Act states that any territorial authority may, in accordance with the LGA 2002, make dog-control bylaws for the following purposes:
- a) prohibiting dogs, whether under control or not, from specified public places
 - b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district
 - c) regulating and controlling dogs in any other public place
 - d) designating specified areas as dog exercise areas
 - e) prescribing minimum standards for the accommodation of dogs
 - f) limiting the number of dogs that may be kept on any land or premises
 - g) requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise
 - h) requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces
 - i) requiring any bitch to be confined but adequately exercised while in season
 - j) providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act

- k) requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against Section 53 of The Act)
 - l) any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dog.
- 7 The Act also requires that territorial authorities must have a policy on dogs which details:
 - the outline, nature and application of any dog control bylaw
 - the public places where dogs are to be controlled and how they are to be controlled
 - any designated dog exercise areas, and
 - whether menacing dogs are to be neutered.
- 8 In adopting the Policy, the Council must have regard to:
 - the need to minimise danger, distress, and nuisance to the community generally
 - the need to avoid danger from dogs having uncontrolled access to public places frequented by children
 - the importance of public use of public places without fear of attack or intimidation by dogs, and
 - the exercise and recreational needs of dogs and dog owners.
- 9 Dog control bylaws are required to give effect to the mandatory Dog Control Policy. Bylaws cannot be inconsistent with the Policy.

Review requirements

- 10 The Act requires that a dog control bylaw must be made and reviewed in accordance with the LGA and that dog control policies are to be reviewed whenever the bylaw is reviewed.
- 11 The DCC's Bylaw and the Policy were last reviewed in 2015/2016 with the current version taking effect from 1 July 2016. The LGA requires that bylaws are reviewed no later than ten years after their last review.
- 12 A review of this nature requires use of the Special Consultative Procedure (SCP).

DISCUSSION

Early community engagement

- 13 To inform any changes to the Bylaw or the Policy, early engagement with key stakeholders was carried out during November 2023. Methods included circulating a web survey to key stakeholders via email, publication in "FYI", media release, advertisements on Dunedin City Council's (DCC) social media page, and a People's Panel survey.

- 14 Questions focussed on rules about some specific locations, satisfaction with controls and more general questions. The survey also sought feedback on satisfaction with dog exercise parks, long-life metal registration tags and dog poo bag vouchers.
- 15 Key stakeholder engagement included SPCA, rūnaka, Community Boards, Department of Conservation (DoC), Blind Foundation, the Police, surf lifesaving clubs, Athletics Otago as well as dog owners and non-dog owners.

Web survey results

- 16 There were 383 responses to the web survey which ran from 1-30 November 2023. Of these the majority (70%) were dog owners and 29% were not dog owners.
- 17 See Attachment D for the full web survey results and key findings.

People's Panel survey results

- 18 The Dunedin People's Panel is an online panel of people who want the opportunity to give feedback on a range of DCC issues can opt in to. At the time of the survey, there were around 1,200 people on the panel.
- 19 There were 239 responses to the People's Panel survey. Of these, 58% did not own a dog and 42% did own a dog.
- 20 See Attachment E for the full People's Panel results and key findings.

Social media feedback

- 21 On 1 and 27 November 2023, the DCC Facebook page posted information about the Dog Control Bylaw and Policy review. These posts provided links to early engagement questions. 8,046 users saw the first post and 793 engaged with the content (i.e. liked, shared, reacted or commented). 12,711 users saw the second post and 1,237 engaged with the content.
- 22 The main topics discussed in the social media chat were enforcement, education, compliance, signage, cats, dog swim areas, wandering dogs, dogs in the CBD, dog poo bins and dog parks.

Other councils

22. Staff also researched other councils' approach to dog control best practice. The proposed updated Bylaw and Policy have been informed by the Christchurch City Council's 2016 Dog Control Bylaw and Policy model. This seeks to better inform and engage dog owners by providing clear information and explanations.

Proposals

- 23 Our early engagement suggests that while many current controls work well, there are some opportunities for improvement.
- 24 These include:
 - improving opportunities for the recreational needs of dogs and their owners

- minimising the potential for danger, distress or nuisance to people, other animals, protected wildlife, and
- making the Bylaw and Policy clearer and simpler to read.

25 Proposed changes are summarised in the tables below. For current rules, reasons for proposed changes and an analysis of options, as required by the LGA and the Act, see the SOP at Attachment C.

Improving opportunities for the recreational needs of dogs and their owners

Location	Proposed change
Octagon, Library Plaza and the areas of Princes Street and George Street between the Exchange and Knox Church	Allow dogs on leash - but not allowed to be left tied up and unattended
King Edward Street, South Dunedin between Hillside and Macandrew Roads	Allow dogs on leash - but not allowed to be left tied up and unattended
Ross Creek tracks – excluding the track around the Reservoir	Allow dogs off leash
Te Rauone Beach – ONLY the beach south of Te Rauone Reserve	Allow dogs off leash
Pūrākaunui Beach	Allow dogs off leash
Mosgies Memorial Garden – track only	Allow dogs on leash
Woodside Glen – unformed legal roads	Allow dogs off leash on unformed legal roads
Frasers Gully Recreation Reserve – track	Allow dogs off leash on the track
Jubilee Park – tracks	Allow dogs off leash
Bethunes Gully - picnic area	Allow dogs off leash
McGouns track	Allow dogs off leash

Minimising potential for danger, distress or nuisance

Location/Topic	Proposed change
Limiting dog numbers per owner in public places	Limit the number of dogs a person may have in their charge in a public place to six (6) with no more than two (2) off-leash at any time
All coastal dune areas including access pathways	Dogs must be on leash , <i>but are not allowed in any coastal dune areas that are prohibited areas</i>
Westwood Recreation Reserve – from Ocean View carpark to Kaikorai Estuary	Dogs must be on leash

Caledonian Grounds	Dogs are not allowed within the grounds
--------------------	--

Other proposed changes

Topic	Proposed change
Exemptions for dogs from restricted areas	Council may exempt dogs from the requirements that otherwise apply in restricted areas with written permission
Playgrounds definition	Definition is within one metre of fenced or surfaced playground area, or playground equipment, and includes skateparks and outdoor basketball areas
Right of review	An owner affected by a decision made under the bylaw may apply in writing to the Chief Executive for a review of the decision within 14 days after receiving notification of the decision. (This does not apply to dangerous dog etc. classifications which are decisions made under the Act and are subject to the objection process in the Act.)

Making the Bylaw and Policy clearer and simpler

26 Some of the changes to make the Bylaw and Policy clearer and to avoid confusion are:

- adding explanatory notes;
- removing the current set of maps from the Bylaw, replacing these with schedules and
- retaining an interactive map which can be used as a guide (but is not part of the Bylaw or Policy).

27 See Attachment F for the current Dog Control Bylaw 2016 and see Attachment G for the current Dog Control Policy 2016.

New Zealand Bill of Rights Act 1990 (NZBoRA) implications

28 The Council and its Committees must ensure that any bylaw doesn't unreasonably limit the right to certain freedoms under the NZBoRA.

29 The intent of dog control bylaw is the prevention of harm (either to people, wildlife, other animals, or property). In this sense, limiting the movement of people (when accompanied by their dogs) in some public places and for specified reasons, is a proportionate response and is considered a justified limitation for the prevention of harm.

Consultation

30 The Act requires that the SCP is used for the review of the Bylaw and the Policy and consultation. It is proposed that this is conducted from Monday 10 June until Friday 19 July 2024. This meets the LGA requirement that consultation is open for at least one month.

- 31 Engagement methods will include sending information to dog owners, advertising on the DCC website, social media pages, on the Otago Daily Times noticeboard and in The Star, a media release, and “FYI” article. Key stakeholders will be advised of the review and invited to comment. Stakeholders include the Society for the Prevention of Cruelty to Animals, Community Boards, Yellow-Eyed Penguin Trust, Wildlife Hospital, Department of Conservation, Blind Foundation, the Police, surf lifesaving clubs, Athletics Otago, bird clubs, dog owners and non-dog owners.
- 32 There will be the opportunity for people to present their views at hearings after July.

OPTIONS

- 33 Given the statutory requirement for this review, the two main options are to approve the proposed Bylaw and proposed Policy for consultation with or without any amendments. The third option of not having a bylaw and policy would not meet legislative requirements.

Option One – Approve the draft Bylaw and draft Policy, and adopt the statement of proposal for consultation (Recommended)

Advantages

- The draft Bylaw and draft Policy are informed by early engagement and feedback.
- The proposed Bylaw, Policy, SOP and review process comply with the Act and LGA statutory requirements including the SCP.
- Feedback will inform Dunedin’s dog control matters and decision-making
- Proposals will improve opportunities for recreational needs of dogs and their owners.
- Proposals will minimise potential for danger, distress or nuisance.
- Proposals will make the Bylaw and Policy clearer and simpler.

Disadvantages

- There are no known disadvantages.

Option Two – Approve the draft bylaw and draft policy, and adopt the statement of proposal for consultation, with amendments

- 34 This is the same as Option One, but with any amendments specifically recorded in the Committee’s resolutions.

Option Three – Do not have a Dog Control Policy or Dog Control Bylaw

Advantages

- There are no known advantages.

Disadvantages

- The Council would be in breach of Dog Control Act requirements.

NEXT STEPS

- 35 When the Committee approves the Bylaw, Policy and SOP for consultation, the following proposed next steps are:

Action	Timeframe
Consultation – using special consultative procedure	Monday 10 June until Friday 19 July 2024
Hearings	Around August/September 2024
Hearings Committee report to the Council with proposed final bylaw and policy	To be confirmed

Signatories

Author:	Anne Gray - Policy Analyst
Authoriser:	Ros MacGill - Manager Compliance Solutions Claire Austin - General Manager Customer and Regulatory

Attachments

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B	Proposed Dunedin Dog Control Policy	44
C	Proposed Statement of Proposal for Dog Control Bylaw and Dog Control Policy review	63
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G	Current Dog Control Policy	125

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Environment Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Spatial Plan	✓	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Parks and Recreation Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	✓	<input type="checkbox"/>	<input type="checkbox"/>

Review of the bylaw and policy contributes to priorities of 'safe people' in the Social Wellbeing Strategy, 'healthy environment' in Te Ao Tūroa, 'liveable city' in the Spatial Plan, and 'treasuring parks' and 'open spaces supporting communities to thrive' in the Parks and Recreation Strategy.

Māori Impact Statement

Local rūnaka are identified as stakeholders and are being engaged with as part of this review.

Sustainability

The proposed Bylaw and Policy contribute to environmental sustainability as they aim to minimise potential for danger, distress or nuisance to the community generally including, for example, removal of dog faeces from public places and protection of wildlife.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications for these strategies and plans. Timing of consultation has been planned so as to not confuse other engagement and consultation processes.

Financial considerations

There are no financial implications. The changes proposed to the bylaw and policy will be administering within existing operational budget.

Significance

This decision is considered low-medium in terms of the Council's Significance and Engagement Policy. It is anticipated that there will be strong interest in the review with some divided views amongst the community.

Engagement – external

Early engagement was carried out in November 2023 and the results are presented in this report. The special consultative procedure must be used when reviewing the Bylaw and the Policy and this is planned for June/July 2024. Key stakeholders include Community Boards, Society for the Prevention of Cruelty to Animals, Yellow-Eyed Penguin Trust, Wildlife Hospital, Department of Conservation, Blind Foundation, the Police, surf lifesaving clubs, Athletics Otago, bird clubs as well as dog owners and non-dog owners.

SUMMARY OF CONSIDERATIONS

Engagement - internal

There has been internal engagement with In-House Legal Counsel, Parks and Recreation, Business Information Services, and Communications and Marketing.

Risks: Legal / Health and Safety etc.


There are no identified legal or health and safety risks with this proposal. The draft Bylaw and Policy have had external legal review.

Conflict of Interest

There are no known conflicts of interest.

Community Boards

Community Boards are identified as key stakeholders and are being engaged with as part of this review.

DOG CONTROL BYLAW 2025			
 DUNEDIN kaunihera CITY COUNCIL a-rohe o ōtepoti			
Approved by:	The Council		
Date approved:	TBC		
Date of effect:	TBC	Reviewed:	2024
Next review date:	TBC 2035		

This bylaw is made by the Dunedin City Council under the Local Government Act 2002 and authorised by section 20 of the Dog Control Act 1996.

1. SHORT TITLE

- 1.1 This bylaw is the Dunedin City Council Dog Control Bylaw 2025.

2. APPLICATION

- 2.1 This bylaw applies to Dunedin City.

3. PURPOSE

- 3.1 The purpose of this bylaw is to give effect to the Council's Dog Control Policy (date) by:
- 3.1.1 regulating and controlling dogs in public places
 - 3.1.2 providing appropriate controls to minimise the potential for harm, distress or nuisance that may be caused by dogs
 - 3.1.3 providing enforcement options to regulate dog-related matters.

4. EXPLANATORY NOTE

- 4.1 Text in this bylaw that is in italics (*italics*) is not part of the bylaw, but is explanatory in nature.

5. DEFINITIONS

- 5.1 All definitions have the same meanings as in the Dog Control Act 1996 unless otherwise specified.
- 5.2 In this Bylaw, unless the context otherwise requires:

Act	Means the Dog Control Act 1996
Control	Means the owner or person in charge of a dog is aware of where the dog is and what it is doing, and that the dog is responsive to commands and is not creating a nuisance.

	<i>Explanatory note: Having a dog under control means you can see it or are aware of what it is doing and are close enough to prevent issues or quickly bring it to heel.</i>
Council	Means the Dunedin City Council and includes any person authorised by the Council to act on its behalf.
Dog exercise area	Means an area that is designated by Dunedin City Council for use as a place for exercising dogs and includes a designated dog exercise area and small breed dog park.
Leash	Means an adequate restraint and may include a lead attached to a collar or harness, that allows for the control of a dog when in a public place.
Leashed area	Means any public place specified in this bylaw, or in the Dunedin City Council Dog Control Policy, where dogs must be on a leash.
Marked playing surfaces	Is that area of land in use for sports activities (excluding golf courses).
Nuisance	Means anything which interferes with or threatens the health or enjoyment of people, wildlife or other animals, and in this context may involve things such as barking, causing distress via intimidating behaviour (such as aggressive barking or rushing), or attacking people, wildlife or other animals.
Owner	Has the same meaning as in s2 of the Act, and means every person who: <ul style="list-style-type: none"> a) Owns a dog or b) Has possession of the dog, whether the dog is at large or in confinement, otherwise than for the sole purpose of returning a lost dog to its owner or c) Is the parent or guardian of and shares a household with a person under the age of 16 years who is the owner of the dog pursuant to paragraph a) or b) of this definition. It does not include any person who has seized or taken custody of the dog under the Dog Control Act 1996 or the Animal Protection Act 1960 or any regulation made under either of those Acts.
Playground	Means any Council children's playground: <ul style="list-style-type: none"> a) Within any fenced playground area b) On any specially surfaced playground area c) Within one metre of any fenced or surfaced playground area or d) Within one metre of any playground equipment where there is no fence or special surface. Includes Council skateparks and Council outdoor basketball areas.
Prohibited area	Means any public place specified in this bylaw or in the Dunedin City Council Dog Control Policy where dogs are prohibited.
Protected wildlife	Means: <ul style="list-style-type: none"> a) Any animal that is absolutely protected or partially protected according to s3 and s5 of the Wildlife Act 1953, other than any animal that may be hunted or killed under s5(2) of that Act; and b) Any animal that is a marine mammal within the meaning of the Marine Mammals Protection Act 1978.
Public place	Has the same meaning as in s2 of the Act, <i>and generally means a place that is open to the public whether or not it is private property.</i>
Residential zoned land	As identified in the operative Dunedin City District Plan (2GP).

Road	Has the same definition as the Land Transport Act 1998 and includes any Council owned or administered: <ul style="list-style-type: none"> • Access way • Associated pedestrian area (such as footpaths) • Service lane as defined in s315 of the Local Government Act 1974. <i>This includes, for example, margins alongside roads such as berms and verges) unformed legal roads.</i>
Rural-residential zoned land	As identified in the operative Dunedin City District Plan (2GP).
Small breed dog exercise area	Means a designated dog exercise area in which only dogs weighing less than eight kilograms are permitted.
Working dog	Has the same meaning as in s2 of the Act, <i>and generally means any disability assist dog or any dog carrying out functions and duties:</i> <ul style="list-style-type: none"> a) <i>Relating to farming such as herding or driving stock</i> b) <i>Under the direction of a government department or state employee undertaking responsibilities such as those relating to policing, defence, corrections, customs, security, biosecurity, pest management, emergency management or conservation</i> c) <i>Under the direction of a private security guard in the execution of their duties.</i>

6. DOGS UNDER CONTROL AND ON LEASH IN PUBLIC PLACES

- 6.1 The owner or person in charge of a dog must keep their dog under control in any public place.
- 6.2 The owner or person in charge of a dog must also keep their dog on a leash in any public places, except in designated dog exercise areas and off leash areas specified in the Dunedin Dog Control Policy, Schedule C.
- 6.3 Dogs must not be left tied up and unattended in the central business district zone, as specified in the Dunedin Dog Control Policy, Schedule B.

Explanatory note: Under control leashed areas specified in the Dunedin Dog Control Policy, Schedule B, include:

- *All roads, footpaths and tracks*
- *All cemeteries*
- *All sports grounds that surround marked playing areas when games are being played (allowed off leash when games are not being played and always prohibited on all marked playing fields*
- *On Te Aka Ōtākou – Dunedin’s shared harbour/peninsula pathway*
- *Within 20 metres of protected wildlife*
- *On all beaches unless otherwise specified*

- *On all coastal dune areas including access pathways (unless in a prohibited area)*
- *In commercial areas such as the central business district (dogs must not be left tied up unattended).*

7. PROHIBITED AREAS

- 7.1 No owner or person in charge of a dog shall allow their dog to enter or remain in any public place that is specified as a Prohibited Area in the Dunedin Dog Control Policy.

Explanatory note: Prohibited areas include:

- *All children's playgrounds*
- *All marked playing surfaces at Council owned sports grounds (excluding Council owned golf courses)*
- *Designated safe swimming beach areas marked by lifeguards with the placement of flags (unless otherwise specified)*
- *Other specific areas listed in Schedule A to the Dog Control Policy.*

8. TEMPORARY PROHIBITED AREAS

- 8.1 The Council may make temporary prohibited areas where reasonable and where, in the opinion of the Council, there is or is likely to be harm caused to people or animals.
- 8.2 The Council will take reasonable steps to notify the public of any temporary prohibited area. A temporary prohibition will take effect from the time signage is placed at the points of entry to the affected area and will end when the signage is removed by the Council.

Explanatory note: Reasonable steps may include advertising on the DCC website, social media or newspaper.

9. EXEMPTIONS TO PROHIBITED AND LEASHED AREAS

- 9.1 Nothing in this bylaw restricting or prohibiting access to any public place applies to:
- 9.1.1 a working dog that is under the control of its owner while that dog is being worked or while it is being taken to and from its work; or
- 9.1.2 any dog where an exemption has been granted by the Council.

Explanatory note: Clause 9.1.2 allows for exemptions for dogs that are similar to but do not qualify as a working dog, for example a dog that may be in training to be a working dog or a dog owned by a volunteer and used for pest control purposes.

10. DESIGNATED DOG EXERCISE AREAS

- 10.1 Designated dog exercise areas and small breed dog exercise areas are specified in the Dunedin City Council Dog Control Policy 2025.

- 10.2 Dogs weighing more than eight kilograms are not allowed inside the boundaries of any small breed dog exercise area.
- 10.3 No owner or person in charge of a dog may leave any dog unattended in a designated dog exercise area.

11. FOULING IN PUBLIC PLACES

- 11.1 The owner or person in charge of a dog that is in a public place must carry and display a bag or other receptacle suitable for the removal of faeces.
- 11.2 The owner or person in charge of a dog that defecates in a public place or on land or premises other than that occupied by the owner must immediately remove the faeces.
- 11.3 Where a public litter bin or similar receptacle is used for the disposal of dog faeces, the owner or person in charge of a dog must ensure that the faeces are wrapped or otherwise contained to prevent fouling of the receptacle.

12. INFECTIOUS OR DISEASED DOGS

- 12.1 Other than when a dog is being taken directly to a veterinary clinic, no owner or person in charge of an infectious or diseased dog may take that dog into any public place.

13. FEMALE DOGS IN SEASON

- 13.1 The owner or person in charge of a female dog in season must keep the dog:
- 13.1.1 confined to private property; and
- 13.1.2 confined in such a way as to minimise the potential for contact with other dogs.
- 13.2 Any female dog in season must be adequately exercised only on private land occupied by the owner of the dog or other private land with the consent of the occupier.
- 13.3 Clauses 12.1 and 12.2 do not apply to any dog that is being taken to a veterinary clinic or for the purposes of breeding.

Explanatory note: The hormones released by a female dog in season can be detected by other dogs over long distances. This is why female dogs in season have to be securely confined on private property (ideally away from boundary fences). The potential impacts on other dogs need to be minimised by limiting the likely hormone trail that would be left if the dog were to be exercised as normal in public places or if it were transported unnecessarily. Transport should be limited to veterinary or breeding-related travel.

14. NUISANCE

- 14.1 If, in the opinion of the Council, any dog on any premises has become or is likely to become a nuisance, the Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice, to do all or any of the following:

- 14.1.1 reduce the number of dogs kept on any premises
- 14.1.2 order the permanent removal of a particular dog on a property
- 14.1.3 construct, alter, reconstruct or otherwise improve the kennels, places of confinement or other buildings used to house or contain the dog or dogs
- 14.1.4 require the dog or dogs to be tied up or otherwise confined during specific periods
- 14.1.5 take other action as the Council deems necessary to minimise or remove the likelihood of nuisance.
- 14.2 The owner or person in charge of any dog shall ensure that it does not create a nuisance by:
 - 14.2.1 obstructing the lawful passage of persons in a public place
 - 14.2.2 rushing and frightening persons in a public place or persons lawfully on private property
 - 14.2.3 destroying, tearing or otherwise interfering with any refuse container whether the container is on private property or in a public place.
- 15. PERMIT TO KEEP MORE THAN ONE DOG**
 - 15.1 Owners of more than one dog must obtain a permit to keep more than one dog over the age of three months on any premises, unless the premises are zoned rural or rural/residential in the operative Dunedin City District Plan.
 - 15.2 The fee for such permits shall be payable in addition to the registration fees payable under the Act.
 - 15.3 Application process, criteria and conditions**
 - 15.3.1 Applications for permits to keep more than one dog shall be made on the form supplied by the Council and shall provide such information in respect of the application as the Council may reasonably require and be accompanied by the application fee set by the Council.
 - 15.3.2 A permit is not transferrable to another property or a new owner at the same property.
 - 15.3.3 No permit will be granted to the owner or occupier of any premises under clause 15.1 if, in the Council's opinion, the premises would be inappropriate for the housing of more than one dog (including by reason of inadequate fencing, size, location, or detrimental effect on any other premises).
 - 15.3.4 A permit issued under clause 15 is subject to any conditions set by the Council. Any breach of conditions or other terms or restrictions shall be a breach of this Bylaw.

- 15.3.5 A permit under clause 15 does not expire but may be revoked by the Council for breach of conditions or, in the event that circumstances change relating to the premises, the owner or occupier, or the animals kept on the premises.

16. LIMITS ON DOGS IN PUBLIC PLACES

- 16.1 No owner or person in charge of a dog may have in their charge more than six (6) dogs at any one time in a public place.
- 16.2 No owner or person in charge of a dog may have in their charge more than two (2) dogs off leash in a public place at any one time.

Explanatory note: An owner or person in charge of dogs may have no more than six dogs in a public place at any time with no more than two of these dogs off leash at any one time. This control is introduced to address issues with multiple dogs in public places.

17. NEUTERING OF DOGS

- 17.1 The Council may require the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to have the dog castrated or spayed whether or not the owner of the dog has been convicted of an offence against section 53 of the Act.

18. OFFENCE AND PENALTY


- 18.1 Every person who fails to comply with this bylaw commits an offence.
- 18.2 Every person who commits an offence under this bylaw is liable to a penalty under section 242(4) of the Local Government Act 2002 or section 20(5) of the Dog Control Act 1996.

Explanatory note: Many matters not covered by this bylaw are already covered by the Act, and breaches of those matters can result in the issuing of infringement notices (otherwise known as instant fines). The amounts for these infringements range from \$100 to \$750 and are set out in the Act.

19. RIGHT OF REVIEW

- 19.1 Any owner affected by a decision made under this bylaw may apply in writing to the Chief Executive for a review of this decision within 14 days after receiving notification of the decision.

Relevant Legislation:	Dog Control Act 1996 Local Government Act 2002
Associated Documents:	Dunedin City Council Dog Control Policy
History of bylaw:	Previous review – date of effect 1 July 2016

DOG CONTROL POLICY 2025		 DUNEDIN kaunihera CITY COUNCIL a-rohe o Ōtepoti	
Approved by:	Council		
Sponsor:	General Manager Customer and Regulatory		
Department responsible:	Compliance Solutions (Animal Services)		
Date approved:	TBC	Date of effect:	TBC
Next review date:	TBC	Reviewed:	TBC

Section 1: Introduction

1.1 Context

There are around 19,000 registered dogs in Dunedin, with many dogs considered part of the family. It is important that Dunedin has a range of public places that are accessible for dogs and their owners for fun and recreation. We also acknowledge the reality that dogs can cause problems (such as barking), can cause injuries such as bites, and can even cause death (such as to protected wildlife or other animals).

Good dog ownership can prevent many problems, but we are also aware that dogs can be unpredictable, so we need to minimise risk with reasonable regulatory controls. This policy aims to balance the recreational needs of dogs and their owners with the importance of minimising the potential for any danger, distress or nuisance that may be caused by dogs.

In carrying out its legislative obligations under the Dog Control Act 1996 (the Act), the Dunedin City Council's (the Council's) approach to dog control is to provide a cost effective, professional service through education, monitoring, compliance and enforcement.

NOTE that the Department of Conservation (DoC) has its own rules about dog access on public conservation land managed by their Department. For more information on these rules please contact DoC directly. On beaches where it may be confusing whether DoC or the Council has control, DoC agrees that the bylaw will apply. These beaches are specified in the Dunedin Dog Control Policy, Schedule A.

1.2 Reason for the policy

The Act requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy. The Dunedin Dog Control Bylaw 2025 has been developed alongside this policy.

1.3 Purpose of the policy

The purpose of this policy is to:

- outline how the Council addresses requirements set out in the Act
- balance regulatory controls to allow for the recreational needs of dogs and their owners with appropriate controls to minimise the danger, distress or nuisance that may be caused by dogs to people, other animals or protected wildlife
- encourage and facilitate good dog behaviour and good dog ownership through education.

This policy should be read in conjunction with the Dog Control Bylaw 2025 and the Act. This policy summarises some provisions in the Act, but may not describe or set out a provision of the Act in full. If any summary does not cover every matter discussed in a section, or leads to an inconsistency between the policy and the requirement of the Act, the Act will prevail.

1.4 Review of policy

This policy must be reviewed at least every ten years, together with the Dog Control Bylaw.

Section 2: Dog Control Bylaw

Under the Act councils are required to develop a dog control policy and must develop a bylaw to give effect to the matters covered by the policy. The Act requires a dog control policy to set out the nature and application of its associated bylaw. A dog control bylaw must not be inconsistent with the policy.

2.1 Nature and application of the bylaw

The Dunedin Dog Control Bylaw 2025 applies to all dog owners in Dunedin, and:

- promotes responsible management of dogs in public places
- provides for the recreational needs of dogs and their owners
- minimises the potential for danger, distress or nuisance from dogs to the community, animals and wildlife.

The Dog Control Bylaw covers the following:

- control of dogs in public places
- prohibiting dogs from specified public places or categories of public places
- requiring dogs to be on a leash in specified public places or categories of public places
- exempting certain types of dogs in certain situations
- designating specified areas as dog exercise areas
- placing limitations on the number of dogs that may be kept on properties
- placing limitations on the number of dogs that may be on leash and off leash
- placing limitations on the housing, movement and transportation of female dogs in season while requiring them to be adequately exercised
- placing limitations on travel of infectious or diseased dogs
- requiring dog owners to remove and dispose of any fouling (dog faeces) that their dog produces
- addressing nuisance from dogs.

Section 3: Obligations of dog owners

3.1 Overview

The Act sets out expectations placed on dog owners that are consistent across New Zealand. The Dunedin Dog Control Policy and Bylaw set out matters that are specific to the Dunedin district, such as public places where you can or cannot take your dog or must have it on a leash. All dog owners are required to understand the dog owner requirements and obligations set out:

- in the Act
- in the Dog Control Bylaw and
- in this Policy.

Dog owners should also be aware of animal welfare matters that are covered by the Animal Welfare Act 1999, and, in particular, by the Animal Welfare (Dogs) Code of Welfare, which sets out the minimum standards and recommendations relating to all aspects of the care of dogs. Animal welfare matters relating to companion animals are largely enforced by the Society for the Prevention of Cruelty to Animals (SPCA).

3.2 Dog Control Bylaw obligations of dog owners

Dunedin's Dog Control Bylaw requires dog owners to:

a) Keep dogs under control

Dog owners are required to keep their dog(s) under control at all times when in public places. This means the owner or person in charge must:

- be aware of where the dog is and what it is doing
- ensure their dog is responsive to commands
- ensure their dog is not creating a nuisance.

Explanation

When a dog is under control it means the dog is not creating any sort of nuisance to people, domestic animals or any other wildlife. Nuisance in this sense means things such as barking, rushing at, intimidating, attacking or otherwise causing injury, damage or harm. Going for a walk with your dog unrestrained (not on a leash) is fine in areas where there are no dog restrictions. However, the dog must still be under control. This means you can see the dog or are aware of what it is doing and you are close enough to prevent issues or quickly bring it to heel. Having your dog under control is as much about the safety of your dog as it is about the safety of others.

The Act requires all dog owners to carry a leash when taking their dog into a public place, whether or not the public place is a leashed area (section 54A). This is because unexpected situations may arise that require a dog to be leashed to keep the dog under control or to keep it safe. Another requirement in the Act is that the legal owner of a dog must be over the age of 16 (section 2). The owner or person in charge of a dog should also be physically capable of controlling the dog.

b) Carry and display the means of removing dog faeces in public places and remove dog faeces from public places

The dog owner or person in charge must carry and display a bag or other receptacle for picking up and removing any fouling (dog faeces) when in a public place (for example recycled or compostable bags, pooper scooper).

The person in charge must immediately remove any fouling that their dog produces and dispose of it in a hygienic manner (e.g. in a red wheelie bin or Council rubbish bin).

Explanation

A bag or other receptacle for picking up and removing dog faeces must be carried and displayed at all times when in public places with a dog. Dog toileting habits can be unpredictable and this requirement will prevent owners from being caught short. It is not an excuse to say you do not have a bag or other receptacle with you. Dog faeces can harbour diseases and parasitic infection that can make other dogs or people unwell. It is also generally unpleasant and smelly. It is important that dog owners take responsibility for their dogs so that dogs can continue to enjoy access to a wide range of public places.

c) Other obligations

The dog owner or person in charge must also:

- ensure their dog does not enter into a prohibited area
- ensure their dog is not unattended in a designated dog exercise area
- ensure their dog, if infectious or diseased, does not enter into any public place (other than when being taken directly to a veterinarian clinic)
- ensure their female dog, if in season, is confined to private property to minimise potential contact with other dogs
- ensure they have a permit to keep more than one dog over the age of three months, unless the premises are zoned rural or rural/residential
- ensure they have in their charge no more than six (6) dogs at any time in a public place and no more than two (2) dogs off leash in a public place at any time.

Section 4: Registration of dogs

All dogs must be registered in accordance with the Act. It is an offence not to register a dog that is over three months of age. It is an offence to knowingly provide false information on a dog registration application form. Registered dogs must always wear a registration tag. Please contact the Council if you need a replacement registration tag.

Explanation

Dogs are required to be registered for three reasons:

- *to keep an up to date record of all dogs and their owners*
- *to allow for the return of lost dogs, and*
- *to generate revenue for providing dog control services across the city.*

4.1 Dog registration classifications

The registration classifications are as follows:

- Standard dog registration
 - This is the default dog registration classification.
- Responsible dog owner registration

- This applies to dogs owned by people who have Responsible Dog Owner status (this is explained in the section below).
- Spayed/neutered dog registration
 - This can be applied for with a veterinary certificate which is held on file for subsequent registration years.
- Working dog registration
 - The definition for working dog is set out in the Act and generally means any dog carrying out functions and duties:
 - relating to farming, such as the herding of stock
 - under the direction of a government department or state employee undertaking responsibilities such as those relating to policing, defence, corrections, customs, security, biosecurity, pest management, emergency management or conservation, or
 - under the direction of a private security guard in the execution of their duties.
- Dogs classified as menacing
 - This applies to dogs classified as ‘menacing’ under the Act.
- Dogs classified as dangerous
 - This applies to dogs classified as ‘dangerous’ under the Act. The Act requires a higher registration fee to be paid for these dogs.
- Disability Assist Dogs
 - These dogs need to be registered but do not incur a dog registration fee
 - Disability Assist Dogs are generally dogs that are certified to assist someone with a visual, hearing, mobility or other disability.

4.2 Setting dog registration fees

Registration fees are set through the Council’s Annual Plan process and are notified to all registered dog owners at registration time. The fees are listed on the Council website.

In considering dog registration fees, the Council will, in accordance with the Act:

- set a standard dog registration fee
- set a fee for Responsible Dog Owners that is less than the standard dog registration fee
- provide a discount for spayed/neutered dogs that is less than the standard dog registration fee
- set a fee for dangerous dogs that is 50% higher than the standard dog registration fee
- not set a fee for Disability Assist Dogs, and
- charge a penalty for the late registration of dogs i.e. an additional 50% of the registration fee.

Explanation

Registration fees are set by councils to take into account the cost of providing dog control services and aim to strike a balance between dog owners bearing the costs of dog control and the benefits to ratepayers of having safe and well controlled dogs in their community.

The Act requires that all money collected under the Act can only be spent on dog control matters.

4.3 Responsible Dog Owner status

To obtain Responsible Dog Owner status, a dog owner must apply for that status and meet the following criteria (as applicable):

- have been the registered owner of a dog and have resided in the Dunedin City District for at least 24 months, or previously held Responsible Dog Owner status in another district
- have paid dog registration fees on time for the last two years
- have all dogs owned by them microchipped in accordance with the Act, including providing the microchip number to the Council
- have a permit to keep multiple dogs on their property (if applicable)
- inform the Council of any dog registration or residential address changes, including information on the death, sale or transfer of any dogs, and including the birth of any pups
- have a property at which their dog(s) resides that is suitably fenced and gated to contain the dog(s) and that allows dog-free access to a door of the dwelling for authorised callers
- have complied with requirements of the Dog Control Act and the current Dog Control Bylaw and must not, in the last two years, have
 - had a dog that has been found at large, been uncontrolled, or been chased, returned or impounded by the Council
 - been issued with a warning notice or infringement notice for any dog-related offence
 - been prosecuted for any dog-related offence.

Owners of dogs classified as 'menacing' or 'dangerous' under the Act may be considered for Responsible Dog Owner status, provided all criteria are strictly met (where applicable). The granting and retention of the status is at the discretion of the Council.

Applications must be received and approved before 15 April in any year to enable the applicant to gain this status for the dog registration year commencing 1 July.

Any breach of the criteria of this policy will lead to the immediate withdrawal of Responsible Dog Owner status. Should status be withdrawn due to a breach, the owner may not apply for, or be considered for, the status again until two years after the date of withdrawal.

4.4 Registration and de-sexing (neutering) dogs

The Council encourages de-sexing by offering a discount on registration fees for castrated or spayed dogs. You must provide written proof of de-sexing along with your dog registration application form to apply for a reduced fee.

Explanation

Your dog should be de-sexed unless it is intended for breeding. De-sexing is important to reduce unwanted pregnancies and to reduce aggression. Unwanted puppies need to be cared for, rehomed or destroyed and can become an unintended cost or cause animal welfare concerns. The Council may offer a subsidised dog de-sexing service where possible and where there is an identified need.

4.5 Changing dog ownership

Where the ownership of a dog changes, the registration continues, and both the old owner and the new owner must advise the Council.

4.6 Transferring dog registration between districts

When a registered dog moves to a different council district, the registration will go with it. Owners of dogs transferring must advise both councils of the dog's move in writing and within six months of the move. The owner should take the dog registration tag to their new local council office so it can be swapped for a registration tag for the new area at no charge. The dog does not have to be re-registered in the new area until the next registration year.

4.7 Refunding registration fee if dog dies

The Council will refund the applicable portion of a dog registration fee in the event of the death of a dog. The owner must apply for the refund and provide evidence of the dog's death with a veterinary certificate. Refunds apply from the date the application is received (not from the date your dog died).

Section 5: Microchipping your dog

Except for working dogs, all dogs in New Zealand first registered after 1 July 2006 must be implanted with a microchip.

Owners must supply the dog's microchip information to the Council so it can be recorded in the National Dog Database. You can do this by providing a vet's certificate which includes the number.

Explanation

Dog registration and microchipping are two separate processes. You must register your dog every year but only need to microchip your dog once. A microchip is about the size of a grain of rice and is implanted in a dog's back towards the neck, generally by a qualified person such as a veterinarian. Microchipping is a more permanent way of identifying a dog than collars and tags which can be lost or removed. It enables a dog to be linked to its owner. It can also identify a dog which has been aggressive and classified as dangerous or menacing.

The National Dog Database is administered by the Department of Internal Affairs and holds details of all microchipped dogs in New Zealand, their owners and any infringements that may have been issued against the owner.

Section 6: Prohibited and leashed areas

Dogs may be prohibited from public places or required to be on a leash in public places. If a public place is not listed in this policy, then dogs are allowed there on leash. Dogs on leash and under control is the default classification in Dunedin.

Explanation

Dogs are prohibited in certain areas to minimise the potential for any danger, distress or nuisance that may be caused by dogs. For example, playgrounds are designed for the use and enjoyment of children and ensuring dogs are not in playground areas makes them safer for children to use.

6.1 Prohibited areas

Public places where dogs are prohibited are listed in Schedule A to this Policy. Some are general areas such as those listed below and some are more specific locations.

Dogs are prohibited in the following **general** areas:

- all Council children's playgrounds - this means within any fenced playground area, on any specially surfaced playground area, within one metre of any fenced or surfaced playground area and within one metre of any playground equipment where there is no fence or special surface
- all Council skateparks – this means all skatepark surfaces and within one metre of the perimeter of any skatepark
- all marked playing surfaces at Council owned sports grounds (excluding Council owned golf courses)
- designated safe swimming beach areas marked by lifeguards with the placement of flags (unless otherwise specified)

Dogs are also prohibited in other **specific** locations that are also listed in Schedule A to this Policy.

The Council may from time to time put in place a temporary dog prohibition where, in the opinion of the Council, there is or is likely to be harm to people or animals. The Council will take reasonable steps to notify the public of any temporary prohibited area and these may include advertising on the Council website, social media or newspaper.

Explanation

The Council works with the Department of Conservation when making temporary restrictions, for example at times and places animals are nesting.

6.2 Leashed areas

There are some places where dogs must be on a leash and under control. If a public place is not listed in this policy, then the default is that dogs are allowed there on leash and under control. On leash areas are listed in Schedule B to this Policy.

Unless specified elsewhere, dogs must be on a leash:

- on all roads and footpaths
- at all cemeteries
- on all sports grounds that surround marked playing areas when games are being played (allowed off leash when games are not being played and always prohibited on all marked playing fields)
- on Te Aka Ōtākou – Dunedin's shared harbour/peninsula pathway
- within 20 metres of protected wildlife

- on all beaches unless otherwise specified
- on all coastal dune areas including access pathways (except in a prohibited area, where no dogs are allowed)
- on commercial areas such as the central business district (in addition, dogs in these areas must not be left tied up and unattended)
- at all public places not listed elsewhere in this policy or schedules to the policy.

Explanation

These places are shared spaces where there may be vehicles, bicycles, children and wildlife. On leash protects both the dog and other users of these areas.

6.3 Exemptions to prohibited and leashed areas

Dog controls for prohibited and leashed areas do not apply to:

- working dogs (where a working dog is under the control of its owner while that dog is being worked or while it is being taken to and from its work)
- any dog where an exemption has been granted by the Council (for example, an exemption may be given where a dog is similar to a working dog, but does not meet that definition, such as a dog in training to be a working dog or a dog owned by a volunteer and used for pest control purposes).

Section 7: Dog exercise areas

The Council recognises the importance of the recreational and exercise needs of dogs and their owners, and aims to provide opportunities for dogs and their owners to access many different public places across Dunedin. There are parks, reserves, sections of coastline and beaches that allow the opportunity to exercise dogs off leash. These are listed in Schedule C. The Council also has designated dog exercise areas that are safe places to exercise dogs. These are fenced with agility equipment. Dogs must be under control but can be off leash in these areas.

Designated dog exercise areas are also listed in Schedule C and are at:

- Cemetery Road – East Taieri
- Cemetery Road – East Taieri – small breed dog exercise area
- Forrester Park – Norwood Street
- Forrester Park – Norwood Street – small breed dog exercise area
- Kew Park – corner of Easter Crescent and Forbury Road
- Rotary Park – Highcliff Road
- Shand Park – Brighton Road, Green Island
- Shand Park – Brighton Road, Green Island – small breed dog exercise area*
- Wakari Reserve.

*A small breed dog exercise area is for dogs weighing no more than eight kilograms.

Section 8: Permit for more than one dog

Owners of more than one dog over the age of three months must obtain a permit to keep the dogs on any property unless the premises are zoned Rural or Rural/Residential in the operative Dunedin City District Plan.

A permit may be granted, have conditions imposed, or be refused at the full discretion of the Council. Considerations include, but are not limited to adequate fencing, the size, location and nature of the premises, dog-free access to the house, and compliance with the Dog Control Bylaw. The process is set out in the Dog Control Bylaw.

The fee for a permit shall be payable in addition to the registration fees payable under the Act. The permit fee is set through the Annual Plan process.

Explanation

The purpose of the permit is to minimise the potential for issues associated with having too many dogs on small properties and where neighbours are close by. Considerations relate largely to the Dog Control Act and Animal Welfare Act obligations. If a permit is not granted, then the dog/s must be removed.

Section 9: Limit on dog numbers in public places

An owner or person may have no more than six dogs under their control in a public place at any time and no more than two of those dogs may be off leash at any time. All dogs must be under the control of the owner at all times.

Section 10: Other owner responsibilities

10.1 Barking dogs

When the Council receives a complaint about a barking dog it will investigate, and if necessary, work with the dog owner to understand the extent of the barking, and reasons for it, before encouraging solutions.

If the barking continues to be persistent and loud, a dog abatement notice may be issued under the Act. If this notice is not complied with, an infringement notice may be issued. Complaints about barking may also impact on the dog owner's ability to have Responsible Dog Ownership status or to hold a permit for more than one dog. Dogs are also able to be seized due to loud and persistent barking.

Explanation

Different things can cause a dog to bark and it often happens when the owner is absent. Common reasons are:

- *Protective aggression where dogs bark at people or animals they think are invading their territory*
- *Stimulus barking where dogs bark at sound or movement*
- *Separation anxiety if dogs are feeling lonely*
- *Social situations where dogs bark to communicate.*

10.2 Female dogs in season

Owners must keep female dogs in season confined to private property. This is to minimise the potential impact on other dogs. Female dogs in season must be adequately exercised on private land occupied by the owner or other private land with the consent of the occupier. Transport of female dogs in season should be limited to veterinary or breeding-related travel.

Explanation

The hormones released by a female dog in season can be detected by other dogs over long distances. This is why female dogs in season have to be securely confined on private property (ideally away from boundary fences). The potential impacts on other dogs need to be minimised by limiting the likely hormone trail that would be left if the dog were to be exercised as normal in public places or if it were transported unnecessarily. Transport should be limited to veterinary or breeding-related travel.

10.3 Dogs in vehicles over summer months

Dogs left in vehicles over the summer months can suffer heat exhaustion quickly. Council officers may release a dog in distress, with the help of the SPCA, or Police.

Explanation

The SPCA has the power to protect all animals from abuse, neglect and abandonment including prosecuting people under the Animal Welfare Act 1999. Dog owners who leave their dog in a hot car can face a charge of animal cruelty.

10.4 Exercising dogs at night

Owners are encouraged to use reflective or other lighting attached to dog collars to help dogs be seen when exercising at dusk or in the dark.

10.5 Welfare of dogs during an emergency

Owners are expected to plan and prepare for the care and welfare of their dog in anticipation of an emergency. During a state of emergency, this includes always keeping dogs under control.

Section 11: Education and training

The Council encourages owners to attend dog training courses, especially puppy training classes to help train and socialise dogs. The first year of a dog's life is very important in establishing good behaviours. All dogs need to be able to understand and appropriately respond to simple commands if they are to be off leash in any designated public place.

Some employment roles (for example tradespeople, couriers and healthcare workers) require people to enter private property, and this can be dangerous if the property has an aggressive dog or a dog that can act unpredictably. It is also important to always supervise young children around dogs. The Council offers free dog safety education sessions for organisations and for schools to increase safety around dogs.

Explanation

A key message for children is 'if a dog is on its own, leave it alone'. Children are also taught to ask a dog's owner if the dog is friendly before approaching it.

Section 12: Managing troublesome dogs and dog owners

Under the Act, dog owners can be classified as probationary and can be disqualified in some circumstances. A dog can be classified as dangerous or menacing in certain circumstances. If education, training or other support is insufficient in terms of controlling a dog, then more punitive measures may be applied. For example, the Council may require the owner of any dog (that has not been kept under control on a number of occasions) to have the dog de-sexed.

Certain classifications can restrict a person's right to own dogs for several years and may require education or training before they are able to own another dog. These classifications apply across the country. The Act sets out processes for objecting to or appealing against classifications.

12.1 Probationary dog owners (see sections 21-24 Act)

When a dog owner has committed a series of dog-related infringement offences or has been convicted of dog-related offences, under the Act the Council may classify that owner as a probationary owner.

A probationary owner cannot become the owner of any new dog(s) (but may keep any registered dogs they already have) and must dispose of any unregistered dog(s). Probationary owners may have to undertake dog owner education and/or dog obedience courses. Probationary dog owner status generally applies for up to two years but may end sooner.

12.2 Disqualified dog owners (see sections 25-28 Act)

Under the Act, a disqualified dog owner cannot be the registered owner of a dog (for a specified period) and must dispose of every dog that they may own. Disqualified dog owner status can apply for up to five years.

12.3 Dangerous dogs

Under the Act, the Council must classify a dog as dangerous based on the owner being convicted of certain offences, or based on sworn evidence that the dog is aggressive and is a threat to the safety of people, stock, poultry, domestic animals or protected wildlife.

The Act provides that dangerous dogs:

- must be kept within a securely fenced section of the owner's property (and dog-free access to the house must always be available)
- must be muzzled and on a leash in all public places and private ways
- must be de-sexed
- incur a registration fee that is 50% higher than a standard dog registration fee
- must not be sold or given away without the written consent of the Council
- maintain their status as a dangerous dog no matter where they live in New Zealand.

The owner of a dangerous dog must, if required by the Council, produce a veterinary certificate showing the dog has been de-sexed or that it is unfit to be de-sexed within one month of the dangerous dog classification.

The Act sets out the process for objecting to or appealing a dog's classification as a dangerous dog.

12.4 Menacing dogs

Under the Act, the Council can classify a dog as menacing if it constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, based on the dog's behaviour or characteristics typically associated with the dog's breed or type.

The Council must classify a dog as menacing if it belongs wholly or in part to the breeds of dogs listed in the Act: Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario and American Pit Bull Terrier.

Menacing dogs must be muzzled and on a leash in all public places and private ways. The Council requires all dogs classified as menacing to be de-sexed (neutered), including those classified as menacing by another council. The owner must, if required by the Council, produce a veterinary certificate showing the dog has been de-sexed or that it is unfit to be de-sexed within one month of the menacing dog classification.

The Act sets out the process for objecting to or appealing a dog's classification as a menacing dog.

Section 13: Seizing and impounding dogs

The Act gives warranted dog control officers the power to seize and impound a dog in certain circumstances, including when the Act is breached for:

- a dog not being supplied with enough food, water or shelter
- a dog that is unregistered or not displaying evidence of registration that is more than three months old
- dogs not securely confined on private property
- failing to comply with requirements of a menacing dog classification
- failing to comply with requirement of a dangerous dog classification
- a dog not under control in a public place
- a barking dog where the dog continues to bark and cause a nuisance after a notice has been issued
- a dog attacks a person or animal
- a dog rushes at a person, animal or vehicle in a way that causes death, injury or endangerment, or damage to property
- a dog in the vicinity of protected wildlife
- a dog at large amongst stock or poultry.

The release of a dog back to its owner will depend on the circumstances under which it was seized. For example:

- all fines and fees must be paid
- the dog is registered and microchipped
- Dog Control Act requirements are met.

Costs of housing a dog in the dog shelter and sustenance will be recovered from the dog's owner before the dog is released. Costs could include veterinary fees.

The Act states that when a dog's owner cannot be established, the dog will be impounded and after seven days made available for adoption or destruction.

Where a dog is released from the dog shelter to a new owner, the new owner is not required to pay a standard release fee but is required to pay an adoption fee which includes the cost of registration. This fee aims to ensure responsible ownership while not deterring purchase. Dogs will not be released for rehoming unless they have been de-sexed, there is an agreement to de-sex, or there are exceptional reasons for not requiring de-sexing.

Dog shelter fees, including adoption fees, are set locally and are included in the Council's Annual Plan process. Infringement fees are set in the Act and are consistent across New Zealand.

Section 14: Infringement notices

The Council will issue warnings at its discretion and/or infringement notices (instant fines) for infringement offences as set out in Schedule 1 of the Act.

The Council aims to encourage people to comply with regulatory requirements through education and working with people, rather than by taking a strictly enforcement approach, but will consider each situation case by case.

Section 15: Conservation Act controlled or open dog areas

The Act requires that a dog control policy identifies any areas in the district where there are dog restrictions on Department of Conservation land. Dunedin City Council does not have any 'controlled' or 'open dog areas' on public conservation land within its area.

However, the Department of Conservation has its own rules about dog access on public conservation land managed by their Department. For more information on these rules please contact the Department of Conservation directly. On beaches where it may be confusing whether DoC or the Council has control, DoC agrees that the bylaw will apply. These beaches are specified in the Dunedin Dog Control Policy, Schedule A.

Relevant Legislation:	Dog Control Act 1996 Animal Welfare Act 1999 Animal Welfare (Dogs) Code of Welfare Local Government Act 2002
Associated Documents:	Dog Control Bylaw 2025

Schedule A – Public places where dogs are PROHIBITED

Dogs are prohibited in the public places listed in this schedule.

Description	Comment
General areas	
Children's playgrounds	Protection of children
Council skateparks	Protection of other users including children
Sports grounds on all marked playing surfaces	Protection of grounds and players
Beach areas where lifeguards mark the safe areas for swimming with flags	Protection of swimmers and beach users
Beach areas	
Brighton Beach – all of the area within the bay from the rocks at the end of Brighton Domain to 909 Brighton Road	Protection of wildlife
Broad Bay Beach Reserve <i>(Note that on the nearby shared harbour/peninsula pathway dogs are allowed on leash)</i>	Protection of other users including children
Macandrew Bay Beach Reserve <i>(Note that on the nearby shared harbour/peninsula pathway dogs are allowed on leash)</i>	Protection of other users including children
Pilots Beach Recreational Reserve	Protection of wildlife
Pipikaretu Beach	Protection of wildlife
St Clair Beach: <ul style="list-style-type: none"> the beach from the Salt Water Pool to the northern end of the sea wall (except dogs on a leash may have access to the beach between 8.00pm and 8.00am the following day) the park on Victoria Road adjoining the playground area and the playground area itself. 	Protection of other users including children
Victory Beach	Protection of wildlife
Allans Beach – north-east of where the access track enters the beach (DoC)	Protection of wildlife
Aramoana Beach – from Keyhole Rock north to Heyward Point (DoC)	Protection of wildlife
Boulder Beach (DoC)	Protection of wildlife
Sandfly Bay (DoC)	Protection of wildlife
Shelley Beach, Aramoana (DoC)	Protection of wildlife
Tunnel Beach (DoC)	Protection of wildlife and other users
Victory Beach (Yellow Eyed Penguin Trust/DoC/DCC)	Protection of wildlife
Reserve areas	
Caledonian Grounds	Protection of grounds and other users

Deep Stream Scenic Reserve	Protection of reserve
Dunedin Botanic Garden	Protection of reserve and other users
Hereweka/Harbour Cone	Protection of reserve and other users
Lighthouse Reserve – Taiaora Head	Protection of reserve, wildlife and other users
Mosgiel Memorial Garden – except on track where dogs are allowed on leash	Protection of reserve and other users
Mount Cargill – except on walking track where dogs are allowed off leash	Protection of scenic reserve
Organ Pipes	Protection of reserve
Okia Reserve	Protection of reserve and wildlife
Otekiho Reserve	Protection of reserve and wildlife
Taiaroa Head	Protection of reserve and wildlife
Warrington Spit and Rabbit Island – from the first break water point from the north	Protection of reserve and wildlife
Woodhaugh Gardens – except on defined walking tracks where dogs are allowed on leash	Protection of reserve and other users
Tracks	
41 Peg Track District Road	Part of this track is over private land
Buskin Road (Otago Peninsula)	Protection of wildlife
Nyhon Track	Protection of reserve and other users
Temporary areas From time to time, the Council may make temporary prohibited areas where reasonable and where, in the opinion of the Council, there is or is likely to be harm caused to people or animals. The Council will take reasonable steps to notify the public of any temporary prohibited area. A temporary prohibition will take effect from the time signage is placed at the points of entry to the affected area and will end when the signage is removed by the Council.	Protection of wildlife and stock

Schedule B – Public places where dogs are allowed ON LEASH

Dogs must be on leash in the public places listed in this schedule.

Description	Comment
All public places (unless specified elsewhere) including: <ul style="list-style-type: none"> • Roads • Footpaths • Tracks • Cemeteries • Sports grounds that surround marked playing areas (allowed off leash when games are not being played and always prohibited on all marked playing fields) • Te Aka Ōtākou – Dunedin’s shared harbour/peninsula pathway • Within 20 metres of protected wildlife • On all beaches – unless otherwise specified • On all coastal dune areas including access pathways - unless in a prohibited area • Commercial areas such as the central business district – in addition, dogs in these areas must not be left tied up and unattended. 	These places are shared spaces where there may be multiple users including vehicles, bicycles, children, and wildlife. On leash protects both the dog and other users of these areas.

For clarity please note rules for the following areas:

Description	Comment
Chisholm Park Golf Course – ONLY the area north of the Chisholm Park pathway (<i>note that the area south of the pathway permits dogs without a leash</i>)	
Otokia Creek track to the start of Brighton Beach	Allows access to Otokia River
Smalls Beach to the east of the middle track (<i>and may be off leash to the west of this track but subject to temporary bans when required for wildlife protection purposes</i>)	Protection of wildlife
St Clair Beach and Esplanade from the Salt Water Pool to the northern end of the sea wall - ONLY between 8.00pm and 8.00am (<i>otherwise prohibited</i>)	Protection of wildlife and other users
Beach adjacent to Westwood Recreation Reserve from Kaikorai Estuary to Ocean View carpark (carpark is adjacent to 719 Brighton Rd)	Protection of dogs, horses and horse riders in this area.

Schedule C – Designated dog exercise areas and other public places where dogs are allowed OFF LEASH

The Council recognises the importance of recreational and exercise needs of dogs and their owners, and this schedule lists public places where dogs are allowed off leash, both in:

- designated dog exercise areas that are safe areas to exercise dogs - these are fenced with agility equipment, and
- other public places where dogs are allowed off leash.

Dogs must always be under control.

Designated dog exercise areas

Description
Cemetery Road - East Taieri
Cemetery Road – East Taieri – small breed dog exercise area*
Forrester Park – Norwood Street
Forrester Park – Norwood Street – small breed dog exercise area*
Kew Park – corner of Easter Crescent and Forbury Road
Rotary Park – Highcliff Road
Shand Park – Brighton Road, Green Island
Shand Park – Brighton Road, Green Island – small breed dog exercise area*
Wakari Reserve

*A small dog exercise area is for dogs weighing no more than eight kilograms.

Other off leash public places

Description
Beach areas (NOTING that dogs must be on leash on all beaches and coastal dune areas including access pathways, unless in a prohibited area or otherwise specified)
Brighton Recreation Reserve south of Brighton Domain
Chisholm Park Golf Course – ONLY the area south of the Chisholm Park pathway (<i>note that dogs must be on leash in the area closest to the Golf Club</i>)
Doctors Point – ONLY on the beach to the west of the caves
Te Rauone Beach – ONLY the beach south of Te Rauone Reserve (<i>note that dogs must be on leash on the Te Rauone beach by and north of Te Rauone Reserve</i>)
Long Beach
Ocean Grove Beach
Ocean View Beach (<i>except on leash in dune areas</i>)
Pūrākaunui Beach
St Clair/St Kilda Beach from the northern end of the sea wall north (<i>note that dogs are prohibited from the northern end of the seawall south, unless between 8.00pm and 8.00am when they are allowed on leash</i>)
Smaills Beach – ONLY to the west of the middle access track (<i>note that dogs are prohibited on the beach east of the middle track</i>)

Waikouaiti Beach
Waldronville Beach from Blackhead to the Kaikorai Estuary
Warrington Beach and Warrington Recreation Reserve along to the Spit (<i>note that dogs are prohibited on Warrington Spit and Rabbit Island</i>)
Other reserve areas
Evansdale Glen Scenic Reserve
Frasers Gully Recreation Reserve
Jubilee Park tracks (NOTING the sportsground rules apply for nearby sportsgrounds)
Ross Creek Reserve – EXCEPT for the track around the Reservoir which is on leash
Signal Hill Scenic Reserve
Woodside Glen, including unformed legal roads within the reserve
Sportsgrounds
Sportsgrounds – ONLY in areas that are not marked playing fields and ONLY when no games are being played. (<i>Note that dogs are prohibited on marked playing fields at all times and must be on a leash in surrounding areas when games are being played.</i>)
Tracks
Bethunes Gully track and picnic area (<i>Note this excludes the playground where dogs are prohibited.</i>)
Flagstaff track network that is managed by the Dunedin City Council - from Leith Valley (to the east) to Silverstream (to the west) and Green Ridge (to the north)
McGouns track
Jubilee Park tracks (NOTING the sportsground rules apply for nearby sportsgrounds)



Dog Control Bylaw and Policy Review 2024

Statement of Proposal

This statement of proposal is prepared under sections 10 and 20 of the Dog Control Act and in accordance with sections 83, 86, 87, 155, 156, 159 and 160 of the Local Government Act 2002.

1 of 11

INTRODUCTION

We are reviewing the Dog Control Bylaw (the bylaw) and Dog Control Policy (the policy) and would like to know what you think about proposed changes.

BACKGROUND

The bylaw and policy were introduced as required by the Dog Control Act 1996 (Act). The policy aims to balance the recreational needs of dogs and their owners with appropriate controls to minimise the potential for harm, distress or nuisance that may be caused by dogs to people, other animals and protected wildlife. The bylaw gives effect to the policy by regulating dogs in public places and providing controls to regulate dog-related matters.

PROPOSALS AND OPTIONS

We're proposing some changes to the bylaw and policy. These have been informed by general feedback over recent years as well as feedback from early community engagement during November 2023 (results of the early engagement can be found at www.dunedin.govt.nz/dogs-bylaw). Changes aim to:

- **Improve opportunities for the recreational needs of dogs and their owners**
- **Minimise the potential for danger, distress or nuisance to people, other animals and protected wildlife**
- **Make the bylaw and policy clearer and simpler.**

Proposed changes, reasons and an analysis of options are listed in the tables below.

What do you think about the proposed changes? Are they appropriate?

Improving opportunities for the recreational needs of dogs and their owners

Status quo		
Option		Pros (✓) and cons (✗)
1A	No change to dog control rules for exercising dogs in public places i.e. no easing of current restrictions.	<p>✓ Minimises any additional risk of danger, distress or nuisance.</p> <p>✗ Does not address demand for increased dog access in some public places.</p>
Proposed change		
Option		Pros (✓) and cons (✗)
1B	Octagon, Library Plaza and Princes and George Streets between the Exchange and Knox Church - allow dogs on leash, but not	<p>✓ Addresses demand for increased dog access.</p>

	<p>allowed to be left tied up and unattended (proposed).</p> <p><i>Reason: addresses demand for increased dog access in these areas.</i></p>	<p>✗ Potential increased risk of danger, distress or nuisance.</p>
1C	<p>King Edward Street, South Dunedin between Hillside and Macandrew Roads - allow dogs on leash, but not allowed to be left tied up and unattended (proposed).</p> <p><i>Reason: addresses demand for increased dog access in this area.</i></p>	<p>✓ Addresses demand for increased dog access.</p> <p>✗ Potential increased risk of danger, distress or nuisance.</p>
1D	<p>Ross Creek tracks - allow dogs off leash, excluding the track around the reservoir which will remain on leash (proposed).</p> <p><i>Reason: addresses demand for increased dog access.</i></p>	<p>✓ Addresses demand for increased dog access.</p> <p>✗ Potential increased risk of danger, distress or nuisance.</p>
1E	<p>Te Rauone Beach - allow dogs off leash on the beach south of Te Rauone Reserve only (proposed).</p> <p><i>Reason: addresses demand for increased dog access in an area where there are limited off leash opportunities.</i></p>	<p>✓ Addresses demand for increased dog access in area where there are limited off leash opportunities.</p> <p>✗ Potential increased risk of danger, distress or nuisance.</p>
1F	<p>Pūrākaunui Beach - allow dogs off leash (proposed).</p> <p><i>Reason: addresses demand for increased dog access in an area where there are limited off leash opportunities.</i></p>	<p>✓ Addresses demand for increased dog access in area where there are limited off leash opportunities.</p> <p>✗ Potential increased risk of danger, distress or nuisance.</p>
1G	<p>Mosgiel Memorial Garden - allow dogs on leash on the track only (proposed).</p> <p><i>Reasons: addresses demand for increased dog access, providing access through this area.</i></p>	<p>✓ Addresses demand for increased dog access.</p> <p>✗ Potential increased risk of danger, distress or nuisance.</p>
1H	<p>Woodside Glen – allow dogs off leash on unformed legal roads through this reserve (proposed).</p>	<p>✓ Aligns with rest of this area which is off leash (it is unclear where the unformed roads are).</p>

	<i>Reason: aligns with the rest of this area which is off leash as it is unclear where the unformed roads are.</i>	<input checked="" type="checkbox"/> Addresses demand for increased dog access. <input checked="" type="checkbox"/> Potential increased risk of danger, distress or nuisance.
1I	Frasers Gully Recreation Reserve – allow dogs off leash on track (proposed). <i>Reason: aligns with the surrounding reserve area which is off leash.</i>	<input checked="" type="checkbox"/> Aligns with the surrounding reserve area which is off leash. <input checked="" type="checkbox"/> Addresses demand for increased dog access. <input checked="" type="checkbox"/> Potential increased risk of danger, distress or nuisance.
1J	Jubilee Park tracks – allow dogs off leash (proposed). <i>Reason: aligns with the surrounding area which is off leash.</i>	<input checked="" type="checkbox"/> Aligns with the surrounding area which is off leash (except sports fields). <input checked="" type="checkbox"/> Addresses demand for increased dog access. <input checked="" type="checkbox"/> Potential increased risk of danger, distress or nuisance.
1K	Bethunes Gully picnic area – allow dogs off leash (proposed). <i>Reason: aligns with the nearby track which is off leash.</i>	<input checked="" type="checkbox"/> Aligns with the nearby track, which is off leash. <input checked="" type="checkbox"/> Addresses demand for increased dog access. <input checked="" type="checkbox"/> Potential increased risk of danger, distress or nuisance.
1L	McGouns track – allow dogs off leash (proposed). <i>Reason: aligns with the nearby tracks which are off leash.</i>	<input checked="" type="checkbox"/> Aligns with the nearby tracks which are off leash. <input checked="" type="checkbox"/> Addresses demand for increased dog access. <input checked="" type="checkbox"/> Potential increased risk of danger, distress or nuisance.

Minimising potential for danger, distress or nuisance

Status quo		
Option	Pros (✓) and cons (X)	
2A	No change to dog control rules for exercising dogs in public places i.e. no additional restrictions.	✓ No new restrictions on dog owners. X Increased risk of danger, distress or nuisance.
Proposed change		
Option	Pros (✓) and cons (X)	
2B	Limit the number of dogs a person may have in their charge in a public place to six (6) with no more than two (2) off leash at any time (proposed). <i>Reason: addresses concerns about multiple dogs per owner in public places.</i>	✓ Minimises risk of danger, distress or nuisance. ✓ Addresses concerns about multiple dogs per owner/carer in public places. X New restriction on dog owners/carers.
2C	All coastal dune areas including access pathways – dogs must be on leash, but are not allowed in any coastal dune areas that are prohibited areas (proposed). <i>Reason: provides greater protection for wildlife.</i>	✓ Greater protection for wildlife. ✓ Minimises risk of danger, distress or nuisance. X New restriction on dog owners.
2D	Westwood Recreation Reserve – from Ocean View carpark to Kaikorai Estuary – dogs must be on leash (proposed). <i>Reason: addresses safety concerns for horses, riders and dogs in this area which is used by horses and where dogs are allowed off leash.</i>	✓ Addresses safety concerns in this area used by horses where dogs are allowed off leash. ✓ Minimises risk of danger, distress or nuisance. X New restriction on dog owners.
2E	Caledonian Grounds – dogs are prohibited (proposed). <i>Reason: addresses nuisance, fouling and safety concerns about dogs in this sporting venue.</i>	✓ Addresses concerns about dogs in this area. ✓ Minimises risk of danger, distress or nuisance. X New restriction on dog owners.

Other proposed changes

Status quo		
Option		Pros (✓) and cons (✗)
3A	No change to: <ul style="list-style-type: none"> dog control rules for exempting dogs from areas playground definition. <p>No right of review.</p>	<p>✗ Does not provide for some pest control dogs or dogs in training to be working dogs</p> <p>✗ Does not provide a clearer definition for playgrounds</p> <p>✗ Does not provide dog owners with a right of review for bylaw decisions.</p>
Proposed change		
Option		Pros (✓) and cons (✗)
3B	<p>Council may exempt dogs from the requirements that otherwise apply in restricted areas with written permission (proposed).</p> <p><i>Reason: allows exemptions for purposes not adequately covered e.g. dogs in training to be working dogs and pest control volunteers.</i></p>	<p>✓ Allows exemptions for purposes not adequately covered e.g. pest control volunteers.</p>
3C	<p>Playgrounds definition amended to include 'within one metre' of playground area and equipment.</p> <p><i>Reason: provides a clearer definition.</i></p>	<p>✓ Clearer definition.</p> <p>✓ Minimises risk of danger, distress or nuisance in these areas.</p>
3D	<p>Add the right of review for dog owners – that an owner affected by a decision made under the bylaw may apply in writing to the Chief Executive for a review of the decision within 14 days after receiving notification of the decision.</p> <p><i>Reason: provides owners with a right of review for bylaw decisions to ensure decisions are reasonably made (will apply to decisions such as ordering the permanent removal of a dog from a property under clause 14, or not</i></p>	<p>✓ Provides dog owners with a right of review for bylaw decisions.</p>

	<i>granting a permit to keep more than one dog under clause 15).</i>	
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Making the bylaw and policy clearer and simpler

We have made the bylaw and policy clearer and simpler to understand by rewording some sections. Explanatory notes and additional information are provided so the reasons for the rules are clear.

To avoid confusion, we have also:

- removed the current set of maps, replacing these with schedules of places where dogs are:
 - prohibited
 - allowed on leash and
 - allowed off leash
- retained an interactive map which can be used as a guide (but which is not part of the bylaw or policy)
- retained rules relating to Department of Conservation (DoC) managed beaches but removed rules relating to other DoC managed land – these can be found on the DoC website.

Acknowledgement: We thank our colleagues at Christchurch City Council for generously allowing us to take layout, style and content inspiration from their dog policy.

RELATED DOCUMENTS

Proposed Dog Control Bylaw

Proposed Dog Control Policy

Current Dog Control Bylaw

Current Dog Control Policy

HAVE YOUR SAY

What do you think about the proposed bylaw and policy? Are proposed changes appropriate?

Please fill out the feedback form so we can take your views into account.

Where to from here?

- The public submission period is open from 9.00am Monday 10 June and closes at **midnight on Friday 19 July 2024.**
- Hearings will be held around August/September.
- The Council considers submissions and decides on any changes to the bylaw.
- The Council adopts the reviewed bylaw.

Dog Control Bylaw and Policy 2024 feedback form

Feedback is due by midnight on Friday 19 July 2024.

Late submissions may not be accepted.

The provision of your personal information is optional, however, should you provide this information please note your name and organisation may be included in papers for the public and media. Information you have provided will only be used for the purpose of the consultation on the Dog Control Bylaw and Policy review. The Council will collect, use and store your information in accordance with the Privacy Policy which can be found on the Council website www.dunedin.govt.nz/privacy-policy. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Send to: Dog Control Bylaw & Policy Review
Dunedin City Council
PO Box 5045
Dunedin 9054

Deliver: Dog Control Bylaw & Policy Review
DCC Customer Services Centre
Civic Centre
50 The Octagon
Dunedin

Online: www.dunedin.govt.nz/consultation

Email: AnimalRules@dcc.govt.nz

First Name: _____ Last Name: _____

Organisation (if applicable): _____

Postal address: _____

Postcode: _____

Email Address: _____ Phone: _____

Would you like to speak to the hearing panel in person?

(If you do not tick a box, we will assume you do not wish to be heard.)

☐ Yes ☐ No

If you wish to speak, you will be contacted with a speaking time as soon as possible after submissions close. *(Note: You may also be able to present your views by audio or audio-visual link.)*

You may answer as many or as few questions as you wish.

1. General support

Overall, do you agree with the proposed Dog Control Bylaw and Dog Control Policy?

☐ Yes ☐ No

Why/why not? (250 words max)

Proposed changes to improve opportunities for recreational needs of dogs and their owners

Please select an option:

Location or Topic	Option 1 - Proposed change	Option 2 - Status Quo	Option 3 - Other
Octagon, Library Plaza and Princes and George Streets between the Exchange and Knox Church - allow dogs on leash , but not allowed to be left tied up and unattended (proposed).			
King Edward Street, South Dunedin between Hillside and Macandrew Roads - allow dogs on leash , but not allowed to be left tied up and unattended (proposed).			
Ross Creek tracks - allow dogs off leash , excluding the track around the reservoir which will remain on leash (proposed).			
Harington Point Beach - allow dogs off leash (proposed).			
Pūrākaunui Beach - allow dogs off leash (proposed).			
Mosgiel Memorial Garden - allow dogs on leash on the track only (proposed).			
Woodside Glen – allow dogs off leash on unformed legal roads through this reserve (proposed).			
Frasers Gully Recreation Reserve – allow dogs off leash on track (proposed).			
Jubilee Park tracks – allow dogs off leash (proposed).			

Bethunes Gully picnic area – allow dogs off leash (proposed).			
McGouns track – allow dogs off leash (proposed).			

Comment

If you have selected “Other” or wish to comment on any locations, please tell us, making sure that you specify the location or topic you are commenting on (250 words max)

Proposed changes to minimise potential for danger, distress or nuisance

(please select an option)

Location or Topic	Option 1 - Proposed change	Option 2 - Status Quo	Option 3 - Other
Limit the number of dogs a person may have in their charge in a public place to six (6) with no more than two (2) off leash at any time (proposed).			
All coastal dune areas including access pathways – dogs must be on leash , <i>but are not allowed in any coastal dune areas that are prohibited areas</i> (proposed).			
Westwood Recreation Reserve – from Ocean View carpark to Kaikorai Estuary – dogs must be on leash (proposed).			
Caledonian Grounds – dogs are prohibited (proposed).			

Comment

If you have selected “Other” or wish to comment on any locations, please tell us, making sure that you specify the locations or topics you are commenting on (250 words max)

Other proposed changes

(please select an option)

Proposed change	Option 1 - Proposed change	Option 2 - Status Quo	Option 3 - Other
Council may exempt dogs from the requirements that otherwise apply in restricted areas with written permission (proposed).			
Playgrounds definition amended to include 'within one metre' of playground area and equipment.			
Add the right of review for dog owners – that an owner affected by a decision made under the bylaw may apply in writing to the Chief Executive for a review of the decision within 14 days after receiving notification of the decision.			

Comment

If you have selected “Other” or wish to comment, please tell us, making sure that you specify the proposed change you are commenting on (250 words max)

Do you have any other comments to make about the proposed Dog Control Bylaw and Dog Control Policy? (500 words max)

Remember your submission needs to reach the Council by midnight on Friday 19 July 2024.

Thank you for your feedback.

Dog Control Bylaw and Policy Review - web survey report, December 2023

This survey and associated information were advertised in FYI, The Star, via social media and a media release, and circulated to key stakeholders such as Community Boards, SPCA, dog clubs and the Department of Conservation.

There were 383 responses including nine from organisations. Organisations were Otago Peninsula Community Board, Royal Forest and Bird Society of NZ, Athletics Otago, Birds NZ, Aramoana Conservation Trust, SPCA, Predator Free Dunedin, Mosgiel Pony Club, and Pony Club.

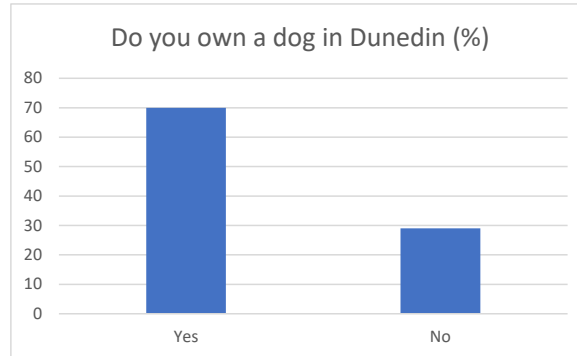
Key findings

Some key findings from the survey are summarised here:

- There was strong support for current rules at:
 - Te Rauone reserve (87%)
 - Redwood tracks (79%)
 - Caledonian Grounds (69%)
 - Macandrew and Broad Bays (65%).
- The majority supported:
 - dogs being allowed on the Mosgiel Memorial Garden track (68%) and
 - in the Octagon and other CBD areas (64%).
- Views were more divided about coastal dune areas with 51% saying current rules are appropriate and 41% wanting dogs on leash in these areas.
- Satisfaction was highest for long-life metal registration tags (63% satisfied or very satisfied), dog exercise parks (56%), and areas where dogs are allowed on a leash (52%). Dissatisfaction was highest for areas where dogs are not allowed (40% dissatisfied or very dissatisfied), areas where dogs are allowed off leash (33%), and dog poo bags subsidised vouchers (27%).
- The most common topics were better compliance, enforcement and education on the rules, preferring free, posted or cheaper dog poo bags, demand for more dog parks (especially West Harbour and Otago Peninsula), better signage, dog tags, and issues with dogs and horses on beaches. Dog fouling was also a common topic as was demand for dog poo bag dispensers.

Dog ownership

We asked 'Do you own a dog in Dunedin?'

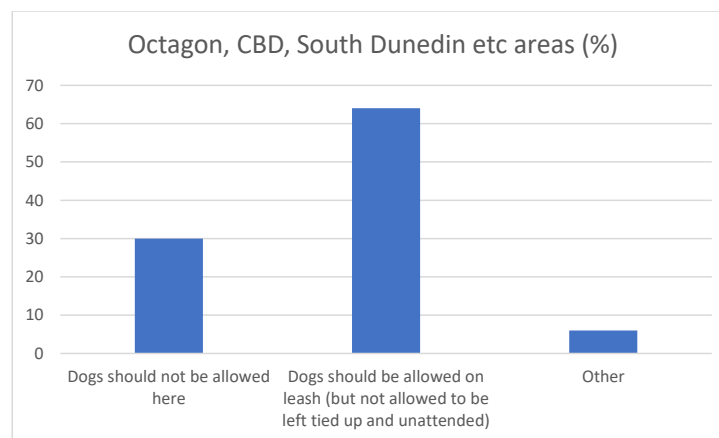


377 people responded to this question with 70% owning a dog in Dunedin and 29% not owning a dog in Dunedin.

Specific areas

Specific areas we asked for feedback on were:

1. Octagon, Civic Centre, Library Plaza, areas of Princes Street and George Street between the Exchange and Knox Church, and King Edward Street between Hillside and Macandrew Roads.
*Currently dogs are **not** allowed in these areas.*

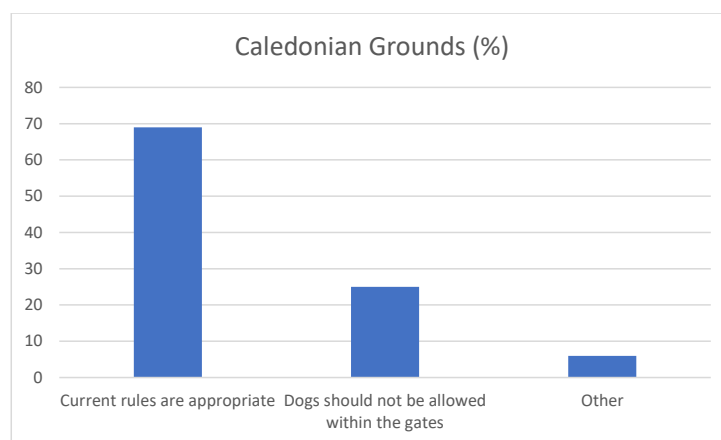


There were 367 responses to this question with the majority (64%) saying dogs should be allowed on leash but not allowed to be left tied up and unattended. 30% thought dogs should not be allowed and 6% selected 'Other'.

Comments were:

Topic	Number of comments
Allow off leash	8
Allow including tied up unattended (for short periods)	3
Other e.g. enforce strictly if allow, water station in CBD, don't allow tied up unattended, hard for CBD dog owners, dogs cause havoc	5

2. Caledonian Grounds. *Currently dogs are **not** allowed on the marked sports grounds but are allowed **off** leash around the marked sports grounds (within the Caledonian Ground gates).*

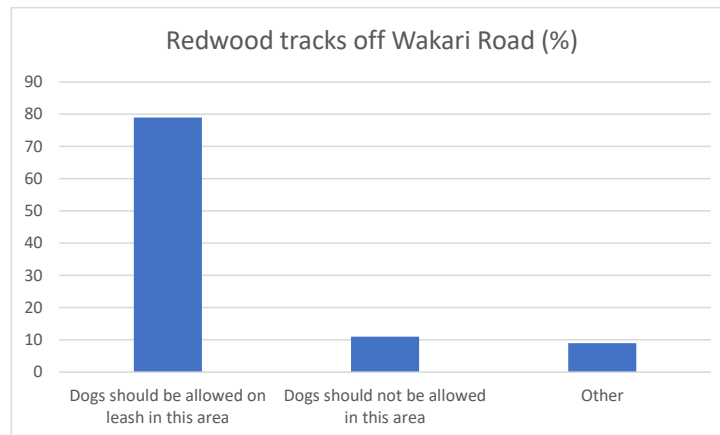


There were 357 responses to this question with the majority (69%) happy with the current rules (that dogs are not allowed on the marked sports grounds but are allowed off leash around the marked sports grounds). 25% thought dogs should not be allowed within the gates, including Athletics Otago who cited safety and welfare issues around aggressive, uncontrolled dogs, children, and the starting gun. Six percent chose 'Other'.

Comments were:

Topic	Number of comments
Allow except during games/events	1
Allow on leash	1
Reasons for not allowing	1

3. Redwood tracks off Wakari Road. Currently dogs are allowed **on** leash in this area. The area has high mountain bike use.

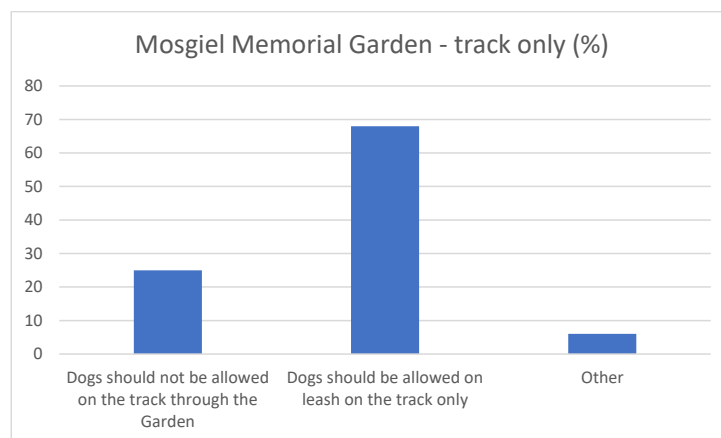


There were 360 responses to this question with the majority (79%) saying dogs should be allowed on leash in this area, 11% saying they should not be allowed and 9% selecting 'Other'. 13 respondents think dogs should be allowed off leash (but under control) in this area.

Comments were:

Topic	Number of comments
Allow off leash (but under control)	13
Allow on leash	2

4. Mosgiel Memorial Gardens track only. *Currently dogs are not allowed on the track or the Garden.*

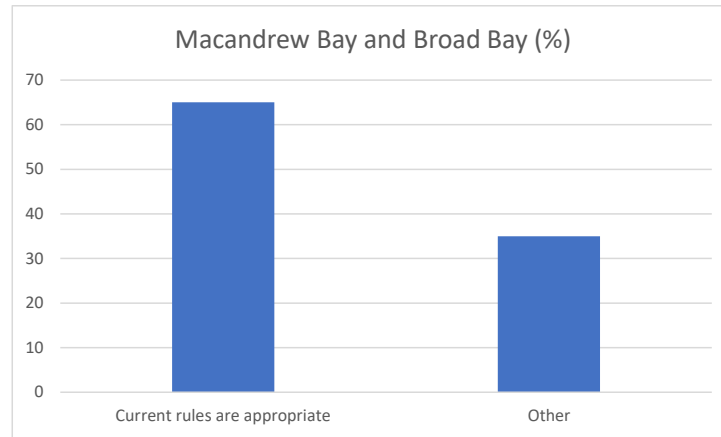


There were 352 responses to this question with the majority (68%) saying dogs should be allowed on leash on the track only and 25% saying they should not be allowed. Six percent chose 'Other'.

Comments were:

Topic	Number of comments
Allow in whole garden area	4
Allow on leash	2

5. Macandrew Bay and Broad Bay. *Currently dogs are **not** allowed on the beaches but are allowed on leash on the nearby shared cycle path.*

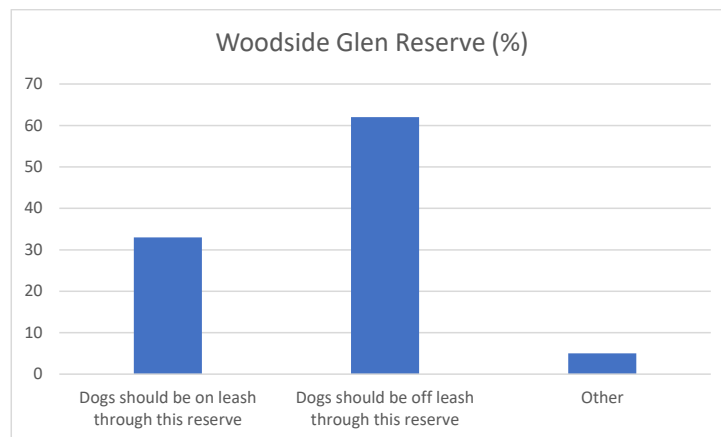


There were 360 responses to this question with the majority (65%) saying current rules are appropriate, and 35% selecting 'Other'. Comments included those from the Otago Peninsula Community Board who agreed with the current rules.

Comments were:

Topic	Number of comments
Allow on leash at beaches	17
Allow off leash on beaches	7
Allow at certain hours/seasons on beaches	5
Enforce current rules better	3
Don't change – only safe beach for children	1

6. Woodside Glen Reserve (near Outram). *Currently dogs are allowed **off** leash in most of this area.*

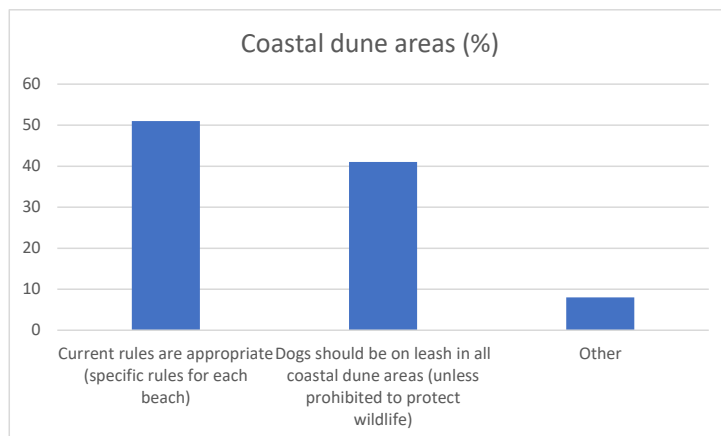


There were 350 responses to this question with the majority (62%) saying dogs should be allowed off leash in this reserve, 33% saying dogs should be on leash and 5% selecting 'Other'.

Topic	Number of comments
Allow off leash	4
Prohibit dogs here	3
Walking track should only be allowed for hunting dog access	1

One person cited safety issues with uncontrolled dogs.

7. Coastal dune areas. *Currently rules vary for each beach e.g. not allowed at Pilots Beach, allowed on leash at Ocean View dunes. (The Department of Conservation also has various rules for the beaches they manage.) Many dune areas are used by wildlife for nesting.*



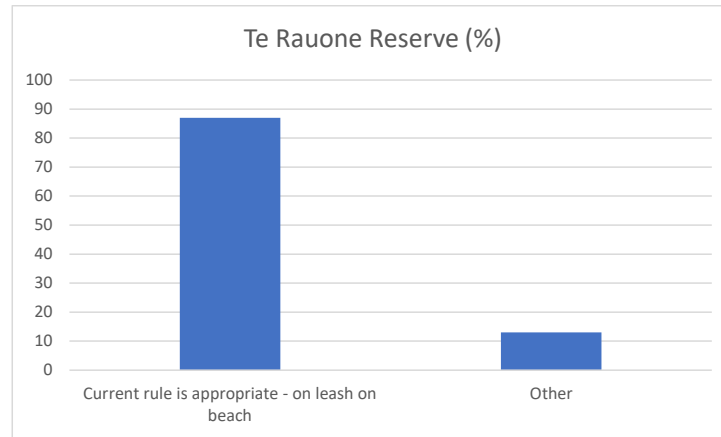
There were 374 responses to this question with responses split between support for current rules - specific rules for each beach (51%) and those supporting dogs on leash for all coastal dune areas (41%). Eight percent chose 'Other'.

Comments were:

Topic	Number of comments
Allow off leash	5
Depends on the season	2
Allow on leash	1
Prohibit in all these areas	1

The Department of Conservation supports dogs on leash at all coastal dune areas.

8. Te Rauone Reserve (at Ōtakau). *Currently dogs are allowed on leash on this beach. The beach is increasing in popularity with both people and wildlife.*



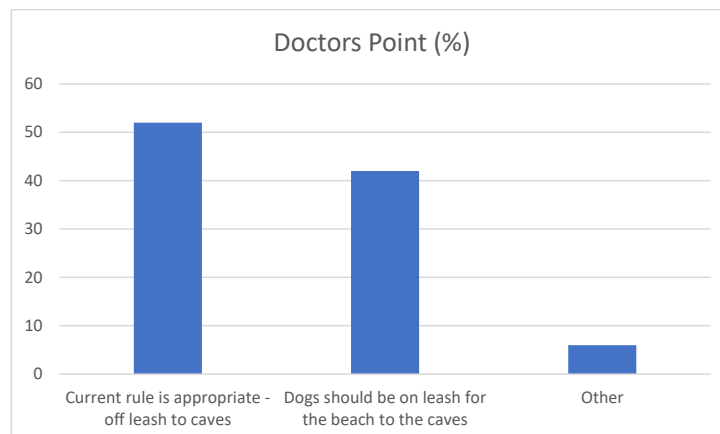
There were 358 responses to this question with the majority (87%) saying the current rule is appropriate – allowed on leash on the beach and 13% selecting ‘Other’.

Comments were:

Topic	Number of comments
Allow off leash	9
Prohibit from this beach	4

Some people commented on issues with uncontrolled dogs.

9. Doctors Point. *Currently dogs are allowed off leash on the beach to the caves. This is a popular beach for wildlife.*



There were 367 responses to this question with responses split between support for the current rules – off leash to the caves (52%) and support for dogs on leash from the beach to the caves (42%). Six percent selected 'Other'.

Comments were:

Topic	Number of comments
Allow off leash (except when penguins)	6
Prohibit dogs here	3
Allow on leash	3
Improve signage	2

Comments about other locations

Some respondents made comments about other locations. These are summarised below by topic.

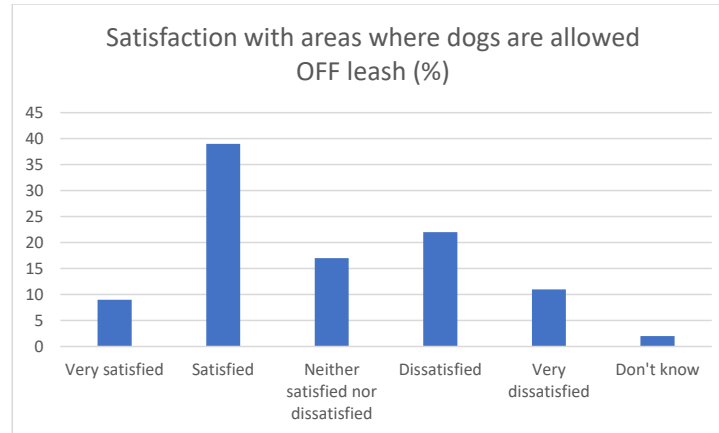
Topic	Number of comments
Have more off leash/dog friendly areas	25
Protect wildlife (e.g. prohibit/on leash)	21
All beaches:	
- on leash/prohibit	9
- on leash when horses	4
- off leash/after-hours/except nesting/under control	3
Botanic Gardens:	
- allow here	8
- allow on leash e.g. upper garden	5
- prohibit	1
St Clair/St Kilda	
- allow on leash	6
- prohibit/at popular times	3
- on leash from Esplanade & at St Kilda/off leash Middle Beach	1
- off leash	1
Allow on buses	8
Ross Creek:	
- on leash e.g. reservoir	4
- off leash	3
Too many off leash areas/have more on leash	7
Ocean View – on leash as issues with horses and dogs	6
Smaills/Allans beaches:	
- on leash	3
- prohibit	1
- better enforcement	1
Allow everywhere/on leash/except where wildlife	5
Sportsgrounds – off leash the default when no games	5
More no dog areas	3
Allow all public places/on leash/under control	3
Shared cycle paths:	
- allow off leash	1
- prohibit	1
- issues	1
Signal Hill:	
- allow on leash	1
- allow off leash	1
Chingford Park – allow on leash	2
Leith Saddle track – allow on leash	2
Dog pool/dog swimming spot map	2

Karitane – on leash due to issues	2
Aramoana:	
- on leash in wildlife season	1
- map is confusing	1
Long Beach:	
- on leash north of pinnacle	1
- off leash beach, on leash dunes	1
Waikouaiti Beach:	
- off leash except spit/island where prohibit	1
- on leash	1
Other - 1 each (e.g. Silverstream tracks on leash; Sullivans Dam allow; Organ Pipes on leash; near Brighton off leash; Port Chalmers back Beach off leash; Outram Glen off leash; exempt working dogs; indoor dog exercise area; public buildings/transport prohibit; Purakaunui Beach prohibit; educate on wildlife; Scott Memorial track on leash; Warrington mudflats prohibit; Waldronville off leash; Woodhaugh allow; Bethunes allow; Mt Cargill on leash; Frasers Gully off leash; Blackhead on leash; West Harbour more off leash; Bishopscourt on leash; Pineapple/Swampy on leash)	26

Satisfaction levels

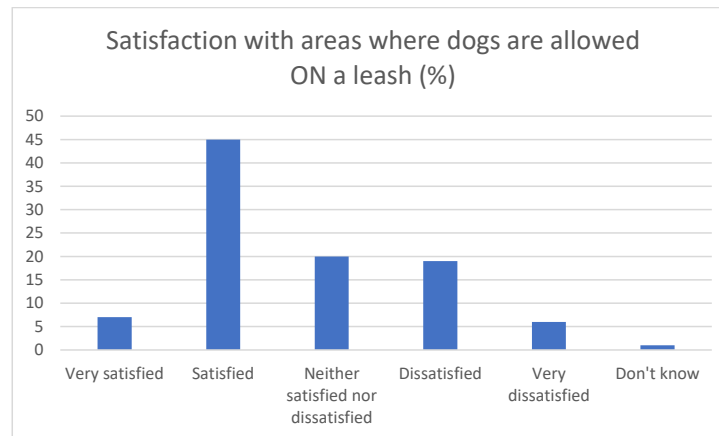
10. We asked what respondents think about the current rules for the following:

Areas where dogs are allowed off leash



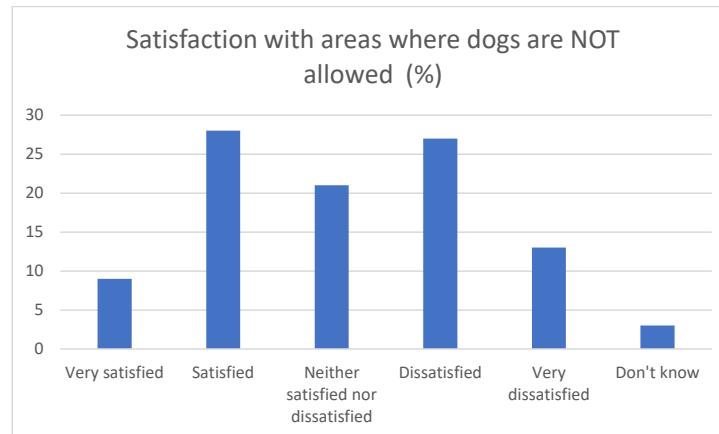
There were 344 responses to this question. 48% were satisfied or very satisfied with where dogs are allowed off leash and 33% were dissatisfied or very dissatisfied. The remainder were neutral or did not know.

Areas where dogs are allowed on a leash



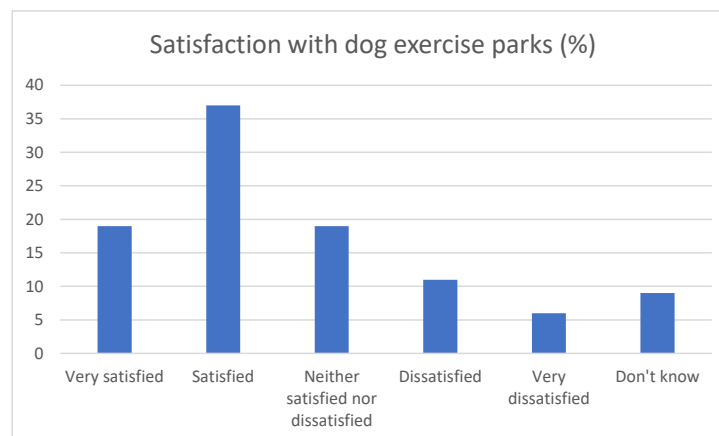
There were 341 responses to this question. 52% were satisfied or very satisfied with where dogs are allowed on a leash and 25% were dissatisfied. The remainder were neutral or did not know.

Areas where dogs are not allowed



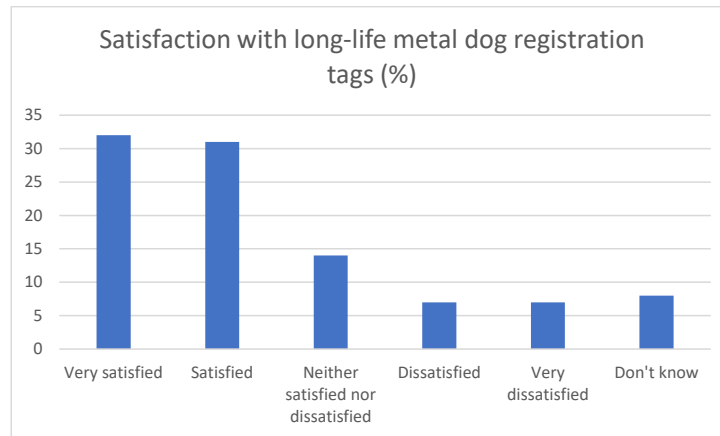
There were 335 responses to this question. 37% were satisfied or very satisfied with where dogs are not allowed and 40% were dissatisfied. The remainder were neutral or did not know.

Dog exercise park areas



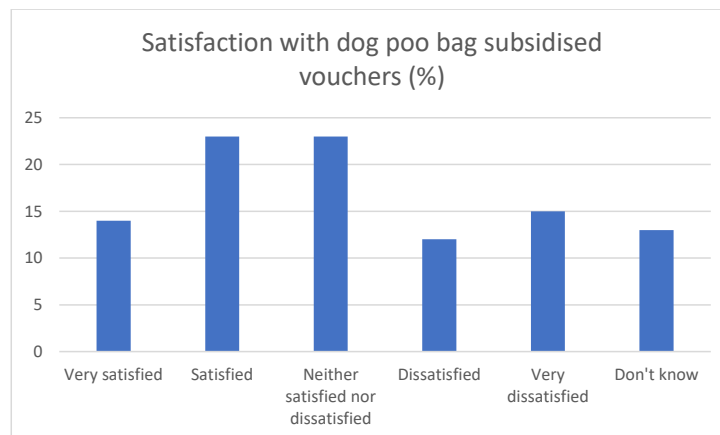
There were 334 responses to this question. 56% were satisfied or very satisfied with dog exercise parks and 17% were dissatisfied or very dissatisfied. The remainder were neutral or did not know.

Long-life metal dog registration tags (if you own a dog)



There were 318 responses to this question. 63% were satisfied or very satisfied with long-life metal dog registration tags and 14% were dissatisfied or very dissatisfied. The remainder were neutral or did not know. There were 14 comments about dog tags, for example that they are not robust enough, too small, sharp, or noisy.

Dog poo bag subsidised vouchers (if you own a dog)



There were 317 responses to this question. 37% were satisfied or very satisfied with dog poo bag subsidised vouchers and 27% were dissatisfied or very dissatisfied. The remainder were neutral or did not know.

Additional comments

11. Respondents were asked whether they had any additional comments and below is a summary by topic.

Topic	Number of comments
Need better compliance/education/enforcement on rules (e.g. St Clair, cycle paths, Woodhaugh, Aramoana, Te Rauone, all beaches, sportsgrounds, Ross Creek, Macandrew Bay, CBD)	68
Dog poo bags – prefer free/pick up/posted/cheaper/biodegradable; too thin	28
Dog parks:	
- more/better maintained/larger	13
- one in West Harbour	5
- one in Peninsula (high wildlife area)	2
- no kids in parks	3
- central city	1
- northern suburbs	1
- better security (Green Island and Halfway Bush near creeks)	1
- friction between dogs and owners	1
- are great.	1
Better signage (e.g. Aramoana, Highcliff, Purakaunui, Southern Cemetery, Doctors Point, Whareakeake, Port Chalmers, St Clair, Okia)	24
Dog tags – not robust enough/too small/sharp/noisy	14
Horses on beaches – dogs should be on leash, dangerous (e.g. Beachlands, Brighton, Ocean View)	13
Fouling – better compliance, enforcement	12
More dog poo bags/dispensers (e.g. beaches, cycle path, Smaills, Blackhead, Marne St, Tahuna Rs, Highcliff)	11
Good options for dogs in Dunedin/rules are good/happy	6
Cats – more regulation	5
Training should be mandatory/give more access to responsible owners	4
Survey form/questions feedback	4
Professional dog walkers – limit numbers	3
FB page for dog information	3
Education dog information	3
Report transparently	3
Give reasons for different rules	3
Extend pound release hours/accept payment at the pound	3
Registration fees are too high	2
Other – e.g. easier way to request service; playground for dogs and kids; euthanise dangerous dogs; doggy daycare should own premises; increase fines; bylaw	47

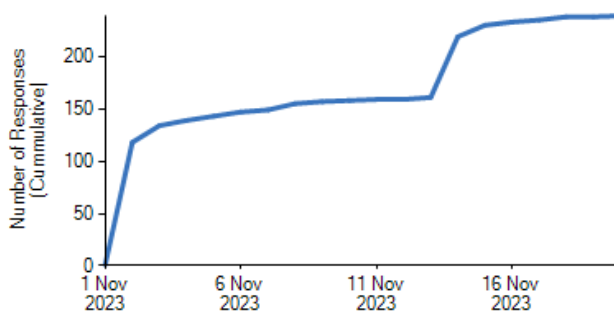
inconsistent with land rules; increase dog permit limit; review menacing classification.	
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Dog Control Bylaw & Policy - Early engagement survey

The Dog Control Bylaw and Policy (link [here](#)) survey was part of an early engagement on the review of these documents. Feedback will inform any proposed changes which will be subject to formal consultation.

Summary



Total Responses	239
Average time to complete	About 7 minutes
First Response	Wed 1 November 2023, 9:47 AM
Last Response	Sun 19 November 2023, 8:29 PM

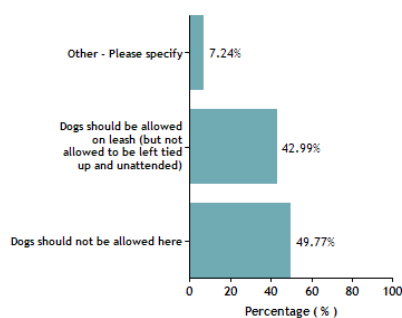
Key findings

Some key findings from the survey were:

- There was strong support for current rules at:
 - Macandrew and Broad Bays (84%)
 - Te Rauone reserve (86%) and
 - Redwood tracks off Wakari Road (79%).
- Views were divided about rules for:
 - Octagon and CBD area (50% said dogs should not be allowed and 43% said they should be allowed on leash)
 - Caledonian Ground (57% said current rules are appropriate and 33% said they should not be allowed)
 - Mosgiel Memorial Garden track (52% said dogs should be allowed on leash and 40% said they should not be allowed)
 - Woodside Glen reserve (51% said dogs should be allowed off leash throughout the reserve and 44% said they should be allowed on leash)
 - Coastal dune areas (49% said dogs should be on leash and 43% said current rules are appropriate) and
 - Doctors Point (54% said dogs should be on leash for the beach to the caves and 35% said current rules are appropriate).
- Satisfaction was highest for dog exercise parks (67% satisfied or very satisfied), long-life metal registration tags (58%), and on leash areas (56%).
- Dissatisfaction was highest for where dogs are allowed off leash (26% dissatisfied or very dissatisfied), where dogs are not allowed (21%), and dog poo bag subsidised vouchers (21%).
- The most common topics were better compliance with the rules, better education, enforcement and signage, better compliance for dog fouling, as well as general comments about dog poo bags, metal dog tags and dog exercise parks, and other general positive comments.

Questions on specific places

Question 1A Octagon, Civic Centre, Library Plaza, areas of Princes Street and George Street between the Exchange and Knox Church, King Edward Street between Hillside and Macandrew Roads - *currently dogs are **not** allowed in these areas.*



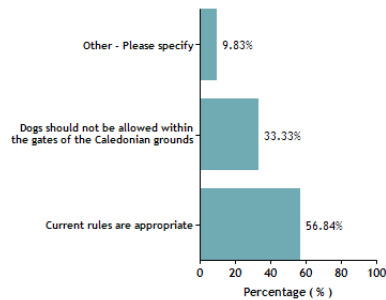
Number of responses to this question	221 (92%)
Total number of responses for this survey	239

Answer **Count** **%**

Dogs should not be allowed here	110	50
Dogs should be allowed on leash (but not allowed to be left tied up and unattended)	95	43
Other - Please specify	16	7

'Other, please specify' comments summary	Number of responses
Prohibit except for service/disability/residents' dogs	9
Allow dogs to be tied up and unattended for short while	3
Allow in South Dunedin area only	2
Allow only desexed, socialised dogs under control	2

Question 1B Caledonian Grounds – currently dogs are **not** allowed on the marked sports grounds but are allowed **off** leash around the marked sports grounds (within the Caledonian Ground gates).

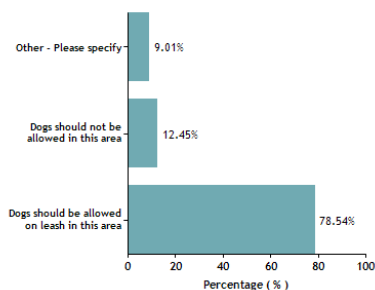


Number of responses to this question	234 (98%)
Total number of responses for this survey	239

Answer	Count	%
Current rules are appropriate	133	57
Dogs should not be allowed within the gates of the Caledonian grounds	78	33
Other - Please specify	23	10

'Other, please specify' comments summary	Number of responses
Allow on leash only	11
Allow only when no events are on (on or off leash)	3
Prohibit near sports grounds	2
Allow only desexed, socialised dogs under control	1
Allow always	1
Allow service/disability dogs only	1

Question 1C Redwood tracks off Wakari Road – currently dogs are allowed **on** leash in this area; the area has high mountain bike use.

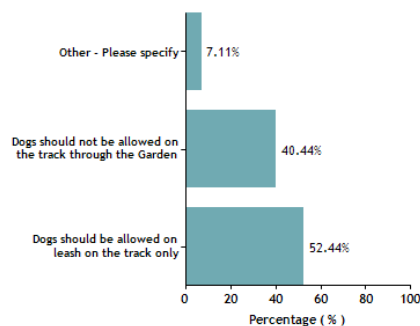


Number of responses to this question	233 (97%)
Total number of responses for this survey	239

Answer	Count	%
Dogs should be allowed on leash in this area	183	79
Dogs should not be allowed in this area	29	12
Other - Please specify	21	9

'Other, please specify' comments summary	Number of responses
Allow off leash	12
Signs to share the track	2
Dog poo in area	1
Allow only desexed, socialised dogs under control	1

Question 1D Mosgiel Memorial Garden track only – currently dogs are not allowed on the track or the Garden.

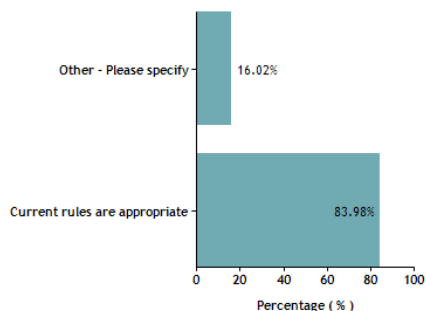


Number of responses to this question	225 (94%)
Total number of responses for this survey	239

Answer	Count	%
Dogs should not be allowed on the track through the Garden	91	40
Dogs should be allowed on leash on the track only	118	52
Other - Please specify	16	7

'Other, please specify' comments summary	Number of responses
Allow on leash (including Garden)	3
Allow off leash	1
Allow only desexed, socialised dogs under control	1
Allow service/disability dogs only	1

Question 1E Macandrew Bay and Broad Bay – currently dogs are **not** allowed on the beaches but are allowed **on** leash on the nearby shared cycle path.

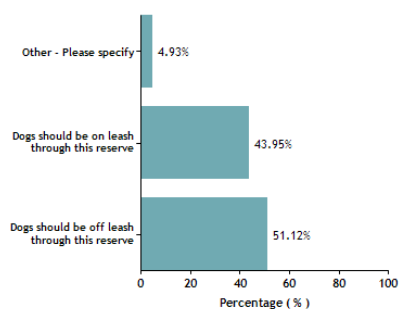


Number of responses to this question	231 (97%)
Total number of responses for this survey	239

Answer	Count	%
Current rules are appropriate	194	84
Other - Please specify	37	16

'Other, please specify' comments summary	Number of responses
Allow dogs on beaches/on leash	21
Prohibit dogs on cycle/walkways	5
Allow off leash on beaches (under control)	3
Allow on beaches after hours (e.g. 8pm until 8am)	3
Clear signage is important	3
Allow on short leashes only	1
Allow only desexed, socialised dogs under control	1

Question 1F Woodside Glen Reserve (near Outram) – currently dogs are allowed **off** leash in most of this area.

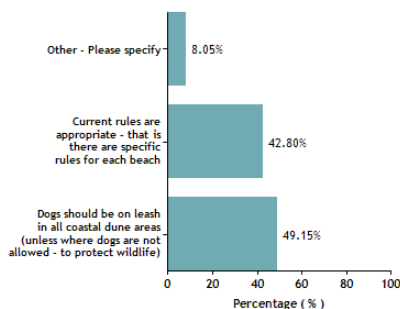


Number of responses to this question	223 (93%)
Total number of responses for this survey	239

Answer	Count	%
Dogs should be on leash through this reserve	98	44
Dogs should be off leash through this reserve	114	51
Other - Please specify	11	5

'Other, please specify' comments summary	Number of responses
If off leash must be under control	4
Prohibit dogs	2
Allow only desexed, socialised dogs under control	1

Question 1G Coastal dune areas – currently rules vary for each beach e.g. not allowed at Pilots Beach, allowed on leash at Ocean View dunes. (The Department of Conservation also has various rules for the beaches they manage.) Many dune areas are used by wildlife for nesting.

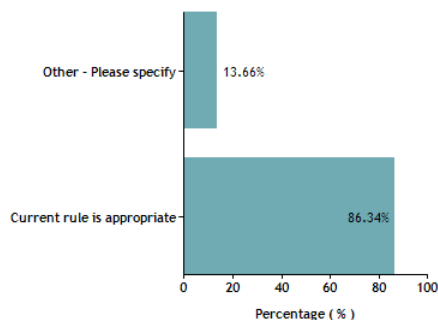


Number of responses to this question	236 (99%)
Total number of responses for this survey	239

Answer	Count	%
Current rules are appropriate – that is there are specific rules for each beach	101	43
Dogs should be on leash in all coastal dune areas (unless where dogs are not allowed - to protect wildlife)	116	49
Other - Please specify	19	8

'Other, please specify' comments summary	Number of responses
Prohibit dogs	9
Protect wildlife	4
Allow off leash	2
Defer to DoC guidance	2
Clear signage is needed	2
Allow service/disability dogs only	2
Seasonal rules	1
Better beach access for people with disabilities	1

Question 1H Te Rauone Reserve (at Ōtākou) – currently dogs are allowed **on** leash on this beach.
The beach is increasing in popularity with both people and wildlife.

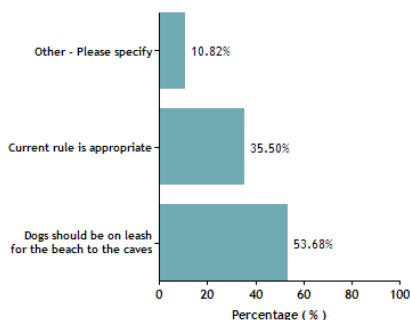


Number of responses to this question	227 (95%)
Total number of responses for this survey	239

Answer	Count	%
Current rule is appropriate	196	86
Other - Please specify	31	14

'Other, please specify' comments summary	Number of responses
Prohibit dogs	15
Protect wildlife	4
Allow off leash if controlled	3
Seasonal rules	2
Better beach access for people with disabilities	2
Defer to manawhenua guidance	1
Defer to DoC guidance	1
Clear signage is important	1

Question 11 Doctors Point – currently dogs are allowed **off** leash on the beach to the caves; this is a popular beach for wildlife.



Number of responses to this question	231 (97%)
Total number of responses for this survey	239

Answer	Count	%
Current rule is appropriate	82	35
Dogs should be on leash for the beach to the caves	124	54
Other - Please specify	25	11

'Other, please specify' comments summary	Number of responses
Prohibit dogs	9
Protect wildlife	5
Allow on leash and enforce	5
Allow off leash e.g. seasonal rules/under control	3
Defer to DoC guidance	1
Clear signage is important	1
Allow service/disability dogs only	1

Comments relating to other locations

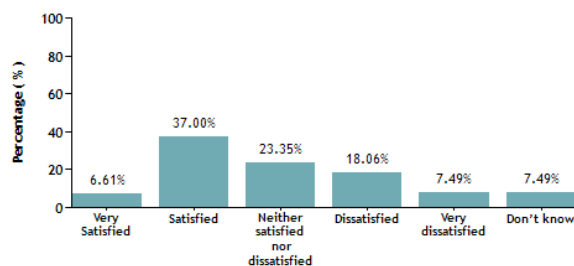
Comments about other locations	Number of responses
Protect wildlife e.g. prohibit or on leash	10

More off leash areas e.g. rural areas/tracks	7
More on leash areas	5
All beaches – on leash or prohibited	5
All public places – on leash	4
Allow everywhere on leash (except wildlife areas)	3
Botanic Garden – allow/on leash	3
Allow dogs on buses	2
Sportsgrounds – prohibit	2
Woodhaugh Garden – allow on leash	2
Long Beach – on leash/protect wildlife	2
Allans Beach – prohibit/on leash	2
St Clair/St Kilda	
on leash/better control	2
prohibit	1
Mt Cargill – don't prohibit	2
Bethunes Gully – bigger off leash area	1
Signal Hill – on leash	1
Ross Creek – off leash	1
Blackhead Beach – on leash	1
Careys creek – allow	1
Town Belt – prohibit	1
John Wilson Drive – on leash	1
Kirriemuir St – convert some space to dog park	1
Exempt working/disability dogs	1
Fewer off leash areas	1
More no dog areas	1
Fewer no dog areas	1

Good owners are great	1
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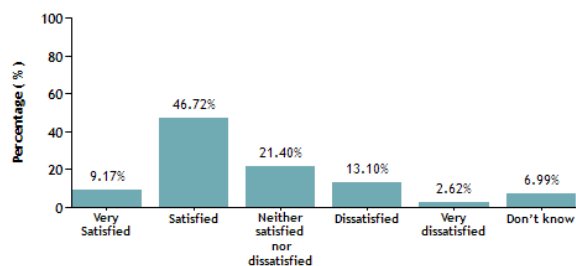
Rating of specific areas

Question 2A Areas where dogs are allowed off leash



Number of responses to this question	227 (95%)	
Total number of responses for this survey	239	
Answer	Count	%
Very Satisfied	15	7
Satisfied	84	37
Neither satisfied nor dissatisfied	53	23
Dissatisfied	41	18
Very dissatisfied	17	7
Don't know	17	7

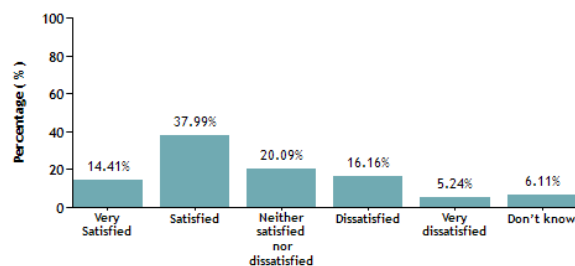
Question 2B Areas where dogs are allowed on a leash



Number of responses to this question	229 (96%)
Total number of responses for this survey	239

Answer	Count	%
Very Satisfied	21	9
Satisfied	107	47
Neither satisfied nor dissatisfied	49	21
Dissatisfied	30	13
Very dissatisfied	6	3
Don't know	16	7

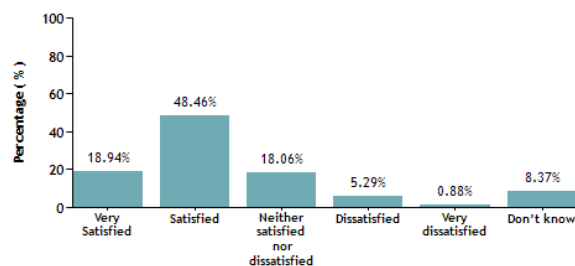
Question 2C Areas where dogs are not allowed



Number of responses to this question	229 (96%)
Total number of responses for this survey	239

Answer	Count	%
Very Satisfied	33	14
Satisfied	87	38
Neither satisfied nor dissatisfied	46	20
Dissatisfied	37	16
Very dissatisfied	12	5
Don't know	14	6

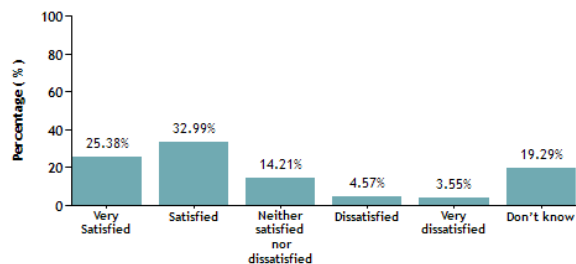
Question 2D Dog exercise park areas (these are listed in the Bylaw link above mentioned)



Number of responses to this question	227 (95%)
Total number of responses for this survey	239

Answer	Count	%
Very Satisfied	43	19
Satisfied	110	48
Neither satisfied nor dissatisfied	41	18
Dissatisfied	12	5
Very dissatisfied	2	1
Don't know	19	8

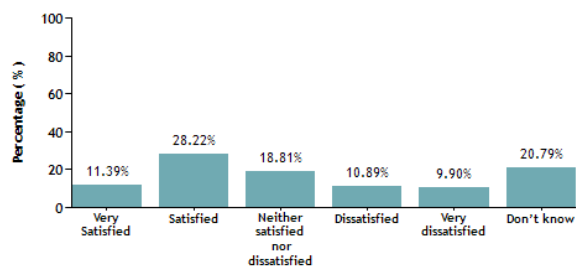
Question 2E Long-life metal dog registration tags *(if you own a dog)*



Number of responses to this question	197 (82%)
Total number of responses for this survey	239

Answer	Count	%
Very Satisfied	50	25
Satisfied	65	33
Neither satisfied nor dissatisfied	28	14
Dissatisfied	9	5
Very dissatisfied	7	4
Don't know	38	19

Question 2F Dog poo bag subsidised vouchers *(if you own a dog)*

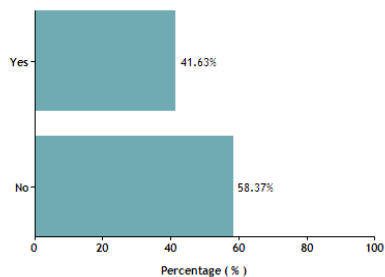


Number of responses to this question	202 (85%)
Total number of responses for this survey	239

Answer	Count	%
Very Satisfied	23	11
Satisfied	57	28
Neither satisfied nor dissatisfied	38	19
Dissatisfied	22	11
Very dissatisfied	20	10
Don't know	42	21

Question 3B

Do you own a dog in Dunedin?



Number of responses to this question		233 (97%)
Total number of responses for this survey		239
Answer	Count	%
Yes	97	42
No	136	58

Additional comments

Topic	Number of responses
Better compliance, control, education, enforcement and signage for rules needed	36
Better compliance and enforcement with fouling needed	19
Dog poo bags:	
prefer free bags/sent out	7
ratepayers should not be subsidising these	4
provide more vouchers/bags	1
haven't received voucher	1
have helped clean streets	1
poor quality	1
Metal dog tags:	
not robust enough/noisy/hard to attach	6
very late to arrive	1
thanks for introducing	1
Dog parks:	
upgrade and have more	5
need one West Harbour (Port Chalmers/Waitati)	2
need plenty of rubbish bins	1
no dangerous dogs	1
great work on dog parks	1
Positive comments – good options, rules are fair, dog control is well handled	6
Map areas need updated/hard to follow	5
Cats – more regulation needed	4
More dog poo bag bins/dispensers e.g. cyclepath	3
No dogs in cafes/shops	3

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Be more dog friendly e.g. overseas/attitude	3
Don't mix dogs & cycles/dogs & pedestrians	2
Registration fees are too high	1
Other: easier way to report problems, some breeds shouldn't be allowed in public, prohibit in sport areas, Selected Owner process too hard, euthanise unregistered dogs, never off leash in parks, access for disabled people too difficult, compulsory training for dog owners, compulsory microchip & neutering, too many dogs, canine multisport venue, limit dog numbers.	1 each

05 Dog Control

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Dog Control

Amendment Approved by Council: 27 June 2016
Date of Effect: 1 July 2016

05

PART 05: DOG CONTROL

5.1 TITLE AND COMMENCEMENT

- 5.1.1 The Dunedin City Council makes the Dunedin City Dog Control Bylaw 2016 pursuant to section 20 of the Dog Control Act 1996 and section 145 of the Local Government Act 2002.
- 5.1.2 This bylaw is administered by the Dunedin City Council.
- 5.1.3 This bylaw comes into force on 1 July 2016.

5.2 FORMER BYLAWS REVOKED

- 5.2.1 The Dunedin City Council Dog Control Bylaw 2004 is revoked on 1 July 2016.
- 5.2.2 All bylaws of the Dunedin City Council already in force must be read subject to this bylaw.
- 5.2.3 In the event of conflict between the provisions of any former bylaw and the provisions of this bylaw, the provisions of this bylaw shall prevail.

5.3 PURPOSE

- 5.3.1 The purpose of this bylaw is to give effect to the Dunedin City Dog Control Policy 2016 by:
- (a) Protecting the well-being and safety of both animals and people;
 - (b) Regulating the public places where a dog may be taken by its owner, and the method of control of the dog; and
 - (c) Limiting the number of dogs that may be kept on any premises;
 - (d) Requiring the owner of any dog that defecates in any public place to immediately remove the faeces; and
 - (e) Requiring the owner to neuter a dog which has not been kept under control on more than one occasion.
 - (f) Provide for the enforcement of this bylaw by prescribing offences for contravening or permitting a contravention of this bylaw.

5.4 INTERPRETATION

- 5.4.1 In this Bylaw, unless the context requires otherwise:

Act – means the Dog Control Act 1996

Animal Control Officer – has the same meaning as 'Dog Control Officer' as appointed under section 11 of the Act.

Cemetery – means any land or premises for the burial and/or cremation of the dead and includes a closed cemetery and Urupa (Maori burial ground).

Commercial Areas – means:

- (a) the Octagon, the Civic Centre, the Library Plaza and those areas of Princes Street

and George Street which lie between the Exchange and Knox Church or

(b) King Edward Street, South Dunedin between Hillside and Macandrew Roads.

Dangerous dog – means a dog classified in accordance with section 31 of the Act.

Disability assist dog – has the same meaning given to it in section 2 of the Act.

District – means that area within the Dunedin City Council territorial authority boundaries.

Dog control fee - means any fee prescribed under section 37 of the Act.

Dog control officer - means a dog control officer appointed under section 11 of the Act and includes a warranted officer exercising powers under section 17 of the Act.

Designated Dog exercise area - means an area that is designated by Dunedin City Council resolution for use as a place for exercising dogs and includes a designated dog exercise area and small dog park.

Dog ranger - means a dog ranger appointed under section 12 of the Act, and includes an honorary dog ranger.

Domestic animal – includes:

- (a) any animal (including a bird or reptile) kept as a domestic pet;
- (b) any working dog; or
- (c) any other animal kept by any person for recreational purposes or for the purposes of that person's occupation or employment.

Infringement offence - has the meaning given to it in section 65(1) of the Act.

Marked Playing Surfaces – is that area of land in use for sports activities (excluding golf courses)

Menacing dog - means a dog classified in accordance with section 33A or section 33C of the Act.

Neutered dog - means a dog that has been spayed or castrated and does not include a dog that has been vasectomised.

Owner – means every person who:

- (a) Owns a dog; or
- (b) Has possession of the dog, whether the dog is at large or in confinement, otherwise than for the sole purpose of restoring a lost dog to its owner; or
- (c) Is the parent or guardian of and shares a household with a person under the age of 16 years who is the owner of the dog pursuant to paragraph (a) or (b) of this definition; but does not include any person who has seized or taken custody of the dog under the Dog Control Act 1996 or the Animal Protection Act 1960 or any regulation made under either of those Acts.

Playground - means any children's playground equipment provided or maintained by the Council for public use and includes a skateboarding facility.

Private way - has the meaning given to it by section 315(1) of the Local

Government Act 1974.

Protected wildlife – means:

- (a) Any animal for the time being absolutely protected pursuant to section 3 of the Wildlife Act 1953; and
- (b) Any animal for the time being partially protected pursuant to section 5 of the Wildlife Act 1953, other than an animal in such circumstances that it may be hunted or killed under the authority of subsection (2) of that section; and
- (c) Any animal that is a marine mammal within the meaning of the Marine Mammals Protection Act 1978

Public Place – means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place and includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

Registration year - has the same meaning as that given to the term "financial year" by section 5 of the Local Government Act 2002. Currently this is defined as from the 1st day of July in any one year to the 30th day of June the following year.

Residential zoned land - as identified in the operative District Plan.

Rural-residential zoned land - as identified in the operative District Plan.

Road – has the same meaning as in section 315 of the Local Government Act 1974.

Small breed dog park - means a designated dog exercise area in which only dogs weighing less than eight kilograms may be permitted.

Stock – means:

- (a) Any live horse, cattle, sheep, swine, alpaca, llama, bison, donkey, hinny, mule, or water buffalo that is not in a wild state:
- (b) Any deer, goat, tahr, rabbit, possum, or other animal that is kept within a fence or enclosure for domestic or farming purposes

Warranted officer - means any person who is for the time being a warranted officer within the meaning of the Conservation Act 1987.

Working Dog – has the same definition as in the Act and includes:

- (a) any disability assist dog
- (b) any dog:
 - i. kept by the Police or any constable, the Customs Department, the Ministry for Primary Industries or the Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that constable, officer, or employee; or,
 - ii. kept solely or principally for the purposes of herding or driving stock; or,
 - iii. kept by the Department of Conservation or any officer or employee of that

department solely or principally for the purposes of carrying out the functions, duties, and powers of that department; or, kept solely or principally for the purposes of destroying pests or pest agents under any pest management strategy under the Biosecurity Act 1993; or

- iv. kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or
- v. kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service; or
- vi. certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the Civil Defence Emergency Management Act 2002; or
- vii. owned by a property guard as defined in section 9 of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in section 17 of that Act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that Act; or
- viii. declared by resolution of the territorial authority to be a working dog for the purposes of the Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution and does not include a dog kept for the purpose of recreational hunting.

5.5 SHELTER FOR DOGS

5.5.1 The owner of any dog must provide:

- (a) a weatherproof kennel of adequate size and on well drained land, or other place of confinement (which may include any dwelling); and
- (b) access to clean water and food; and
- (c) clean and sanitary conditions.

5.5.2 Where a premise is unfenced, the owner of a dog must restrain the dog by a fixed chain or running wire which allows the dog free movement.

5.5.3 No owner of any dog shall keep it in any kennel or place of confinement within two metres to any boundary of neighbouring premises. This clause does not apply to dogs confined within a dwelling house.

5.6 CONTROL OF DOGS

5.6.1 The owner and any person for the time being having charge of any dog shall ensure that the dog does not enter or remain in any public place unless it is under continuous control on a leash except:

- (a) in designated dog exercise areas described in Schedule A; and

- (b) areas described in Schedule B as permitting dogs to be off leash but only between half an hour before sunrise until half an hour after sunset; and
- (c) areas described in Schedule C; and
- (d) any other areas shown in the Schedule E maps as being permitted off leash but only between half an hour before sunrise until half an hour after sunset.

- 5.6.2 Owners must ensure that dogs off leash are under effective control at all times, and that any restrictions described in any schedule are complied with.
- 5.6.3 Clause 5.6.1 does not apply to a working dog carrying out the work in respect of which the dog has been registered.
- 5.6.4 Dog owners must carry a leash with them at all times.
- 5.6.5 Dog owners must place their dogs on a leash within 20 metres of protected wildlife.

5.7 DESIGNATED DOG EXERCISE AREAS

- 5.7.1 Dogs weighing more than eight kilograms may not be allowed inside the boundaries of any small dog park.

5.8 PUBLIC PLACES IN WHICH DOGS ARE PROHIBITED

- 5.8.1 Dogs are prohibited at all times in those places listed in Schedule D.
- 5.8.2 If, in the opinion of the Animal Control Officer, there is or is likely to be harm caused to people or animals in any area, temporary prohibitions of the entry of dogs may be made to specified places. The temporary prohibition will take effect from the time signage is placed at the points of entry to the affected area and will end when signage is removed by an Animal Control Officer.
- 5.8.3 The Council may, by resolution, make areas permanently prohibited to dogs.
- 5.8.4 Permanent prohibitions will be publicly notified.

5.9 FOULING IN PUBLIC PLACES

- 5.9.1 The owner of any dog that is in a public place must carry and display a bag or other receptacle suitable for the removal of faeces.
- 5.9.2 The owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner must immediately remove the faeces.
- 5.9.3 Where a public litter bin or similar receptacle is used to dispose of the faeces, they must be suitably wrapped or contained to prevent fouling the receptacle.

5.10 INFECTIOUS OR DISEASED DOGS

- 5.10.1 No person being the owner or having control or charge of any infectious or diseased dog may take that dog into any public place except while being taken to a veterinary clinic.

5.11 FEMALE DOGS IN SEASON

- 5.11.1 Every person that is the owner of any female dog in season must at all times keep

that dog confined so that it does not enter or remain on any place except the premises occupied by the owner.

- 5.11.2 Any female dog in season must be adequately exercised only on private land occupied by the owner of the dog or other private land with the consent of the occupier.
- 5.11.3 Clause 5.8.1 does not apply when that dog is being taken to a veterinary clinic.

5.12 DOGS ADOPTED FROM THE POUND

- 5.12.1 The owner of any dog adopted from the Council pound must present a certificate to an Animal Control Officer stating the dog is a neutered dog within one month of the adoption date.

5.13 NUISANCES

- 5.13.1 If, in the opinion of the Council, any dog or dogs on any premises has become or is likely to become a nuisance, the Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice, to do all or any of the following:

- (a) Reduce the number of dogs kept on the premises;
- (b) Order the permanent removal of a particular dog on a property;
- (c) Construct, alter, reconstruct or otherwise improve the kennels, places of confinement or other buildings used to house or contain such dog or dogs;
- (d) Require such dog or dogs to be tied up or otherwise confined during specific periods;
- (e) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance.

- 5.13.2 The owner of every dog shall ensure it does not create a nuisance by:

- (a) Obstructing the lawful passage of persons in public places;
- (b) Rushing and frightening persons in a public place or lawfully on private property;
- (c) Destroying, tear or otherwise interfere with any refuse container whether the container is on private property or in a public place.

5.14 PERMIT TO KEEP MORE THAN ONE DOG

- 5.14.1 No more than one dog of register-able age (whether or not such a dog is registered) may be kept on any premises unless:

- (a) The owner or occupier is the holder of a permit to keep two or more dogs; or,
- (b) The premises are zoned rural or rural/residential in the operative Dunedin City District Plan.

- 5.14.2 No permit shall be granted to the owner or occupier of any premises if the premises by reason of inadequate fencing, size, location or detrimental effect on any other premises would be inappropriate for the housing of two or more dogs.

- 5.14.3 If the property in which the dog owner resides is leased/rented, the written consent of the property owner is required to keep two or more dogs on that property. A copy of this consent must be provided to the Council with the application for the permit.
- 5.14.4 A permit issued under this Clause is subject to the conditions set by the Council. Any breach of such conditions or other terms or restrictions shall be a breach of this Bylaw.
- 5.14.5 Any permit may be revoked by the Council for breach of conditions or, in the event of change of circumstances relating to the premises, the owner or occupier or the animals kept on the premises.
- 5.14.6 Applications for permits to keep more than one dog shall be made on the form supplied by the Council and shall provide such information in respect of the application as the Council may reasonably require.
- 5.14.7 There shall be paid to the Council for every such permit an inspection fee which the Council may from time to time by resolution publicly notified prescribe, and on each 1st day of July following the date of issue, an annual fee may be charged for the following 12 months.
- 5.14.8 The fee for such permits shall be payable in addition to the registration fees payable under the Dog Control Act 1996.

5.15 NEUTERING OF DOGS

- 5.15.1 The Council may require the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to have the dog neutered or spayed whether or not the owner of the dog has been convicted of an offence against section 53 of the Act.

5.16 OFFENCES

- 5.16.1 Every person who contravenes or permits a contravention of this bylaw commits an offence.
- 5.16.2 Every person who commits an offence under this bylaw is liable to a penalty under section 242(4) of the Local Government Act 2002 or section 20(5) of the Dog Control Act 1996.

5.17 SAVINGS

- 5.17.1 Every licence issued under the Dunedin City Council Dog Control Bylaw 2004 to keep more than one dog shall continue in effect unless revoked under clause 5.10.

SCHEDULE A - DESIGNATED DOG EXERCISE AREAS

(Refer to Maps in Schedule E)

Those areas marked with signs in the following locations and which are shown on the maps within Schedule E:

Cemetery Road – East Taieri
Forrester Park – Norwood Street
Kew Park – Corner of Easter Crescent and Forbury Road
Rotary Park – Highcliff Road
Shand Park – Brighton Road, Green Island
Shand Park – Brighton Road, Green Island – small breed dog-park
Wakari Reserve

SCHEDULE B - AREAS WHERE SPECIFIC CONTROLS APPLY

(Refer to Maps in Schedule E)

(Explanatory Note: the written description of the areas listed below must be read together with the maps in Schedule E.)

For all areas listed below dogs may be off a leash during daylight hours unless otherwise stated.

Cemeteries

Dogs under continuous control on a leash are permitted in cemeteries owned by DCC.

Chisholm Park Golf Course

Schedule E outlines two areas of this golf course:

- 1 The area closest to the golf club permits dogs *on a leash*; and
- 2 The area closest to the beach (also termed Ocean Beach Domain) permits dogs *without a leash*.

Sports grounds (excluding DCC owned golf courses)

Dogs are permitted *off a leash* on DCC owned sports grounds in areas that are not marked playing fields and must be *on a leash* when games are being played.

South of Dunedin

Brighton Recreation Reserve (dogs must be under continuous control on a leash in dune areas)
Island Park Recreation Reserve (dogs must be under continuous control on a leash in dune areas)
Ocean View Recreation Reserve (dogs must be under continuous control on a leash in dune areas)
Otokia Creek track to the start of Brighton Beach (on a leash) Westwood Recreation Reserve
Woodside Glen Track (DCC and DOC)

Smaills Beach

Dogs to be on a leash on the beach east of the middle track and may be off the leash to the west of the track, subject to temporary bans when required for wildlife protection purposes.

Other Areas

Any other area marked on the maps in schedule E as "allowed off leash".

SCHEDULE C - AREAS WHERE A HUNTING PERMIT IS REQUIRED

(Refer to maps in Schedule E)

Permits are necessary to take your dog into the following areas for hunting purposes: Allans Beach Wildlife Management Reserve (DOC)

Chalkies (DOC)

Maungatua Scenic Reserve (DOC) Silverpeaks (DOC)

Taieri Gorge Scenic Reserve – Outram Glen (DOC)

Woodside Glen Track (DOC)

SCHEDULE D - AREAS WHERE DOGS ARE PROHIBITED

Commercial areas*

The Octagon, the Civic Centre, the Library Plaza and those areas of Princes Street and George Street which lie between the Exchange and Knox Church.

King Edward Street, South Dunedin between Hillside and Macandrew Roads.

***Except**

This prohibition does not apply to disability assist dogs, police dogs and dogs being used by security guards, working dogs, dogs confined in an efficient container, or securely confined in or by lead or restraint on a vehicle. No offence shall be committed when a dog securely controlled by means of lead, leash or chain is being taken through the defined area to the nearest area where the dog may be exercised by a resident of the defined area.

Children's Playgrounds

Areas developed and equipped as children's playgrounds.

Sports Grounds

On all **marked playing surfaces** (excluding DCC owned golf courses).

Protected Wildlife

Areas that from time to time the Council will notify by way of signage and advertising that there is a temporary dog prohibition in place because of the presence of wildlife or stock.

Beach Areas

Designated areas of bathing beaches where lifeguards mark the safe areas for swimming by the placement of flags.

Brighton Beach

All of the area within the bay from the Big Rock to opposite 909 Brighton Road at the North end of the domain including Barneys Island and all of the beach within the confines of Brighton Road.

St Clair Beach and Esplanade

- (a) All of the beach from the Salt Water Pool to the northern end of the sea wall, **except**, dogs *on a leash* may have access to the beach between 8.00pm and 8.00am the following day.
- (b) The park on Victoria Road adjoining the playground area and the playground area itself.

Recreation

Broad Bay Beach Reserve Botanic Garden

Macandrew Bay Beach Reserve

Woodhaugh Gardens (other than on defined walking tracks).

Conservation/Wildlife Areas

Allans Beach north east of where access track enters the beach (DOC)

Aramoana Beach from Keyhole Rock north to Heyward Point (DOC)

Aramoana Ecological Area – salt marsh and wetland (DOC)

Aramoana-Heyward Point (DOC)

Boulder Beach (DOC)

Burns Park (DOC)

Careys Creek (DOC)

Deep Stream Scenic Reserve (DCC and DOC)

Grahams Bush Walk (DOC)

Grangers Road Track (DOC)

Leith Saddle (DOC)

Hereweka/Harbour Cone (Dogs not permitted except for farm management purposes (DCC)

Hyde-Middlemarch Rail Trail (DOC)

Goat Island (DOC)

Lighthouse Reserve (Taiaroa Head and DCC)

Matanaka (DOC)

Mount Cargill (DCC)

Mill Creek Track (DOC)

Okia Reserve (DCC and Yellow Eyed Penguin Trust) Organ Pipes (DCC)

Orokonui (DOC)
Otekiho Reserve (DCC and Yellow Eyed Penguin Trust)
Outram Glen to Lee Stream (DOC)
Pilots Beach Recreational Reserve (DCC)
Quarantine Island (DOC)
Sandymount and associated track network (DOC)
Sandfly Bay (DOC)
Seal Point Road to Sandfly Bay (DOC)
Sutton Salt Lake Scenic Reserve (DOC)
Taiaora Head (DCC and DOC)
Tunnel Beach (DOC)
Victory Beach (Yellow Eyed Penguin Trust)
Warrington Spit and Rabbit Island – from the first break water point from the north (DCC)

Tracks

41 Peg Track District Road
Aramoana – Heyward Point Track (DOC)
Buskin Road (Otago Peninsula)
Highcliff Road to Hoopers Inlet Lime Kilns (Private)
Mount Charles (Private and DOC)
Nyhon Track
Paradise Road and Track Pipikaretu Beach (Private)
Quoin Cliff (Private)
Track Ridge Road Track

SCHEDULE E – MAPS

- 1 This schedule comprises a map showing areas where dogs are prohibited, must be under continuous control on a leash or are allowed off leash. The maps, together with the written description of areas in schedules A - D form part of this bylaw.
- 2 www.dunedin.govt.nz/dog-control-bylaw

DOG CONTROL POLICY 2016

Category	Animal Services, Regulatory Services
Type	Policy
Approved by	Council
Date Policy Took Effect	1 July 2016
Last Approved Revision	1 January 2004
Sponsor	General Manager Services and Development
Responsible Officer	Manager, Environmental Health and Animal Services
Review Date	

1 INTRODUCTION

- 1.1 The Dunedin City Council recognises the positive impact that dogs can bring to health and wellbeing in their role as human companions. Responsible dog ownership ensures that the benefits of companionship are highlighted. Owning a dog also carries the responsibility of being considerate of others who share our public places who aren't dog owners and ensuring your dog is not a nuisance or menace to your neighbours and the wider community.
- 1.2 The Dunedin City Council is responsible for dog control across the district. This policy serves to meet the Council's obligations under the Dog Control Act 1996, and provides the framework on which the Dog Control Bylaw and associated fees regarding dog registration and offences are based.

2 OBJECTIVES

- 2.1 The Council's principal objectives are to:
- (a) have all dogs registered and micro-chipped;
 - (b) minimise danger, distress and nuisance caused by dogs;
 - (c) minimise the risk of dog attacks;
 - (d) minimise the fear of dogs attacking or intimidating people;
 - (e) avoid danger from uncontrolled dogs entering children's play areas;
 - (f) ensure the protection of public health and safety in areas used by the general public;
 - (g) provide for exercise and recreational needs of dogs;
 - (h) provide for service users to meet the costs of services;
 - (i) ensure the protection of native wildlife in reserves and beaches (e.g. fur seals, sea lions, penguins and wading birds) by minimising the risk of dog attacks.

3 RESPONSIBLE DOG OWNERSHIP

- 3.1 Proactively promote the responsible ownership of dogs, including care and control around people, protected wildlife, other animals, property and natural habitats.

3.2 What Does It Mean To Be A Responsible Dog Owner?

- ✓ *Choose the right dogs and treat them well.*
- ✓ *Ensure your dog has adequate exercise.*
- ✓ *Consider the health benefits for your dog of neutering at an early age.*
- ✓ *Register and microchip your dog.*
- ✓ *Teach your dog basic obedience (keep your dog under control at all times).*
- ✓ *Know the best locations where you are allowed to take (exercise) your dog.*
- ✓ *Be particularly vigilant near children and closely supervise interaction at all times.*
- ✓ *Know when you dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash or designated dog exercise area).*
- ✓ *Respect other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.*
- ✓ *Ensure your dog cannot leave your property by itself.*
- ✓ *Know when your dog must be on a leash, and always carry a leash.*
- ✓ *Always carry and display a bag or other receptacle suitable for the removal of faeces and pick-up after your dog.*

4 LEGISLATION

4.1 The legislation that relates to the control of dogs and specifies the obligations imposed on Dunedin City Council and dog owners are:

4.2 Dog Control Act 1996

4.2.1 The purpose of the Dog Control Act ¹ is to make better provision for the care and control of dogs:

- (a) by requiring the registration of dogs; and
- (b) by making special provision in relation to dangerous dogs and menacing dogs; and
- (c) 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
- (d) 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
- (e) to make provision in relation to damage caused by dogs.

4.3 Dog Control Policy

4.3.1 All Territorial Authorities must adopt a Dog Policy under the Dog Control Act², which must have regard to the following:

- (a) the need to minimise danger, distress, and nuisance to the community generally; and

¹ Section 4, Dog Control Act 1996

² Section 10, Dog Control Act 1996

- (b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- (c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- (d) the exercise and recreational needs of dogs and their owners.

4.4 Dog Control Bylaw

4.4.1 Section 20 of the Dog Control Act permits any territorial authority to make bylaws regarding the control of dogs in accordance with the process in the Local Government Act 2002. The Dog Control Bylaw includes the following provisions;

- (a) prohibiting dogs, whether under control or not, from specified public places;
- (b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;
- (c) regulating and controlling dogs in any other public place;
- (d) designating specified areas as dog exercise areas;
- (e) prescribing minimum standards for the accommodation of dogs;
- (f) limiting the number of dogs that may be kept on any land or premises;
- (g) requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
- (h) requiring any female dog to be confined but adequately exercised while in season;
- (i) providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act;
- (j) requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against section 53).

5 FEES AND REGISTRATION

5.1 The Council's policy is to apply a graduated fee scale to target fees to high demand users and to deter non-compliance. For example, fees for repeat impounding of a dog increase with each subsequent impounding.

5.2 Registration Fees

5.2.1 All dogs are required to be registered in accordance with the Dog Control Act 1996 which provides:

- Dog registration fees are set by Council resolution;
- Dog registration fees, fines and impound fees are used to fund the dog control service;
- Registration fees paid after 31 July will have a late payment penalty applied. The penalty is an additional 50% of the registration fee; and
- Infringement notices for not registering a dog may also be issued.

5.3 While there are specific registration fees set for differing classifications of dogs, registration fee reductions are prescribed to recognise and reward dog ownership behaviour that complies with the legislation i.e. self-compliance. Compliant dog owners will be recognised by the application of fee reductions. Rewarding self-compliance with the legislative requirements transfers the burden of service costs to non-complying dog owners. Examples of occasions where registration fee reductions may apply are as follows:

- Dogs that are kept within an effectively fenced area on the property they are registered at, to prevent escape from the property (Selected Owners);
- Dog owners that have not received infringements, valid nuisance complaints, or had a dog impounded in the two years leading up to the current registration period;
- Neutered dogs.

5.4 The Council will provide a pro-rata refund for registration fees paid where a registered dog dies in the period of registration³.

5.6 Other Fees

5.6.1 These fees are set by Council resolution and include but are not limited to:

- Impounding,⁴
- Sustenance and board (during period of impounding)⁵
- Micro-chipping⁶
- Multiple dog permit⁷

6 MULTIPLE DOG PERMIT

6.1 No more than one dog of register-able age, i.e. three months old and over (whether or not such dogs are registered), may be kept on any premises unless the owner or occupier of the property has a permit from the Council.

6.2 No permit will be required to keep one or more dogs (working dogs) within the Rural zone as defined in the Dunedin City Council District Plan.

6.3 No permit may be granted to the owner or occupier of any property for more than one dog if the owner or occupier cannot demonstrate compliance with the Dog Control Bylaw, or if the criteria below are not met to the satisfaction of the Council:

- 1 If the property in which the dog owner/owners resides is leased/rented, the written consent of the property owner is required to keep more than two dogs on that property before any consideration for a permit will be given. A copy of such consent must be forwarded to the Council with the permit application.
- 2 The property must be adequately fenced to confine the dogs on the section, or in the absence of full boundary fencing, a portion of the section must be fenced sufficiently to confine the dogs yet allow them to have an adequate exercise area for their size.

³ Section 39, Dog Control Act 1996

⁴ Section 68, Dog Control Act 1996

⁵ Section 68, Dog Control Act 1996

⁶ Section 69A, Dog Control Act 1996

⁷ Section 150, Local Government Act 2002

- 3 Where necessary and having regard to the numbers and size of the dogs kept, the area of confinement must be paved, graded and drained to any standard set by the Council and in any event, must be on well drained ground.
- 4 Adequate housing of sufficient size suitable to meet the needs of the dogs, with access to clean water, must be provided on well drained ground.
- 5 The Council may consider the owner's dwelling to be sufficient to meet this condition, depending on the particular circumstances.
- 6 All dogs must be currently registered and must be kept at all times in accordance with the provisions of the Dog Control Act.
- 7 Such screening of the area of confinement as is necessary to protect the visual amenities of the neighbourhood must be provided.
- 8 All dog owners must abide, at all times, with the Dog Control Bylaw and its subsequent amendments. Failure to meet this requirement may result in a notice to remove one or more dogs permanently from the property.
- 9 The property must be made available for inspection by an authorised council officer at any reasonable time.
- 10 The number of dogs that may be kept on a property must not exceed that number for which the permit may be issued.
- 11 Any alterations to the property must meet the Council's criteria prior to the Animal Control Officer issuing a permit.
- 12 Any permit must be obtained prior to an additional dog being obtained.
- 13 The Council may:
 - (a) Refuse the granting of a permit for the keeping of two or more dogs, or
 - (b) Revoke a permit issued, if the conditions set out above are at any time breached and not rectified following written notice by the Council and within a period of time allowed by the Council and to give notice in writing that all dogs except one be removed from the property within such time as Council consider necessary in the particular case.
- 14 No permit will be granted relating to a property used for breeding, boarding or fostering unless a resource consent has been obtained where appropriate.
- 15 Council must be notified of any change of address, so that a permit may be obtained for the new address. Permits may not be transferred to a new property.
- 16 If your dog numbers reduce to one or no dogs for a period of two or more years your permit is deemed to have lapsed and you will need to reapply if you once again have two or more dogs on your property.
- 17 A fee as prescribed in the Animal Services annual fees and charges in the Council's Annual Plan must be paid to the Council by 31 July.

7 EDUCATION AND DOG OBEDIENCE

- 7.1 The Council encourages dog owners to attend dog obedience courses, particularly puppy training classes, to assist in the training and socialisation of dogs.

- 7.2 Where a dog has been classified as Menacing or Dangerous, the Council may require a dog owner to attend specified courses.

8 MENACING AND DANGEROUS DOGS

- 8.1 Dogs can be classified as Menacing in accordance with sections 33A and 33C of the Dog Control Act or Dangerous in accordance with section 31 of the Act.

9 PROBATIONARY AND DISQUALIFIED OWNERS

- 9.1 Dog owners can be classified as a Probationary owner in accordance with sections 21 of the Dog Control Act or can be disqualified in accordance with section 25. The maximum period of probation or disqualification may apply, unless the owner can demonstrate that the maximum period is unnecessary for the purpose of achieving the objectives of the Council's Dog Control Policy.

10 NEUTERING OF DOGS

- 10.1 Any dog classified as Dangerous by the Council or by any other Territorial Authority in accordance with section 32 of the Dog Control Act must be neutered. A dog categorised as Menacing under section 33E of the Dog Control Act may be required to be neutered.
- 10.2 In all cases the classification documents served on the owner of a Menacing or Dangerous dog will advise the owner of the requirement to neuter the classified dog within one month.
- 10.3 The owner of a dog which is required to be neutered by the Council; must produce a veterinary certificate showing either that the dog has been neutered or that the dog is unfit to be neutered before a certain date.
- 10.4 The Council may require the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to have the dog neutered or spayed whether or not the owner of the dog has been convicted of an offence against section 53 of the Act.

11 DOG FOULING

- 11.1 Dog fouling is not tolerated in any form within the Dunedin City Council boundary. Dog owners must ensure that they carry and display a bag or other receptacle suitable for the removal of faeces and remove it immediately.

12 INFRINGEMENTS

- 12.1 The following infringement offences are set by the Dog Control Act. The Council has no discretion to alter these fees.

Section	Offence	Infringement
18	Wilful obstruction of a Dog Control Officer	\$750.00
19(2)	Failure/refusal to supply information/wilfully stating false particulars	\$750.00

Section	Offence	Infringement
19A(2)	Failure to supply information or wilfully providing false particulars about dog	\$750.00
20(5)	Failure to comply with any bylaw authorised by the section	\$300.00
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	\$300.00
24	Failure to comply with obligations of probationary owner	\$750.00
28(5)	Failure to comply with effects of disqualification	\$750.00
32(2)	Failure to comply with effects of classification of dog as dangerous dog	\$300.00
32(4)	Fraudulent sale/transfer of a dangerous dog	\$500.00
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	\$300.00
33F(3)	Failure to advise person of muzzle and leashing requirements	\$100.00
36A(6)	Failure to implant microchip transponder in dog	\$300.00
41	False statement relating to registration	\$750.00
41A	Falsely notifying death of dog	\$750.00
42	Failure to register dog	\$300.00
46(4)	Fraudulent attempt to procure a replacement registration label/disk	\$500.00
48(3)	Failure to advise change of dog ownership	\$100.00
49(4)	Failure to advise change of address	\$100.00
51(1)	Removal/swapping of labels/disks	\$500.00
52A	Failure to keep dog controlled or confined	\$200.00
53(1)	Failure to keep dog under control	\$200.00
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	\$300.00
54A	Failure to carry leash in public	\$100.00
55(7)	Failure to comply with barking dog abatement notice	\$200.00
62(4)	Allowing a dog known to be dangerous to be at large unmuzzled	\$300.00
62(5)	Failure to advise of muzzle and leashing requirements	\$100.00
72(2)	Releasing dog from custody	\$750.00

12.2 Any of the above offences may be proceeded with by way of an infringement notice or by initiating a prosecution in accordance with the Criminal Procedure Act 2014.

13 DOG EXERCISE AREAS

- 13.1 The Council will review the need for specified dog exercise areas and suitable locations as necessary.
- 13.2 Dogs weighing more than eight kilograms may not be allowed inside the boundaries of any designated small dog park.

14 DOGS ON LEASH

- 14.1 Every owner of a dog shall keep that dog on a leash in public areas at all times except in a dog exercise area (specified either by signage or listed in a schedule Dog Control Bylaw) or by exceptions specified in the bylaw. Dogs must be leashed near any playground.

15 DOG RESTRICTIONS

- 15.1 Areas where dogs are restricted or prohibited within the Dunedin City Council district (except when in a vehicle) are specified in Schedule D of the Dog Control Bylaw.
- 15.2 The Department of Conservation ("DOC") manages dog restrictions by the use of on-site access signage and brochures. Dog owners are expected to adhere to restrictions displayed on signage and in brochures as to where dogs are permitted or prohibited.
- 15.3 Further information on dog restrictions on DOC-managed land can be obtained from the Dunedin DOC Office and i-Site Visitors Centre.
- 15.4 Dog owners must place their dogs on a leash within 20 metres of protected wildlife.
- 15.5 In addition to the specific restrictions set out above, dogs must be kept under control at all times as required by the Dog Control Act. This is expected to be sufficient to ensure that dogs do not injure, endanger, or cause distress to any protected wildlife.

16 WELFARE OF DOGS DURING AN EMERGENCY

- 16.1 All dog owners are expected to plan and prepare for the care and welfare of their dog(s) in anticipation of an emergency. While a state of emergency is in place dog owners must:
 - (a) Keep their dogs under effective control at all times;
 - (b) Ensure their dog does not injure, endanger or cause distress to any person.

TRADING IN PUBLIC PLACES BYLAW REVIEW

Department: Customer and Regulatory

EXECUTIVE SUMMARY

- 1 The Trading in Public Places Bylaw (The Bylaw) was made on 27 October 2020 and came into effect on 1 January 2021. The Local Government Act 2002 (The Act) requires that a bylaw must be reviewed within five years after being made.
- 2 This report recommends that the Customer and Regulatory Committee (the Committee) determines that a bylaw continues to be the most appropriate way to address public trading issues in Dunedin.
- 3 It seeks approval to commence review of the Trading in Public Places Bylaw 2020 (the Bylaw).
- 4 The Act requires these decisions to be made before commencing the bylaw review.
- 5 See Attachment A for the Bylaw.

RECOMMENDATIONS

That the Committee:

- a) **Determines** that a bylaw is the most appropriate way to address public trading issues in Dunedin.
- b) **Approves** commencement of the review of the Trading in Public Places Bylaw.

BACKGROUND

Purpose of bylaws

- 6 Under the Act, bylaws can be made for one or more of the following general purposes: protecting the public from nuisance; protecting, promoting, and maintaining public health and safety; and minimising the potential for offensive behaviour in public places (section 145).
- 7 The Act also allows bylaws to be made specifically to regulate trading in public places (section 146(1)(a)(vi)).

Dunedin Bylaw history and purpose

- 8 The Bylaw was made on 27 October 2020 with the date of effect 1 January 2021. It replaced the Mobile Trading and Temporary Stall Bylaw which had been in place for more than 30 years regulating mobile trading and temporary stalls only.

- 9 As substantial changes were intended, the Mobile Trading and Temporary Stall Bylaw was revoked, and a new bylaw was made.
- 10 From 2021, the Bylaw required permits for a wider range of public trading activities than were addressed in the previous Mobile Trading and Temporary Stall Bylaw, including rental scheme operators (e.g. e-scooter companies), street fundraising, street performing, touting, and commercial use of footpaths. Requirements within the Bylaw include operators complying with conditions of their permit and that safe pedestrian access in public places is maintained. Under the Bylaw, the Council may charge a fee for permits.
- 11 The Act requires that a new bylaw is initially reviewed within five years of being made. Thereafter the review period is ten years.
- 12 While the purpose of the Bylaw is to *“provide reasonable controls to protect health and safety, to protect the public from nuisance and to regulate trading in public places”* it is also important to acknowledge the benefits that public trading can contribute to the city, including vibrancy, liveliness and attractive lifestyle options.

DISCUSSION

Bylaw is appropriate

- 13 Before commencing the bylaw review process, Council is required to determine whether a bylaw is the most appropriate way to address the perceived issue.
- 14 A bylaw is still proposed to be the most appropriate way to address issues with public trading in Dunedin. Initial evidence indicates that the Bylaw works well. Operators generally comply with the Bylaw and the relevant trading conditions. Along with a balance of education, the Bylaw ensures appropriate standards of health and safety, and pedestrian access are maintained for all people using our public places including people with disabilities. For example, the introduction of rental scheme operations (such as e-scooter companies) as a trading activity in 2021 means that these companies now require a permit to operate. They are required to pay a fee and comply with conditions (including always maintaining safe pedestrian access).
- 15 Without a bylaw, there is a risk that operators trade in public places without any health and safety or pedestrian access controls. The Council would have limited mechanisms to manage issues should they arise. Education alone is considered insufficient to manage public place trading in Dunedin.
- 16 The review will consider how well the Bylaw is working for each of the trading activities, and if there are opportunities for improvement.

Review of trading conditions

- 17 While the Bylaw requires trading operators to comply with conditions for their trading activity, the conditions themselves sit outside and are separate to the Bylaw. These conditions are monitored and can be reviewed by staff and amended as needed with appropriate levels of community engagement. This allows flexibility to respond to changing needs without the requirement to amend the Bylaw itself, which can only be done by use of the special consultative procedure process and Council resolution.
- 18 As an example, the code of practice conditions for rental e-scooter operators were updated recently, to meet evolving best practice, and in preparation for the tender process for permit

renewal. Mobile trading sites and street performing conditions are also able to be updated to align with city upgrades.

- 19 Particular attention is planned for the conditions and sites for mobile trading and for street performing. While separate to the Bylaw review, this work will be carried out around the same time.

Special consultative procedure

- 20 The Act requires the use of the special consultative procedure as part of the review.

OPTIONS

- 21 Options are whether a bylaw is the most appropriate way to address trading in public places issues in Dunedin and whether to permit the bylaw review process to commence.

Option One – The Bylaw is the most appropriate way to address related issues in Dunedin (recommended)

Advantages

- Bylaw ensures management of appropriate standards of health and safety, and pedestrian access across all public trading operators.
- Bylaw provides the means to address issues arising from public trading in Dunedin.

Disadvantages

- There are some administrative costs of managing the Bylaw.

Option Two – A Bylaw is NOT the most appropriate way to address trading in public places issues in Dunedin

Advantages

- Administrative overheads could potentially be reduced.

Disadvantages

- Appropriate standards of health and safety, and pedestrian access may not be maintained with education and information alone.

The DCC would have limited mechanisms to protect public health and safety and minimise offensive behaviour and public nuisance in the event that issues arise from public trading. **NEXT STEPS**

- 22 Once the review commences, next steps are to carry out early engagement before reporting back to the Committee with a draft Statement of Proposal and draft Bylaw.
- 23 The draft Bylaw will incorporate any proposed changes. The recommendation will then be to approve a draft Bylaw and draft Statement of Proposal for consultation using the special consultative procedure, as required by the Act.

Signatories

Author:	Anne Gray - Policy Analyst
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Authoriser:	Ros MacGill - Manager Compliance Solutions Claire Austin - General Manager Customer and Regulatory
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Attachments

	Title	Page
A	Trading in Public Places Bylaw	139

SUMMARY OF CONSIDERATIONS
Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities and promotes the social and economic well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Arts and Culture Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Spatial Plan	✓	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposal to review the Bylaw contributes to most of the strategic framework as the Bylaw purpose is to “provide reasonable controls to protect health and safety, to protect the public from nuisance and to regulate trading in public places”. In doing so, it is important to acknowledge the benefits of trading in public places including vibrancy, liveliness and attractive lifestyle options for the city.

Māori Impact Statement

There are no known specific impacts for tangata whenua.

Sustainability

There are no known implications for sustainability.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications for these documents.

Financial considerations

There are no financial implications as management of the Bylaw is carried out within existing budgets.

Significance

The decision to commence review of the Bylaw is considered low in terms of the Council’s Significance and Engagement Policy. The Act requires that the special consultative procedure is used to review the Bylaw.

Engagement – external

There has been no external engagement to date. Once the review commences, there will be early engagement with key stakeholders followed by formal consultation.

Engagement - internal

There has been initial internal engagement with Transport, Urban Design, Creative Partnerships, Compliance Solutions, Governance, Communications and Marketing, and In-House Legal Services.

SUMMARY OF CONSIDERATIONS

Risks: Legal / Health and Safety etc.

There are no identified risks.

Conflict of Interest

There is no known conflict of interest.

Community Boards

There are no specific implications for Community Boards.

TRADING IN PUBLIC PLACES BYLAW 2020			
Trading in Public Places Bylaw 2020			
Approved by:	The Council		
Date approved:	Council		
Date of effect:	1 January 2021	Reviewed:	
Next review date:	Five years after date of effect	DOC ID:	

This bylaw is made by the Dunedin City Council under sections 145 and 146 of the Local Government Act 2002 (LGA 2002).

Explanatory note: This bylaw should be read in conjunction with the conditions for each trade area:

- Mobile shop trading
- Commercial use of footpaths
- Street performing
- Street fundraising
- Rental scheme operations
- Touting.

Conditions can be found on the Dunedin City Council website along with the Trading in Public Places Bylaw.

1 SHORT TITLE

This bylaw is the Dunedin City Council Trading in Public Places Bylaw 2020.

2 APPLICATION

- 2.1 This bylaw applies to Dunedin City.
- 2.2 This bylaw does not apply to any act that is done by:
- 2.2.1 A member of the emergency services in the course of carrying out a statutory duty; or
- 2.2.2 In accordance with a valid contract for services with the Council.

3 PURPOSE

- 3.1 This bylaw provides reasonable controls to protect health and safety, to protect the public from nuisance and to regulate trading in public places.



Trading in Public Places Bylaw

CRG

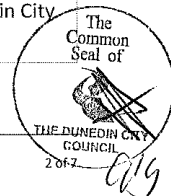
- 3.2 Explanatory notes are not part of this bylaw and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

4 DEFINITIONS

- 4.1 In this bylaw, unless context otherwise requires:

Act	Means the Local Government Act 2002
Authorised Officer	Means an officer or other person appointed by the Council to perform duties or give permissions under this bylaw.
Busking	To play music or perform entertainment in a public place, usually while soliciting money or money's worth.
Council	Means the Dunedin City Council and includes any person authorised by the Council to act on its behalf.
Footpath	Means the part of the road built mainly for pedestrians and includes the edging, kerb and channelling, grass berm and a footbridge.
Footpath art	Means temporary images or drawings created either directly on to the pavement or on removable surfaces such as, but not limited to, paper or plastic, laid out on the pavement but does not include any advertising in any form on the footpath.
Hawker	Means any person who attempts to sell goods or services to any person in a public place without: <ul style="list-style-type: none"> a. Invitation; or b. Request for such service; or c. Prior orders
Mobile shop	Means a vehicle from which a trading operation is conducted. It does not include a service delivery vehicle carrying goods which have been ordered.
Mobile trading	Includes any trade from a mobile shop; and trading from a stall.
Operator	Means the permit holder and a person in control of the trading operation.
Peddler	Means a travelling seller of small items.
Pedestrian access	Means a minimum width of unobstructed access for pedestrians must be maintained as follows: 3m in the central business district zone of the 2GP and 1.5m in all other areas.
Permit	Includes any written or oral permission given by the Dunedin City Council under this bylaw.

Trading in Public Places Bylaw



Person	Includes a corporation sole, a body corporate and unincorporated body.
Public place	Means an area that is of a public nature, is open to or used by the public, and which is owned, managed, maintained or controlled by the Council. It includes any road, street, footpath, court, alley, lane, park, recreation ground, sports field, reserve, beach, pedestrian mall, cycle track, accessway, squares and carparks. <i>Explanatory note: Reserves and beaches are also governed by the Reserves Act and the Reserves and Beaches Bylaw.</i>
Reserve	Has the meaning given by the Reserves Act 1977.
Stall	Means, whether portable or not, any stand, structure or device, awning, table, display board established for the purposes of selling any goods.
Street fundraising	Means any co-ordinated and organised event by organisations who ask for, or seek, any subscription, collection or donation from members of the public. It includes street appeals and the sale of any item where an undertaking has been given that all or some of the proceeds will be given to charity.
Street performing	Means the provision of entertainment on or in a public place, and includes but is not limited to, playing an instrument, singing, dancing, juggling, mime, puppetry, performance art, conjuring, acrobatics, recitation, undertaking artworks and performing other acts of theatrical or visual forms. It does not include advertising or promotion in any form.
Touting	Means to solicit business, usually in a direct or persistent way, and to attempt to persuade someone to give something, such as money, for a specific purpose.
Trade	Means to carry out a trading activity.
Trading activity	Means an activity, whether one-off or a series of activities whether temporary or permanent, undertaken by any person or organisation involving the sale of goods in a public place or the offering of a commercial service for payment, reward or otherwise, including but not limited to: <ul style="list-style-type: none"> • Stalls • Mobile shops • Outdoor drinking and dining • Distribution of promotional goods and materials • Outdoor display of goods • Rental scheme operations • Street performing • Touting • Hawking • Peddling • Signage including stencils



	<ul style="list-style-type: none"> Fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or ongoing donation
Trading	Has a corresponding meaning to trading activity.
2GP	Dunedin City District Plan

4.2 Any undefined words, phrases or expressions used in this bylaw have the same meaning as in the Act, unless the context plainly requires a different meaning.

5 EXPLANATORY NOTES

5.1 Explanatory notes are not part of this bylaw and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

5.2 *Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.*

6 TRADING ACTIVITIES IN PUBLIC PLACES

6.1 No person may undertake a trading activity in a public place without written permission obtained under this bylaw.

6.2 A permit issued under this clause is subject to terms and conditions that the Council thinks fit in respect of the proposed trading activity.

6.3 Permit holders must comply with the conditions of the permit and any applicable code of practice.

6.4 Terms and conditions specified in a permit may include without limitation, such matters as:

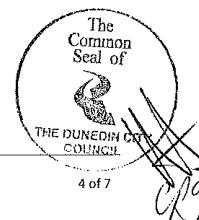
6.4.1 The name of the permit holder

6.4.2 The duration of the permit holder

6.4.3 The location to which the permit applies

6.4.4 The type of trading activity allowed by the permit

6.4.5 The hours of trade allowed by the permit.



Trading in Public Places Bylaw

4 of 7

7 APPLICATION FOR PERMISSION

7.1 An application for a permit must be made in writing and on the appropriate form provided by the Council (if any).

7.2 Every applicant must provide all the information requested.

7.3 A permit must be obtained in respect of each trading activity to be carried out by the applicant.

Explanatory note: A person carrying out multiple trading activities must obtain an individual permit for each trading activity.

7.4 The Council may set application and other fees for permissions under this bylaw.

8 PERMIT MAY BE ALTERED, SUSPENDED, CANCELLED

8.1 The Council may, in its discretion, on giving notice of not less than 24 hours to the permit holder, review, withdraw or alter any permission given under section 6 of this bylaw.

8.2 The Council may immediately without notice, alter, suspend or cancel any permit given under section 6 of this bylaw if:

8.2.1 Permit conditions are being breached

8.2.2 Urgent works are required in the public place where the permit applies

8.2.3 Urgent action is required to protect the public in the public place where the permit applies.

8.3 Where a permit has been suspended or cancelled the permit holder must immediately remove any vehicle, stall, goods and materials used in the permitted trading activity from the public place.

9 PERMIT NOT TRANSFERABLE

9.1 A permit granted under this bylaw is not transferable to any other person.

9.2 A person granted with a permit for one trading activity cannot transfer the permit to any other trading activity to be carried out by the person.

10 PEDESTRIAN ACCESS IN PUBLIC PLACES

10.1 All permit holders must ensure that pedestrian access is maintained in public places at all times and that they, and their audience, do not block footpaths, doorways, bus stops, fire escapes or roads.



11 PROHIBITED MOBILE SHOP TRADING AREAS

- 11.1 Unless specific permission has been granted, holders of mobile shop trading permits are prohibited from trading in the following areas:
- 11.1.1 George Street from the Octagon to Albany Street
 - 11.1.2 Princes Street from the Octagon to Jetty Street
 - 11.1.3 Lower Stuart Street from the Octagon to Moray Place
 - 11.1.4 Moray Place
 - 11.1.5 The Octagon except for specified spaces in the central carriageway
 - 11.1.6 Wickliffe Square except for specified spaces.

12 THE COUNCIL MAY FROM TIME TO TIME RESOLVE

- 12.1 The Council may from time to time resolve to:
- 12.1.1 Declare any public place or part of a public place to be an area where a trading activity is prohibited
 - 12.1.2 Declare any public place or part of a public place to be an area where a trading activity is restricted and only permitted in a specific location
 - 12.1.3 Declare an activity to be a trading activity
 - 12.1.4 Declare a trading activity to be prohibited for any period.

13 BREACH OF BYLAW

- 13.1 A person breaches this bylaw when they:
- 13.1.1 Breach any provision in this bylaw
 - 13.1.2 Breach any conditions of a permit granted under clause 6 of this bylaw.
 - 13.1.3 Fail to carry out any action reasonably required by an Authorised Officer under this bylaw.
- 13.2 A breach of this bylaw may result in the permit being suspended or cancelled.
- 13.3 Every person that has had a permit suspended or cancelled must immediately cease trading until such time that the Council may permit them to resume.

14 PENALTIES

- 14.1 Every person who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000 as set out in the Local Government Act 2002.

14.2 Any property involved in the commission of an offence against the Local Government Act 2002 which includes a breach of this bylaw, may be seized and impounded by the Council in accordance with that Act.

15 RIGHT OF REVIEW

15.1 Any applicant affected by a decision made under this bylaw may apply in writing to the Chief Executive for a review of this decision within 14 days after receiving notification of the decision.

16 ADDITIONAL INFORMATION TO THE TRADING IN PUBLIC PLACES BYLAW 2020

This additional information does not form part of the bylaw. It contains information to help users understand, use and maintain the bylaw. This information may be updated at any time.

Relevant Legislation:	Local Government Act 2002 Reserves Act 1977 Land Transport Act 1998
Associated Documents:	Roading Bylaw Reserves and Beaches Bylaw General Policies of the Reserves Management Plan Dunedin City District Plan Conditions for street performing Conditions for touting Code of Practice for rental scheme operators Conditions for mobile shop traders Conditions for commercial use of footpaths Conditions for street fundraisers
History of bylaw:	24 February 2020 - Council resolves that bylaw appropriate to address issues 27 October 2020 – Council adopts Trading in Public Places Bylaw 27 October 2020 – Council revokes Mobile Trading and Temporary Stall Bylaw 1 January 2021 – Date of effect

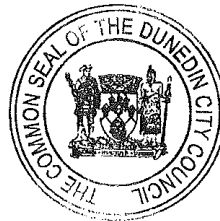
THIS DEED was executed on the
SIGNED:

THE COMMON SEAL OF THE DUNEDIN
CITY COUNCIL was hereto affixed
in the presence of

Mayor/Councillor

Councillor

14th day of March 2021



CUSTOMER AND REGULATORY ISSUES AND TRENDS REPORT

Department: Customer and Regulatory, Customer Services Agency and Community and Planning

EXECUTIVE SUMMARY

- 1 Please see the attached Customer and Regulatory Issues and Trends report for the six months to 31 March 2024.
- 2 As this report is an administrative report only, there are no options or Summary of Considerations.

RECOMMENDATIONS


That the Committee:

- a) **Notes** the Customer and Regulatory Issues and Trends report.

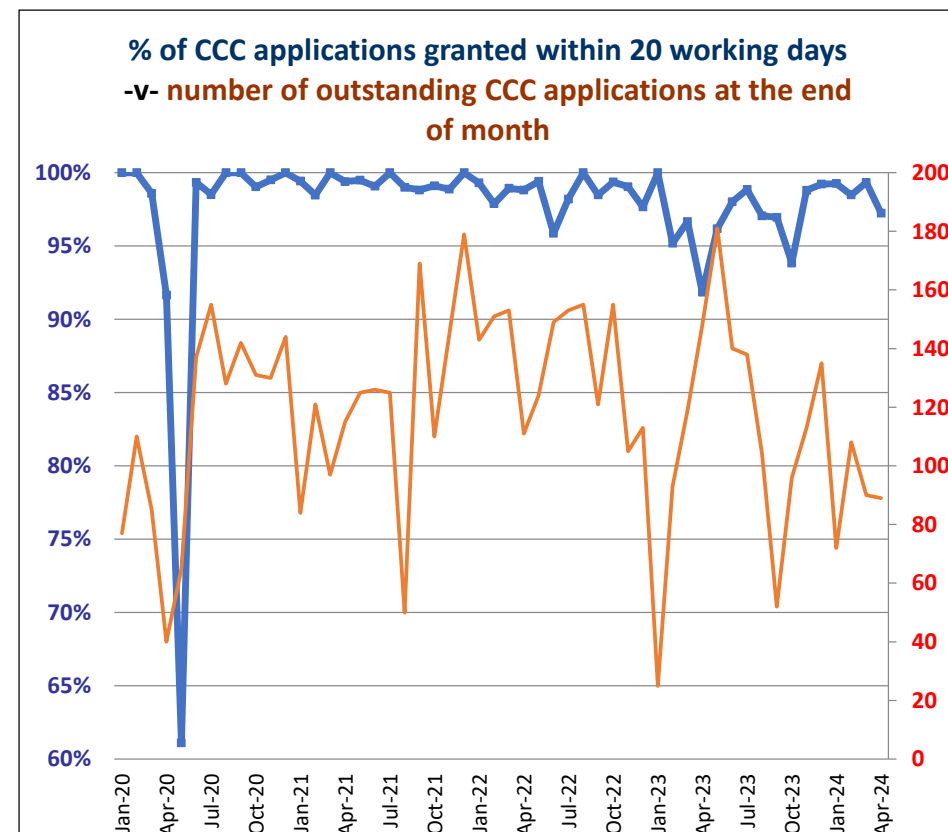
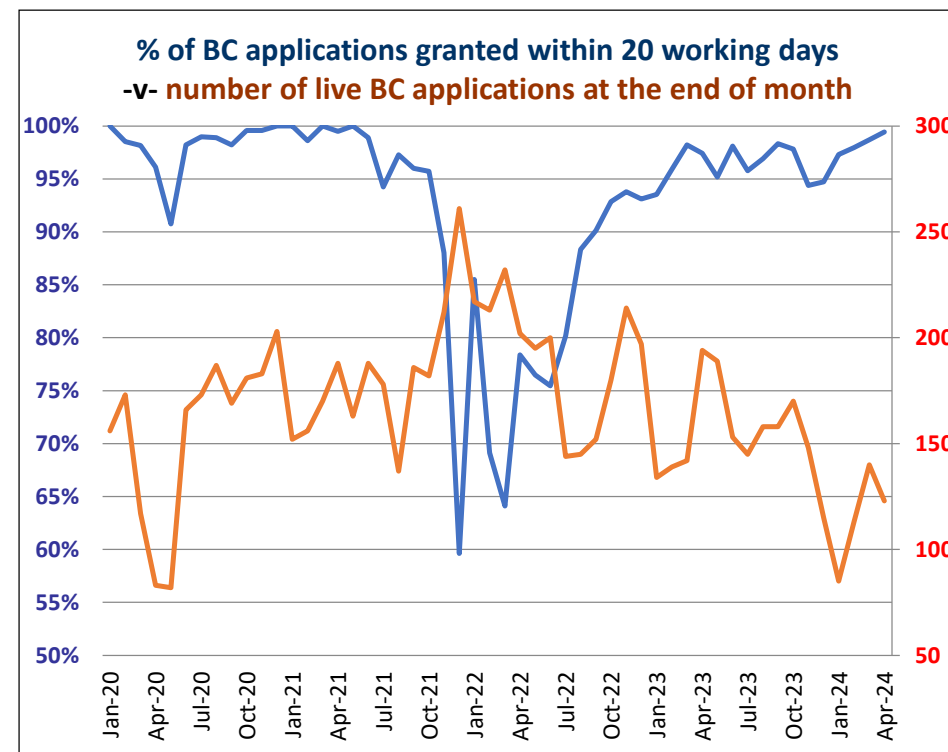
Signatories

Author:	Paul Henderson - Building Services Manager Hayley Browne - Manager Customer Services Ros MacGill - Manager Compliance Solutions Alan Worthington - Resource Consents Manager
Authoriser:	Claire Austin - General Manager Customer and Regulatory

Attachments

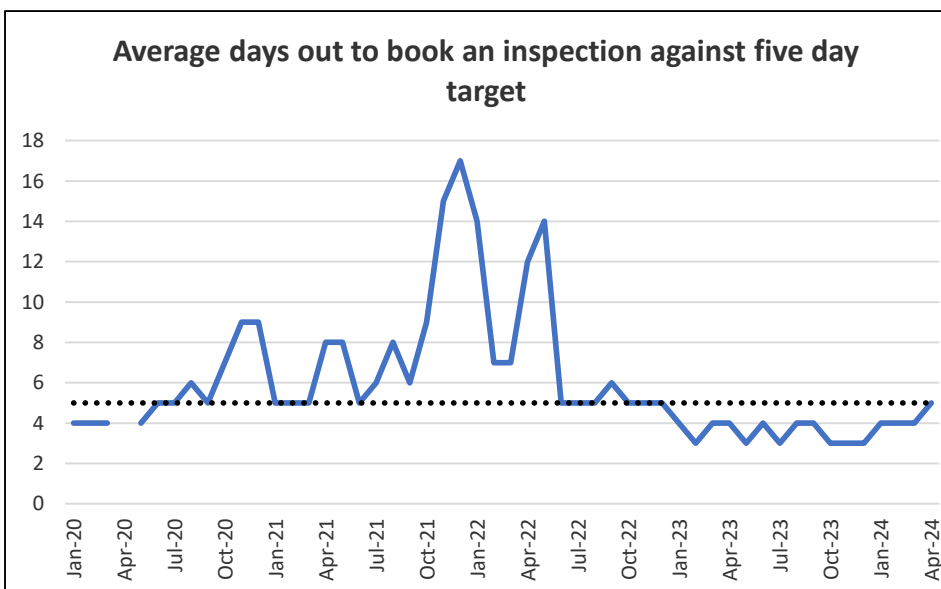
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A	Customer and Regulatory Issues and Trends report	147

Customer & Regulatory - Issues and Trends to 31 March 2024 BUILDING SERVICES

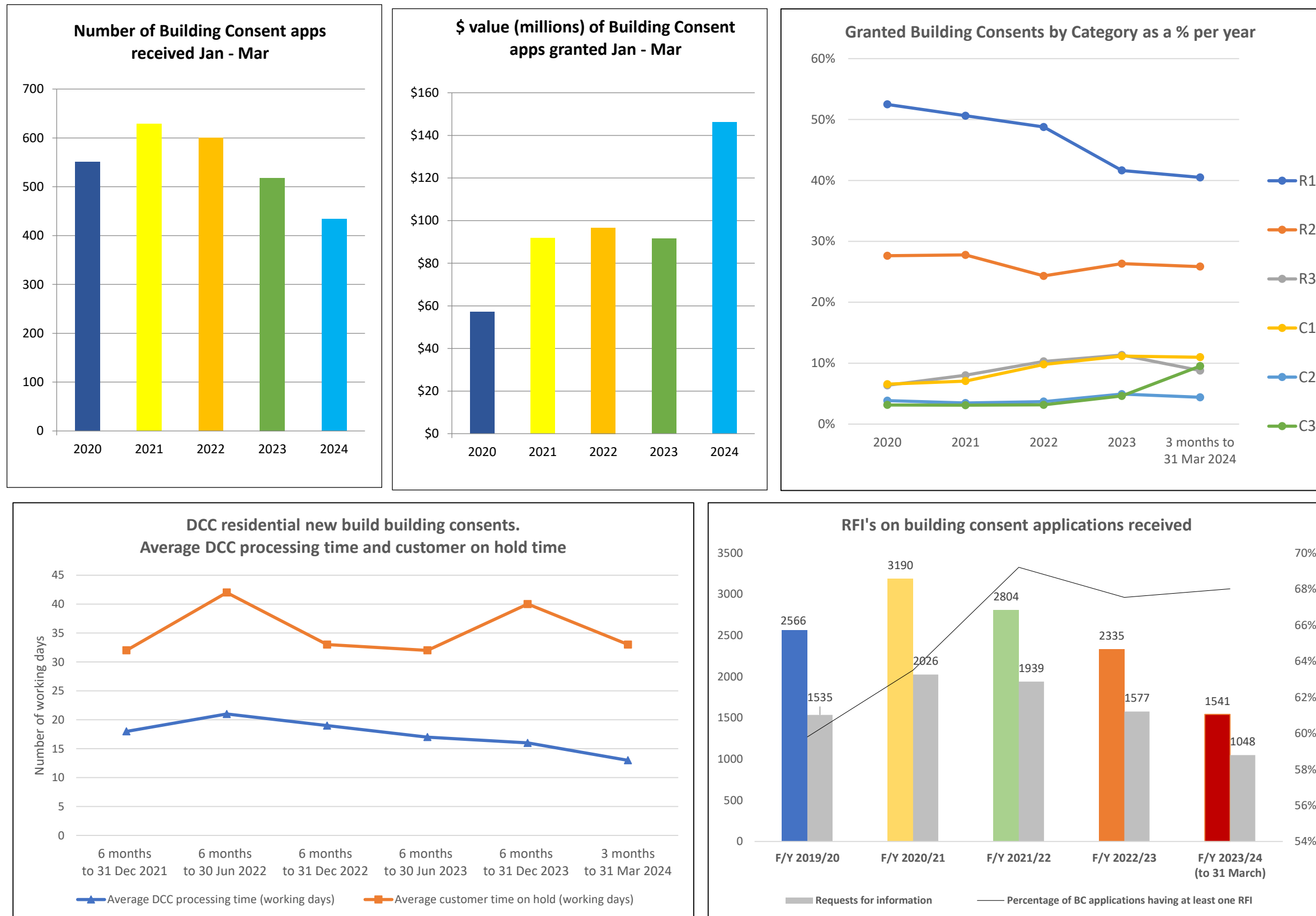


Key Trends and Issues:

- The Building Consent Authority's (BCA) biennial accreditation audit was undertaken by external auditors (IANZ) in September 2023. Only one general non-compliance was outstanding at the end of the audit. This was cleared before Christmas, and we retained our accreditation. The report noted the BCA as low risk and the Programme Manager – Building at IANZ noted it as an 'excellent performance'.
- In the six months ending 31 March 2024, Building Services staff provided 13 training sessions on various topics to 137 attendees from multiple organisations including Independently Qualified Persons (IQP's), Facilities Managers (FMANZ), architectural practices and designers.
- The Minister for Building and Construction has requested all BCAs to submit quarterly data on their processing timeframes to MBIE. The first dataset to 31 March 2024 confirms Dunedin's median days for Building Consents (BC) was 10 days and for Code Compliance Certificates (CCC) it was 11 days. The respective percentages were 97.0% for BCs, and 98.7% for CCCs. The full data dataset can be found at [Building Consent System Performance Monitoring](#)
- The number of building consent applications continues to reduce although there is an increase in the complexity with a higher proportion of commercial work and higher dollar values.
- Reporting for Building Warrant of Fitness (BWof) auditing and Earthquake Prone Buildings will be provided at the next Committee meeting.
- The coalition Government recently announced proposed changes to 'drive down costs and make it easier to build'. Two of these changes are:
 - Remove barriers for the use of overseas building products and require councils to accept products that meet international standards which are the same as or higher than those in New Zealand.
 - Bring forward a review of the earthquake prone building legislation and extend remediation deadlines by four years while the review is underway.

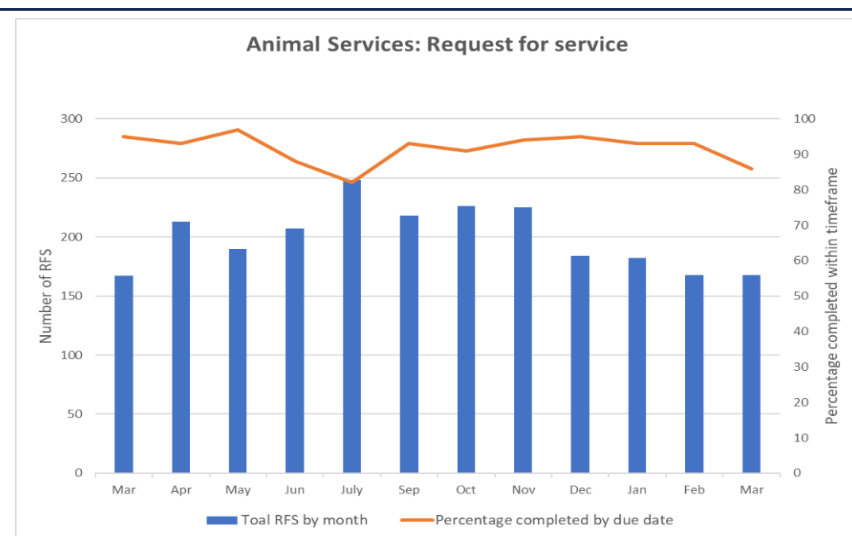


Customer & Regulatory - Issues and Trends to 31 March 2024 BUILDING SERVICES

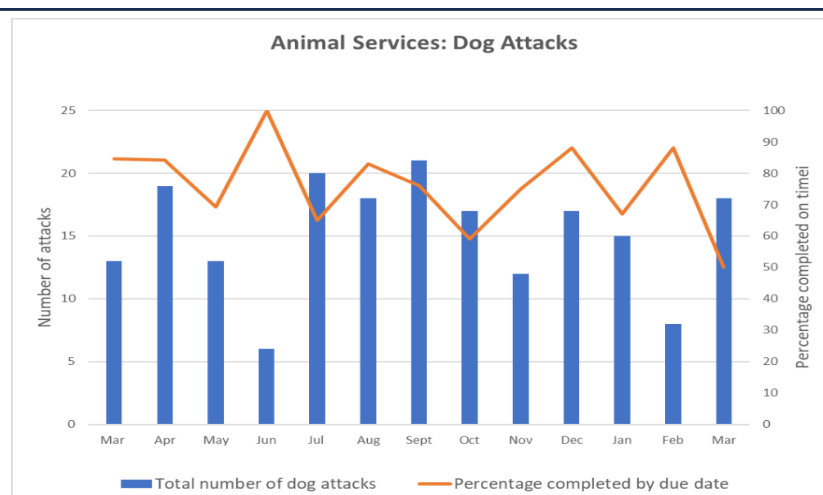


Customer & Regulatory - Issues and Trends to 31 March 2024

COMPLIANCE SOLUTIONS



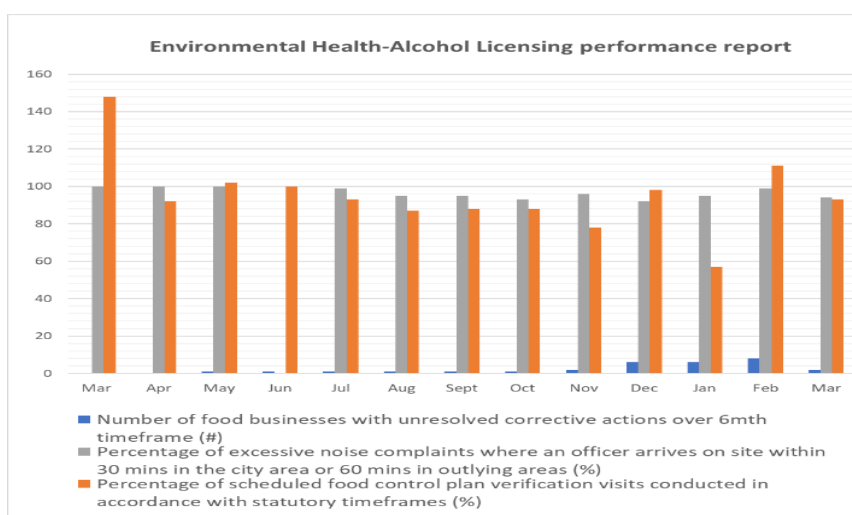
Explanatory note: The completion date for requests for service is two weeks from the date the request is received.



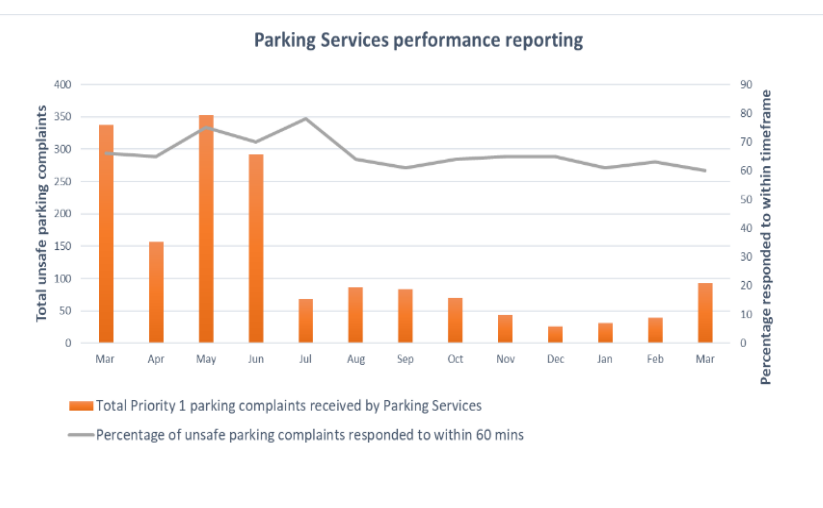
Explanatory note: Dog attacks include attacks on people and 'other', for example other dogs. The completion due date is two weeks. Jobs should be dispatched to the Animal Control Officer within one hour.

Key Trends and Issues:

- Review of the Dog Control Bylaw and Policy is underway with formal consultation scheduled in June.
- The number of dog attacks has decreased slightly over the last quarter compared to the previous six months. Dog attacks on people has seen a slight upward trend.
- Education sessions to community and school groups have increased with 73 sessions scheduled for the 2024 year (compared with nine carried out during the 2022/2023 year).
- There is a downward trend in the number of wandering dogs, wandering stock, and barking requests for service received by Animal Services.



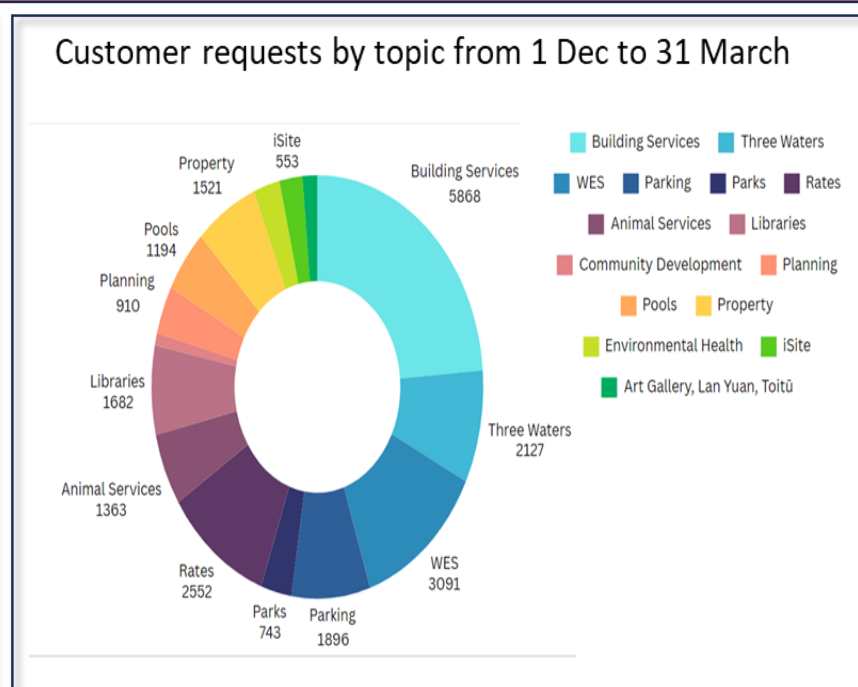
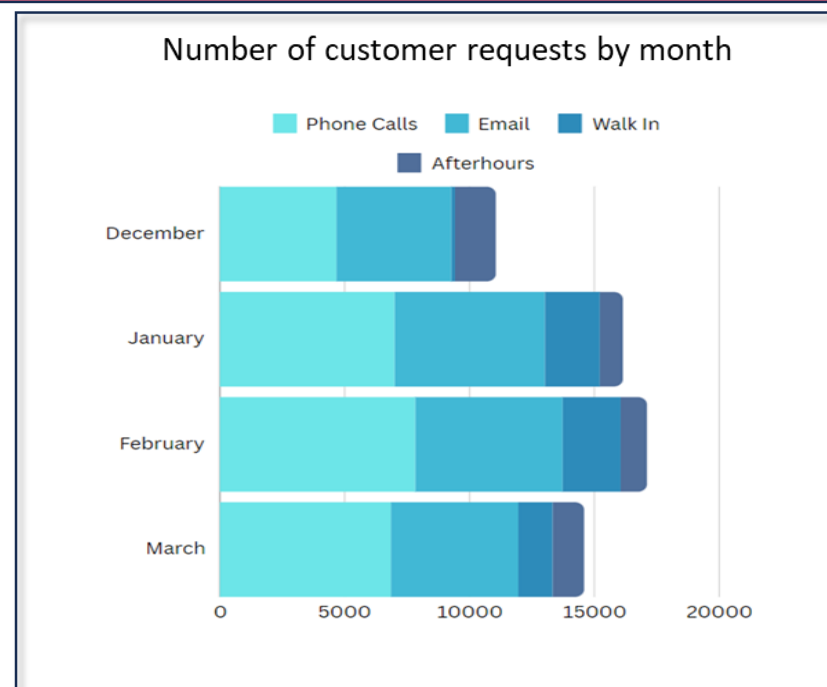
Explanatory note: The percentage of scheduled food control plan verification visits conducted in accordance with statutory timeframes sometimes exceeds 100%. This is because some months more visits are carried out than are scheduled; sometimes it is not possible to carry out the visit in the scheduled month e.g. due to illness or circumstances beyond the business's control.



Explanatory note: Priority 1 complaints relate to unsafe parking e.g. blocked driveways and parking on yellow lines.

Customer & Regulatory - Issues and Trends to 31 March 2024

CUSTOMER SERVICES

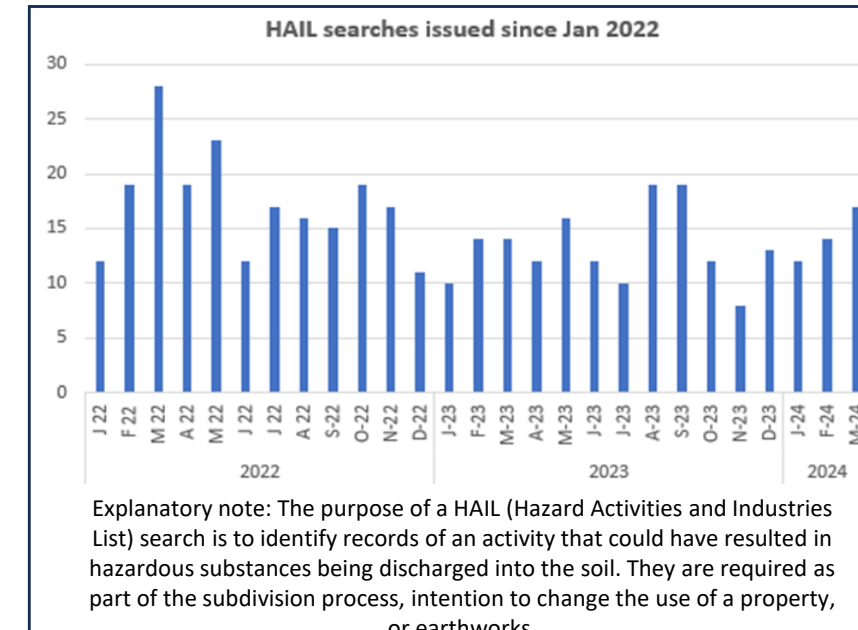
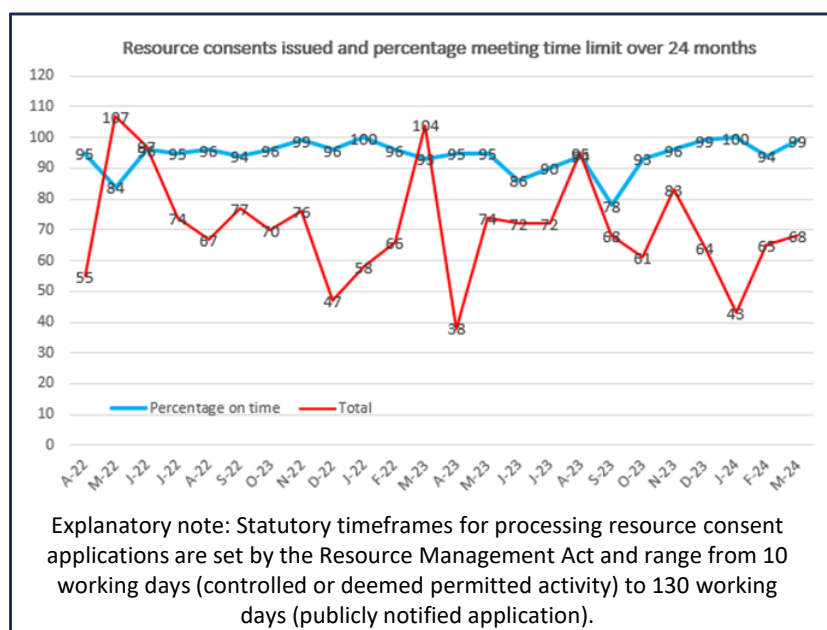


Key Trends and Issues:

- In November 2023 we phased a move to a new Customer Connection platform, Genesys. Genesys now handles all incoming traffic – calls, emails, and walk-in customers. Data capture has improved and should continue to evolve.
- This report is based on our foundation dataset from 1 December 2023. Note that walk-in customer was trialed in December and implemented in January.
- Average time to respond to requests is improving with:
 - Email response times** reduced from three days in December/January (likely impacted by public holidays) to a one-day response in February/March
 - Phone call response times** reduced from 5m11s in December down to 3m49s in April – data for this is now much more accurate
 - Inspection booking response times** reduced from 6m33s in December to 1m53s in April and from one day to four hours via email for the same period.
- Continued improvement is expected due to the capability of the new technology and staff training.

Customer & Regulatory - Issues and Trends to 31 March 2024

RESOURCE CONSENTS



Key Trends and Issues:

- Resource consent applications were down 6% in the last six months compared to the April - September 2023 period.
- HAIL searches were down 13% in the last six months compared to the April - September 2023 period.
- Finalising the process for managing a HAIL lead issue from pre-1945 painted houses.

ITEMS FOR CONSIDERATION BY THE CHAIR

Any items for consideration by the Chair