

## Hearings Committee

### MINUTES

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Minutes of an ordinary meeting of the Hearings Committee held in the Council Chambers, Dunedin Public Art Gallery, The Octagon, Dunedin, on Thursday 26 September 2024, commencing at 9.00 am Dog Control Bylaw

#### PRESENT

**Chairperson** Cr Bill Acklin  
Cr Carmen Houlahan  
Cr Mandy Mayhem

**IN ATTENDANCE** Cazna Sevall (Acting Manager Compliance Solutions), Anne Gray (Policy Analyst) and Andrew Dunn (Geospatial Analyst)

**Governance Support Officer** Jennifer Lapham

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#### 1 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.

There were no amendments to the Register of Interest.

Moved (Cr Bill Acklin/Cr Mandy Mayhem):

That the Committee:

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

**Motion carried**

## 2 SPEAKING SCHEDULE AND LATE SUBMISSION REPORT

Consideration was given a report from Civic providing the speaking schedule and advising of two late submissions.

Moved (Cr Bill Acklin/Cr Mandy Mayhem):

That the Committee:

- a) **Notes** the speaking schedule for the Dog Control Bylaw and Dog Policy Review.
- b) **Accepts** the two late submissions.

**Motion carried (HEAR/2024/011)**

## 3 RESULTS OF CONSULTATION ON REVIEW OF DOG CONTROL BYLAW AND POLICY

A report from Customer and Regulatory provided a summary of the submissions received during the consultation period for the Dog Control Bylaw and the Dog Control Policy. The Policy Analyst provided an overview of the submissions received.

That the Committee:

- a) **Consider** the submissions on the review of the Dog Control Bylaw and Dog Control Policy.
- b) **Make** recommendations to the Council on the review of the Dog Control Bylaw and Dog Control Policy.

**Motion carried**

## 4 SUBMITTERS

### **Liz Sherwood, Halo Project 1062947**

Ms Sherwood spoke to the submission from the Halo project and in particular highlighted and advised that dogs should be prohibited in the area from the caves at Ōtama Kaipapa Doctors Point to Mapoutahi, where they are currently allowed on leash. Also in the area from Doctors Point carpark around the coast including Canoe Beach, Mapoutahi and Pūrākaunui Beach.

### **Cheryll Wilson 1062788**

Ms Wilson advised that she lived at Booth Road and did not want the expansion of permitted off leash areas in Ross Creek and McGouns track. She was also concerned about dog walkers letting dogs off leash in the area and having no control over the dogs.

### **Kimberley Collins, Predator Free Dunedin 1062964**

Ms Collins advised that they supported the Halo Projects submission, requesting that dogs are prohibited at the northwest end of Wharewerawera Long Beach from the beach, dunes and small cove, and also from Doctors Point carpark around the coast. Predator Free Dunedin also oppose the change that would allow dogs off leash on Pūrākaunui Beach.

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| <b>Jodie and Sharon Kitchingman 1061274</b>  |
| Ms Kitchingman spoke to her submission and advised that she did not support the proposal to limit dog walkers to 6 dogs, and allowing only 2 off leash at a time. She commented from her observations it was single dogs that had caused a lot of the problems.  |
| <b>Mark Jackson 1062470</b>  |
| Mr Jackson spoke to his submission and advised that the “half and half” rule of having dogs on and off leash would not work. He advised he would like Smaills Beach completely dog free. He suggested that having a completely dog free beach, to help protect the wildlife would enhance the City’s ‘Wildlife Capital’ aspirations. |
| <b>Jane Davidson 1061879</b>   |
| Ms Davidson spoke to her submission and spoke against the proposed changes to Pūrākaunui Beach, allowing dogs off leash. She commented that the beach breeding sites needed to be prioritized for the wildlife over recreational human and dog users, who have other beaches to use.   |
| It was moved (Cr Bill Acklin/Cr Mandy Mayhem):<br><br>That the Committee<br><br><b>Adjourn</b> the meeting.<br><br><b>Motion carried</b><br><br>The meeting was adjourned at 10.24 am and reconvened at 10.39 am.  |
| <b>West Harbour Community Board 1062457</b>  |
| Mr Eddy spoke on behalf of the West Harbour Community Board and advised that the Board did not support proposed changes to Pūrākaunui Beach, allowing dogs off leash.  |
| <b>Janet Ledingham, Aramoana (Otago) Conservation Charitable Trust 1056636</b>   |
| Ms Ledingham spoke to the submission on behalf of the Aramoana Conservation Charitable Trust and advised that the trust supported that dogs should be on leads in sand dunes.  |
| It was moved (Cr Bill Acklin/Cr Carmen Houlahan)<br><br>That the committee<br><br><b>Adjourn</b> the meeting.<br><br><b>Motion carried</b><br><br>The meeting adjourned at 10.51 am and reconvened at 10.55 am .   |

**Josh Thomas Woof Ltd 1061286**

Mr Thomas spoke to his submission in support of allowing dogs in the Central Business Area. He believed that the banning of dogs in this area was old fashioned and out of date.

The meeting adjourned at 11.00 am and reconvened at 11.09 am

**Megan Meade 1062266**

Ms Meade spoke to her submission regarding dogs on beaches and felt that it should include a clause saying that dogs should not be allowed within 20 metres of a horse. She also felt that dogs should be on leads when on a beach.

The meeting adjourned at 11.16 am and reconvened at 11.27 am.

**Justin Ragg, Brighton Pony Club 1062454 Aiesha Goswami 1062434**

Justin Ragg spoke to the her submission and on behalf of her daughter Aiesha Goswami. Ms Ragg advised that she would like a clause saying that dogs should not come within 20 metres of a horse.

The Brighton Pony Cub also did not support the proposed dog walkers clause with 2 dogs being off leash, they felt that the walker would not be able to control the dogs and they should be limited to 4 dogs on leash only.

The meeting adjourned at 11.50 am and reconvened at 11.56 am.

**Colin Weatherall (via Zoom)1055470**

Colin Weatherall spoke to his submission and advised that he had concern regarding the proposal for dogs to be on a leash from Ocean Beach to the Kaikorai Estuary. He suggested that the beach could be split, to have horses at one end, and dogs at the other. He supported dogs being on a leash in the area south of South Bray Hill due to nesting penguins.

**Richard Parkinson 1069134**

Mr Parkinson spoke to his submission. He advised that dogs off leash are a hazard to people running and walking through Ross Creek.

It was moved (Cr Bill Acklin/Cr Mandy Mayhem)

That the Committee

**Adjourn** the meeting.

**Motion carried**

The meeting adjourned at 12.15 pm and reconvened at 1.34 pm.

**Jo Clough, the Dog Safe Workplace (via Zoom) 1062856**

Ms Clough spoke to her submission and advised that overall she agreed with the proposed bylaw, but did have some concern about the proposed changes to dog walkers. She advised that she works for an organisation with which trains safe dogs. She is also concerned about the number of untrained people who walk multiple dogs.

The meeting adjourned 1.42 pm and reconvened at 1.47 pm

**Geraldine Tait 1056438**

Ms Tait spoke to her submission and advised that she did not support the proposed restriction in the number of dogs, professional dog walkers can have. Ms Tait also expressed concern that dogs can be off leash in the Warrington Recreation Reserve, which has a children's playground and is also an area where a sealion raises pups. She was supportive of rules which protects the wildlife.

**Lisa Brown 1062460**

Ms Brown spoke to her submission relating to Westwood Beach and opposing the proposal to have dogs on a leash and suggested that owners should be required to leash their dogs where wildlife is present, or make the requirement seasonal. She also opposed the proposal to limiting dog walkers to 6 dogs.

**Kate Milne 1062339**

Ms Milne advised that she did not support the proposal to limit dog walkers to 6 dogs. She commented that dog walkers were professionals who provided a valuable service.

It was moved (Cr Bill Acklin/Cr Carmen Houlahan)

That the Committee

**Adjourn** the meeting.

**Motion carried**

The meeting adjourned at 2.16 pm and reconvened on Friday 27 September 2024, at 9.00 a.m.

**Carol Dempster**

Ms Dempster spoke to her submission and in particular objected to the proposal that dogs should be on the lead at all times from Westwood Beach to the carpark.

**Ruth-Ann Anderson**

Ms Anderson spoke to her submission regarding the ability to ride safely and was concerned about dogs being off leash.

**Sallie Remon on behalf of President of the Taieri Canine Capers Dog Services**

Ms Remon spoke on behalf of the Taieri Canine Capers Dog Services. She advised that most of their members have between 4 and 6 dogs. She advised that dogs should be able to be off the lead, if the dog is under effective control. The members of the club spend time every week training their dogs.

Ms Remon suggested that training should be included in dog registration i.e. how to put your dog on the lead when there is an encounter with another dog.

**Sallie Remon**

Ms Remon spoke to her individual submission and advised that she was the owner of Canine Capers Dog Walking Service, and has extensive experience in training dogs.

She explained the importance of dog walking facilities and would not walk more than 6 dogs at a time. She said having 4 dogs on a lead and 2 off the lead is not safe. Ms Remon advised she would like to see some licencing of dog walkers.

**Jamie Hughes Four Paws Outdoors**

Mr Hughes spoke to his submission from Four Paws Outdoors. He advised that his organisations takes dangerous dogs and works on retraining them. He advised that he runs 10 dogs at a time, in areas that are safer i.e. Weinta land etc. He was concerned that the Council did not have any idea of the number of dog walkers and suggested that pack walkers should be registered.

**Peter Haslemore**

Mr Haslemore spoke to his submission and advised he was a long term resident of St Clair. He suggested that the area at the end of the beach as a good place for people to walk through and keep their dogs off the Esplanade. He said it was currently being used and does not impact on any other users.

It was moved: (Cr Bill Acklin/Cr Mandy Mayhem):

That the Committee

**Adjourn** the meeting until 10.30 am.

**Motion carried**

The meeting adjourned at 10.02 am reconvened at 10.35 am

**Raymond Beardsmore (Tabled submission. 1062421)**

Mr Beardsmore spoke to his submission regarding he proposal to allow dogs in the Woodside Glen. He advised that dogs off the lead come into his property and attack sheep. He suggested that an area at the Outram Bridge should be set aside for dogs. He spoke to his submission, in particular Woodside Glen.

**Eve Beardsmore (Tabled submission 1062393)**

Mrs Beardsmore read from her tabled submission and expressed concern regarding dogs being allowed in Woodside Glen. Mrs Beardsmore advised that they should be excluded from the Glen.

**Emma O'Brien and Lyra Stevens 1062354**

Emma O'Brien and Lyra Stevens spoke to their submission opposing the proposal that dogs should not be allowed on Long Beach. They advised that little Blue Penguins nest on the beach and are likely to be attacked by dogs. They suggested that a dog park should be established.

They also expressed concern about dogs being off leash in Ross Creek and on mountain biking trails.

They thanked the Dog Educators attending their school and giving an entertaining presentation.

The meeting adjourned at 11.08 am and reconvened at 11.23 am.

**Nicky O'Brien 1062377**

Ms O'Brien advised that she was a resident of Ocean View and was concerned about the proposal to have dogs on a leash at all times. She suggested that dogs could be off leash unless a horse was present, or that horses and dogs could be walked in separate areas.

**Francesca Bolger (1062475) Via Zoom**

Ms Bolger spoke to her submission concerned that the bylaw only allowed for two dogs to be off leash. She believed that this would make it difficult for dog walkers, or if you are walking with friends.

**Karen Anderson (via zoom)**

Ms Anderson spoke to her submission regarding the proposed changes to the Dog Control Bylaw.

It was moved: (Cr Bill Acklin/Cr Mandy Mayhem):

That the Committee

**Adjourn** the meeting.

**Motion carried**

The meeting adjourned 11.57 am and reconvened on Tuesday 29 October 2024 at 1.00 pm

## 5 DELIBERATIONS

The Chairperson advised that the Hearings Committee had sought legal advice in regards to the Will of Herbert Marquis Carr in relation to Woodside Glen. He advised that the panel had sought independent legal advice from Simpson Grierson. This advice confirmed that Woodside Glen was now classified as a recreation reserve, subject to the Reserves Act 1977. This meant that the panel was able to consider the proposed changes at Woodside Glen as part of their deliberations.

Having given consideration to all submissions both written and verbal the Committee made the following recommendations:

| TOPIC (LOCATION)  | PROPOSAL   | RECOMMENDATION   |
|---|--|--|
| Octagon, Princes St and George St between Exchange and Knox Church          | On leash (but not allowed to be left tied up and unattended)             | <b>Adopt proposal</b> – but dogs not allowed to be left tied up and unattended.  |
| King Edward St and South Dunedin between Hillside and Macandrew Roads       | On leash   | <b>Adopt proposal</b> - but dogs not allowed to be left tied up and unattended.  |
| Ross Creek tracks   | Off leash – excluding Reservoir track which would remain on leash        | <b>Adopt proposal.</b><br>Ensure clear signage at main entrances to the track that the reservoir track is still on leash.  |
| Te Rauone Beach   | Off leash  | <b>Retain the status quo</b> - dogs must be on leash at this beach.  |
| Pūrākaunui Beach  | Off leash  | <b>Retain the status quo</b> – dogs must be on leash at this beach.  |
| Mosgjel Memorial Garden – track only  | On leash   | <b>Adopt proposal.</b>   |
| Woodside Glen   | Off leash unformed legal roads   | <b>Adopt proposal.</b><br>Be clear in communications that the Woodside Glen track (mostly DOC) is still on leash, the Woodside Glen Reserve is still off leash – and that the proposal aims only to tidy up the unformed legal roads rule – as it unclear where these roads are. |
| Frasers Gully Recreation Reserve - track                                    | Off leash track  | <b>Adopt proposal.</b>   |
| Jubilee Park - tracks   | Off leash  | <b>Adopt proposal.</b>   |
| Bethunes Gully picnic area  | Off leash  | <b>Adopt proposal.</b>   |
| McGouns track   | Off leash  | <b>Adopt proposal.</b>   |
| Limiting number of dogs a person may have in their charge in a public place | No more than 6 with no more than 2 off leash                             | <b>Introduce</b> a limit of six dogs a person may have in their charge in a public place without written permission (permit). If a permit is granted, then the owner must comply with conditions that Council thinks fit. A permit could be revoked if conditions are breached.  |
| Coastal dunes   | On leash all coastal dunes including access pathways (unless prohibited) | <b>Adopt proposal.</b>   |



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| Beach adjacent to Westwood Beach                 | On leash   | <b>Retain the status quo</b> – dogs are allowed off leash on this beach.<br>Ensure signage at both entrances alerting the public to horses using the beach, that dogs must be under control at all times, and to keep dogs a reasonable distance from horses. |
| Caledonian Grounds                               | Prohibited   | <b>Adopt proposal.</b>  |
| Exempting dogs from restrictions with permission | Council may exempt with permission   | <b>Adopt proposal.</b>  |
| Playgrounds definition                           | Amended to include 'within one metre' of playground area and equipment   | <b>Adopt proposal.</b>  |
| Displaying dog poo bag                           | Remove the requirement to display a dog poo bag (must still carry one)   | <b>Adopt proposal.</b>  |
| Right of review for dog owners                   | Add 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. | <b>Adopt proposal.</b>  |
| Minor change – consistent wording                | Add 'or wildlife' to 14.2.2: “.. <i>rushing and frightening persons or protected wildlife in a public place..</i> ”  | <b>Amend the bylaw</b> to ensure consistent wording.  |

Moved (Cr Bill Acklin/Cr Mandy Mayhem):

That the Committee recommends that the Council:

- a) **Notes** that the Hearings Committee has heard and considered submissions on the proposed Dog Control Policy and Dog Control Bylaw
- b) **Adopts** the amended Dog Control Policy and
- c) **Adopts** the amended Dog Control Bylaw
- d) **Approves** a date of effect for the Dog Control Policy and Dog Control Bylaw of 5 May 2025.

**Motion carried (HEAR/2024/012)**

The meeting concluded at 3.35 pm.

**CHAIRPERSON**