

**HUTT CITY COUNCIL**

**POLICY AND REGULATORY SUBCOMMITTEE**

Meeting to be held in the Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt

on

Tuesday 7 June 2016 commencing at 9.30am.

**ORDER PAPER**

**PUBLIC BUSINESS**

1. **APOLOGIES**
  
2. **PROPOSED FENCED DOG PARK AT MCEWAN PARK (16/645)**  
  
Report No. PRSub2016/3/114 by the Divisional Manager, Regulatory Services 2
  
3. **HEARING OF SUBMISSIONS ON THE PROPOSED DOG PARK (16/643)**  
  
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Kate Glanville  
**SENIOR COMMITTEE ADVISOR**

**31 May 2016**

File: (16/645)

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**Report no: PSub2016/3/114**

## **Proposed Fenced Dog Park at McEwan Park**

### **Purpose of Report**

1. To assist the Subcommittee with the hearing of submissions regarding a proposed fenced dog park at McEwan Park.

### **Recommendations**

That the Subcommittee:

- (i) considers the full submissions (which have been circulated as a separate document); and
- (ii) makes recommendations to Council based on the information raised through the submissions and hearing process.

### **Background**

2. On 15 December 2015, Hutt City Council( the Council) adopted the Hutt City Dog Control Bylaw 2015(the Bylaw). It was agreed to add criteria to be used when considering the creation of future fenced dog parks under the Bylaw. This was approved by the Council and is attached as Appendix 1 to the report.
3. On 22 February 2016, the Policy and Regulatory Committee agreed to public consultation on a possible site for a fenced dog park at the western end of McEwen Park. Attached as Appendix 2 to the report area 20B is a map showing the proposed site.
4. 164 submissions have been received, 11 in opposition the fenced dog park and 153 in support. Two in opposition wish to be heard at the hearing and twelve in support.

## Discussion

5. Issues in opposition include:
  - Competing use of the land – ie frequent use of the land for sporting activities, kite flying, whanau touch rugby and whanau activities such as picnics;
  - Concern about the increase of dog droppings and cleanliness of the areas;
  - Waka ama regattas and weekly training;
  - Cultural issues in creating such a facility; and
  - Upkeep of the conservation work to weed and revive the historic site.
6. Issues in support include:
  - Dogs need space to exercise and park area needs to be bigger – 100mx140m;
  - Great for retirees and others with injuries or disabilities, which means they can exercise their dogs in an area they can properly supervise;
  - Dogs need to learn to share space and socialise with other dogs; and
  - Keen to be on management/establishment committee.
7. The site at McEwan Park already has some existing amenities and infrastructure. Existing amenities include public toilets within the park. Existing infrastructure includes sand as a base surface and some landscaping in terms of mounding and vegetation. There is a water main and good parking along Marine Parade. Existing fencing exists down one side of the proposed area.
8. Hutt City has around 9300 registered dogs with around 15% of owners owning two or more dogs. This equates to approximately 8000 dog owners or one in five households in the Lower Hutt area have a dog in the house. Dog numbers have increased by approximately 300 per year for the last five years. Wellington has approximately 11,300 dogs and also has a growing population.
9. We also know that significant numbers of Wellington dog owners come into Lower Hutt to run their dogs on the beach or on the extensive dog exercise areas that Lower Hutt has to offer.
10. Wellington has piloted one fenced dog park in Cog Park. It was extensively used, and by popular demand another three are now being developed.
11. Fenced dog parks offer many benefits for dogs, their owners and the community.

### **Benefits for Dogs**

- Physical and mental exercise, dogs well exercised are less likely to behave in a destructive or annoying manor such as excessive barking.
- Socialisation for dogs, frequent interaction with other dogs and people ensure dogs are healthier and happier as well as less likely to be aggressive.
- Safe environment for dogs to play and train off leash. Owners can exercise their dogs off-leash without the fear of the dog running away or encountering cars, bikes and other obstacles.

### **Benefits for owners and community**

- Outlet for dog owners to socialise. The small dog owners club already meet at McEwan Park and are an example of owners interacting with each other and have formed a strong social group through Facebook. The club meets once a month and regularly has 80-100 dogs attend.
- Seniors and disabled owners have an accessible place to exercise their dogs and provide ongoing social contact.
- Responsible dog ownership. Dog parks offer the opportunity to educate dog owners about animal health and welfare and dog park etiquette.

### **Risks and issues**

Although there are many benefits there are risks and issues when developing a dog park. Safety of people and dogs is perceived as a key concern in dealing with dogs parks. Research shows that injuries to people and dogs from dog bites at dog parks are rare. However, the perception of risk remains significant and must be considered throughout all stages of developing a dog park.

### **Children and dogs**

Uncontrolled and unsupervised children can be an issue in off-leash dog parks. Dog parks can be attractive to young children, especially if they contain dog equipment that looks like play equipment which can be mistaken for a playground.

Good design and management of a dog park can play an important role in managing the interactions between children and dogs. To promote public safety, children must be closely supervised by a responsible adult at all times and must not play on equipment dedicated for dogs. There should also be clearly stated park rules and programs in place to educate park users on good dog behaviour.

### **Dog behaviour**

The issue of dog behaviour is closely related to the owner's knowledge and supervision of their dog.

Some dog owners let their dogs engage in inappropriate behaviour as they may not be aware of their dog's behaviour or the signs of inappropriate play. Some dogs are unsuitable for off-leash dog parks and some dog behavioural issues can be avoided by not bringing unsuitable dogs into a park.

The American Society for the Prevention of Cruelty to Animals (2013) suggests that the following dogs are not suitable for a dog park experience:

- Aggressive dogs
- Undersocialised, fearful, anxious dogs
- Unvaccinated puppies
- Females in heat and un-desexed males.

Larsen Bridge (2009) also states that easily aroused dogs, bully dogs, territorial dogs, resource guarding dogs and dogs with signs of infectious disease as unsuitable for off-lead running with other dogs.

'The most basic problems associated with dog parks can be avoided completely by not bringing inappropriate dogs. Dog parks are not a joyful experience for all dogs'

### **Health risks**

Dogs have the potential to carry and spread certain infections to other dogs, and to humans (known as zoonoses). Infections generally spread to humans via exposure to contaminated faecal matter, although being in close proximity to dogs may also aid transmission. In New Zealand, dogs can transmit any number of infectious agents to humans including: hookworm, hydatid disease, diarrhea and leptospirosis.

Viruses are not usually added to the list as viral infections are not likely to be contracted by humans from dog faeces. The provision of adequate bins and faeces collection bags is essential in all dog parks.

### **Local impacts**

Communities may fear impact on the local amenity or character of their neighbourhood including:

- Potential noise and odour problems
- Parking congestion in streets
- Dogs off-leash when walking to and from the dog park
- Potential environmental and wildlife impacts

### **Consultation**

12. Public consultation was carried out with:

- Dog owners with an email and public notice in the Hutt News
- Local residents including non-dog owners received a letter outlining the proposal and how/when to make a submission
- Community interest groups views were sought and focus group discussions were held

- Businesses received a letter outlining the proposal and how/when to make a submission
13. Potential stakeholders engaged included:
- Dog organisations (small dog club) were invited to attend a focus group meeting
  - Professionals in the dog industry (eg positive reinforcement dog trainers and qualified dog behavioural professionals) were invited to focus group
  - Council stakeholders
14. The email/letter will explain the proposal and the reasons for the proposal, timeframes, information on how a submission can be made, and the opportunity for submitters to present their submission in person.
15. As the consultation process will be carried out with the affected parties, the proposed timeframe for this process is four weeks. This is in line with the principles of consultation outlined in section 82 of the Local Government Act 2002, which provides discretion to Council to determine the appropriate method of consultation.

### **Legal Considerations**

16. The Dog Control Bylaw 2015 provides that the Council may, by resolution, specify Dog Exercise Areas where dogs may be exercised off the lead (clause 7A.1 of the Bylaw). Before making resolution under clause 7A.1, the Council must take into account:
- a. The need to minimize danger, distress and nuisance to the community generally;
  - 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;
  - 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;
  - d. The exercise and recreational needs of dogs and their owners;
  - e. Impact on wildlife areas;
  - f. Whether it is necessary to consult with the public to gauge community views on a proposed dog exercise area;
  - g. Any other information considered by the Council to be relevant.
17. Attached as Appendix 1 to the report is the fenced dog park guideline criteria.

### Financial Considerations

18. Currently no budget exists to fund the establishment and ongoing costs of Fenced Dog Parks.

### Other Considerations

19. In making this recommendation, officers have given careful consideration to the purpose of local government in section 10 of the Local Government Act 2002. Officers believe that this recommendation falls within the purpose of local government in that it meets the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. It does this in a way that is cost-effective because it appropriately presents and anticipates future circumstances in order to provide good-quality customer service and performance that are efficient and effective.

### Appendices

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Divisional Manager, Regulatory Services

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**Approved By:** Joycelyn Raffills  
General Manager, Governance and Regulatory

## APPENDIX 1 – Commentary/guidelines

**COMMENTARY**

The following comments do not form part of the Dog Control Bylaw. They are provided to alert readers to relevant law and information that relate to the Bylaw.

**Fenced Dog Exercise Area Guidelines**

The Council at its meeting on 15 December 2015 approved this guideline to assist with the consideration of any proposed Fenced Dog Exercise Areas.

Before making a resolution concerning a proposed Fenced Dog Exercise Area, the Council must take into account the following criteria:

- i. Whether it is necessary to consult with the public to gauge community views on a proposed Fenced Dog Exercise Area.
- ii. Adequate provision of the following core infrastructure:
  1. Perimeter fencing
  2. Entry gates/doggy airlock (two gates per entry)
  3. Service (maintenance) gates
  4. Pathways (internal and external)
  5. Ground surfaces (e.g. grass, mulch, gravel, sand, concrete)
  6. Landscaping (e.g. vegetation, screen planting, mounding)
- iii. Essential amenities:
  1. Drinking water fountains (including plumbing and drainage)
  2. Bins and bag dispensers
  3. Signs (e.g. directional and park rules)
- iv. Optional amenities
  1. Shelter
  2. Seating
  3. Site lighting
  4. Facilities (e.g. toilets)
  5. Notice Board
  6. Dog equipment

APPENDIX 2 – Area 20B map



**30 May 2016**

File: (16/643)

**Report no: PSub2016/3/92**

## Hearing of Submissions on the proposed Dog Park

A list of submitters who wish to speak is outlined below:

Time	Submission #	Name/Organisation
9.30am	SDP16/48	Fiona Bowden
	SDP16/57	Marie Jones
	SDP16/117	Hilary Gandy
	SDP16/122	Gavan O'Farrell
	SDP16/152	Liz Mellish, Chair, Palmerston North Maori Reserve Trust
	SDP159	Alice Collard, Small Dog Socials
<b>10.45am – 11.00am</b>		<b>Morning tea</b>
11.00am	SDP16/64	Nicky Allardice
	SDP16/82	Nadia Gorodniakova
	SDP16/83	Paul O'Donoghue
	SDP16/135	Kim McGill
	SDP16/145	Olga Kucher
	SDP16/158	Mike and Gail Rumble
	SDP16/160	Trish Cochrane, Secretary, Avalon Dog Training Club Inc.
	SDP16/162	Christine Fox