

DOG CONTROL POLICY AND BYLAW REVIEW

Decisions and Reasons Adopted by Council on 13 December 2012

1. Horticultural Parks

Decision: Dogs should be on a lead, with the exception of the less cultivated part of Isel Park, which begins beside Main Road Stoke and extends to the Isel Park entrance gate, as well as the area south of the access road beyond the Isel Park entrance gate. Off lead status for this area only applies when events are not being held in Isel Park.

Reasons: A high number of submissions (33) requested that these parks have on lead status. The main reasons were:

- These are places lots of families go, and are places to relax and picnic.
- To protect the substantial investment by Council in planting and beautifying these areas (so dogs do not dig in these gardens).
- Having the option to exercise small dogs in areas where dogs are on-lead.
- Horticultural parks are used for lots of children's activities and public activities, as well as organised events such as Isel in Bloom, Broadgreen Rose Day, Miyazu Blossom Festival, weddings, school and kindergarten picnics, Anzac Day Parade in Anzac Park and others. They are also used for informal activities such as children feeding the ducks in Queens Gardens, and lunchtime picnics for office workers.

In addition, dogs could cause significant damage to the bedding displays, rose displays and the water lily ponds in Miyazu Japanese Gardens.

The variation to this approach for Isel Park reflects that this park is larger than the other horticultural parks and includes a wilder, grassy area that does not contain planted flower beds.

2. Cemeteries

Decision: Dogs should be on a lead in all cemeteries.

Reasons: A high number of submissions (19) opposed dogs being allowed off lead in cemeteries. The main reasons were:

- To maintain privacy and avoid hassle for families visiting cemeteries as these are often places of contemplation or family sadness.
- To avoid dogs digging around grave sites and toileting on and around sites and headstones.

3. State Highways/Urban Streets

Decision: Dogs can be off lead (if under control) beside state highways, and on other urban streets and footpaths.

Reason: A number of submitters opposed dogs being allowed off lead on urban streets beside busy roads, particularly state highways. However, the Council's view is that the decision about whether a dog should be on a lead or not is best made by the dog's owner. They know best whether their dog can safely be under control off lead or not.

4. Delaware Estuary

Decision: Dogs should be on a lead on the sand and mudflats of Delaware Estuary.

Reasons: To protect the birds in this area. This decision also recognises that the Delaware mudflats front the Paremata Flats restoration area. One of the main purposes of the Paremata Flats restoration project is to offer greater habitat for the banded rail and fern birds which nest on the Delaware Estuary margins.

5. Maitai Walkway

Decision: Dogs should be on a lead from the river mouth upstream to the Collingwood Street Bridge, and may be off lead upstream from the Collingwood Street Bridge.

Reasons: The area between Trafalgar Street Bridge and Collingwood Street bridge is a high use shared space where many people eat their lunch. The walkway is narrow in the area from the river mouth up to Trafalgar Street Bridge. Future investment in this area is likely to encourage increased numbers of people to use the area.

An educational approach is preferred to manage the interaction between dogs and other users of the shared pathway. Signs will encourage dog owners to avoid taking their dogs into the reserve during peak commuter hours.

6. Around Playing Fields

Decision: Dogs should be on a lead on sports grounds other than the playing area of Council sports grounds (where they are prohibited) when games or training sessions are occurring. At other times dogs may be off lead on sports grounds other than the playing area of Council sports grounds.

Reasons: To avoid the risk of dogs running onto the field while games are in play, but to enable dogs to exercise off lead around playing areas at other times.

7. Marsden Valley Reserve (East)

Decision: Dogs are permitted to be off lead on the formed cycling and walking tracks within Marsden Valley Reserve, including Involution Trail. However, they are prohibited from being in the bush areas (off the tracks) in the part of Marsden Valley Reserve to the east of the Barnicoat Walkway.

Reasons: To balance the value of the tracks in this area to dog owners and dogs (providing access to a natural bush environment) with protection of the wildlife values in this area, including weka and kea. This decision recognises the excellent work of the Marsden Valley trapping group in this area, which is bringing birds back to the area. It also recognises that dogs are one of several risks to weka, including ferrets.

Implications of decision: Allowing dogs to be off lead on the tracks (only) in Marsden Valley Reserve east of Barnicoat Walkway is partially inconsistent with page 51 of the Conservation and Landscape Reserves Management Plan 2009. It includes the following policy for Marsden Valley Reserve:

"Allow dogs within exotic plantation forest areas of the reserve only, provided they are under control, or where authorised for reserves management purposes."

As required by section 80 of the Local Government Act 2002 the Council must clearly identify:

- The inconsistency (as outlined above).
- The reasons for the inconsistency (as listed in the reasons above).
- Any intention of the local authority to amend the Conservation and Landscape Reserves Management Plan 2009 to accommodate the decision.

The Conservation and Landscape Reserves Management Plan 2009 will be amended to accommodate this decision during the next review of the Management Plan which is due in 2019/20. Earlier amendment of this Plan is not proposed due to the time and resources required to make an amendment to a management plan developed in accordance with the Reserves Act 1977.

8. Wakapuaka Swamp

Decision: Dogs should be prohibited from this area.

Reason: Department of Conservation administers this land, and Department of Conservation staff requested that this change to prohibited status be included in the policy and bylaw.

9. Wolfe Reserve and Betsy Eyre Park

Decision: Dogs are permitted to be off lead in Wolfe Reserve and Betsy Eyre Park.

Reasons: There were seven submissions in support and two in opposition to Wolfe Reserve being an off lead area. The playground within this neighbourhood park will continue to be a dog prohibited area.

There were four submissions in support and none in opposition to Betsy Eyre Park being an off lead area.

10. Boulder Bank

Decision: Retain the approach in the July 2012 proposal, which is: for the area from the Cut towards Boulder Bank Drive for 4 kilometres – prohibited from October to February, and off lead from March to September.

Reason: Department of Conservation administers this land, and Department of Conservation staff requested this change to prohibited status be included in the policy and bylaw.

11. Maitai Swimming Holes and Picnic Areas

Decision: Retain the approach in the July 2012 proposal, which is: prohibited status only applies from December to March each year. Dogs are prohibited in Dennes, Sunday and Maitai Camp swimming holes and adjacent picnic areas; and prohibited in the picnic area and true right bank beside Black Hole. Dog swimming is allowed in Black Hole and Girlies Hole.

Reason: Most submissions supported or did not oppose this approach, which was outlined in the July 2012 proposal.

12. Saxton Field Special Facilities

Decision: Prohibit dogs from the special facilities, which are the Saxton Field Cricket Oval and the Athletics Track and the Saxton Field Hockey and Softball areas.

Reason: There were very few submissions opposing the proposed approach to Saxton Field.

13. Railway Reserve

Decision: Off lead at all times, and that signs encourage dog owners to avoid taking their dogs into the reserve during peak commuter hours.

Reasons: Submitters on the July 2012 proposal were two thirds (138) in support of the Railway Reserve being an off lead area, and one third (70) in support of this being an on lead area.

An educational approach is preferred to manage the interaction between dogs and other users of the shared pathway.

14. Atawhai Shared Pathway

Decision: Off lead at all times, and that signs encourage dog to avoid taking their dogs onto the pathway during peak commuter hours.

Reasons: This approach is consistent with the approach being taken for the Railway Reserve.

Another factor considered was that a number of submitters opposed dogs being allowed off lead on urban streets beside busy roads, particularly state highways. However, the Council's view is that the decision about whether a dog should be on a lead or not is best made by the dog's owner. They know best whether their dog can safely be under control off lead or not.