

Hearing panel decision report on local dog access rules in the Ōtara-Papatoetoe Local Board area 2016

File No.:

Purpose

1. To report the decisions of the Ōtara-Papatoetoe Local Board Dog Access Hearing Panel on proposed changes to local dog access rules in the Ōtara-Papatoetoe Local Board area.

Executive Summary

2. The Ōtara-Papatoetoe Local Board at its business meeting on 16 May 2016, adopted for public consultation proposed changes to local dog access rules (resolution OP/2016/86).
3. The Ōtara-Papatoetoe Local Board appointed the Ōtara-Papatoetoe Local Board Dog Access Hearing Panel ('the Panel') to hear, deliberate and make decisions on submissions to proposed changes to local dog access rules in the Ōtara-Papatoetoe Local Board area (resolution OP/2016/132).
4. The Panel considered 43 submissions and heard from one submitter on 31 August 2016.
5. The key decisions of the Panel are:
 - to provide a designated dog exercise area at 310 Te Irirangi Drive
 - to identify around 80 dog friendly areas where dogs are allowed under control off a leash
 - to provide a dog friendly area on the western side of Ngati Ōtara Park where dogs are allowed under control off a leash
 - to identify Colin Dale Park (a motor sport venue) as a highly sensitive area where dogs are prohibited.
6. The decisions of the panel are provided for information only.
7. The decisions of the panel will be reported to the Governing Body business meeting on 29 September 2016 to make any necessary amendments to the Auckland Council Policy on Dogs 2012 and Auckland Council Dog Management Bylaw 2012.

Proposed changes to local dog access rules

8. In 2012, local boards were delegated responsibility to review dog access rules for local parks, beaches and foreshore areas (resolution GB/2012/157).
9. Reviewing dog access rules requires a special consultative procedure under the Local Government Act 2002. This process requires:
 - the adoption of proposed changes to dog access rules ('proposed changes')
 - public notification of the proposed changes for submissions
 - public hearing, deliberation and decisions on the proposed changes.

Ōtara-Papatoetoe Local Board Dog Access Hearing Panel 31 August 2016

10. At its business meeting on 14 December 2015, the Ōtara-Papatoetoe Local Board resolved to undertake a review of its local dog access rules in 2016 (resolution OP/2015/215).
11. Following a pre-consultation period to gather information and community views, the Ōtara-Papatoetoe Local Board adopted proposed changes on 16 May 2016 for public consultation (resolution OP/2016/86).
12. The Ōtara-Papatoetoe Local Board Dog Access Hearing Panel ('the Panel') was appointed to hear, deliberate and make decisions on submissions to the proposed changes (resolution OP/2016/132).
13. The proposed changes include to:
 - identify two highly sensitive areas adjacent to the upper reaches of Tamaki Estuary and Manukau Harbour around Puhinui Reserve and Colin Dale Park to restrict dog access and protect wildlife and specifically at risk shore bird species
 - identify around 80 dog friendly areas that will allow dogs to be under control off a leash without significant impact on other users
 - apply an under control on a leash rule to all other park, beach and foreshore areas
 - remove existing ambiguous rules for farm paddocks in a park occupied by stock and rely on whichever dog access rule applies to the wider location.
14. A full copy of the proposed changes is contained in the hearing agenda.

Public notification for submissions

15. The public was notified of the proposed changes for their submission on 10 June 2016. The submission period closed six weeks later on 17 July 2016. The proposed changes were notified through:
 - notices to all registered dog owners with their dog registration reminder letters
 - a public notice in the New Zealand Herald on 10 June 2016
 - a public notice in the July edition of Our Auckland
 - a notice on the Auckland Council website
 - a notice in the June People's Panel e-update
 - updates to local board registered stakeholders
 - notices to previous submitters on the 2012 dog access review, residing in the Ōtara-Papatoetoe Local Board area
16. All relevant documents including submission forms were posted on the council's website and available through local libraries and service centres.
17. A total of 43 submissions were received.

Hearing and deliberations process

18. The process to consider and decide on changes to local dog access rules is summarised as follows:
 - receive the submissions, including any late submissions
 - public hearing of any submitter who wishes to speak in support of their submission
 - public deliberation on the matters raised in written and oral submissions

Ōtara-Papatoetoe Local Board Dog Access Hearing Panel 31 August 2016

- decide on changes to local dog access rules (including a commencement date) by adopting a decision report containing amendments to the Auckland Council Policy on Dogs 2012
 - request the governing body at its 29 September 2016 meeting to implement the decisions by amending the Auckland Council Dog Management Bylaw 2012.
19. The statutory, policy and delegated requirements that the Panel needs to consider in hearing, deliberating and making decisions is contained in the hearing agenda and includes:
- public safety and comfort, the protection of wildlife, and the recreational needs of dogs and their owners
 - the region-wide standard for a summer time and season rule on beaches (if a time and season rule is proposed)
 - dog access rules need to be easy to understand (i.e. practical, enforceable and clear)
 - the views and evidence raised by submitters
 - the information used to develop the proposed changes (refer Attachment A of the hearing agenda).
20. A total of three submitters indicated their wish to be heard. The Panel heard from one submitter and held deliberations on all submissions directly after hearing the submissions on 31 August 2016.

Decisions on proposed changes

21. The decisions of the Panel are grouped into the topics aligned with the proposed changes. The changes to local dog access rules to give effect to the decisions are provided in **Attachment A**, together with the current rules for comparison and completeness.

Summary of Submissions

22. A total of 43 submissions were received with 94 submission points. Table 1 below summarises the submitter groups.

Table 1 Submitter groups to Ōtara-Papatoetoe local dog access review

Submitter group	Number of submissions	Percentage of submissions
Dog owners	26	60%
Non dog owners	17	40%
Local residents	5	12%
Non-local residents	38	88%
Local dog owners	2	5%
Local non-dog owners	3	7%

23. The submissions are summarised into the topics aligned with the proposed changes. Issues raised outside the scope of the statement of proposal are summarised in submission topic 7. For each topic, staff comments and other relevant information is provided where appropriate.
24. A full copy of the submissions is contained in the hearing agenda.

Submission topic 1 – General commentary

25. A number of general submission points were received in relation to the proposal that the Panel considered under the subsequent submission topics.
26. A total of nine submission points were received in relation to the overall proposal. Of these submission points three supported the proposal in its entirety, while six opposed the proposal in its entirety. Reasons for supporting the proposal included that it considered higher risk of dogs causing harm. Reasons for opposition included support for responsible dog owners, rules being unfair and too restrictive on dog owners, and the availability of adequate exercise opportunities for dogs.
27. One submission point was received in support of the area types as proposed generally (not specific to a location). This was on the grounds of wildlife protection and the risks associated with dogs causing harm.
28. One submission point wants an under control on a leash rule around certain wildlife, habitat, and high use areas and for dog friendly areas to be listed.

Submission topic 2 – Highly sensitive areas

29. Highly sensitive areas were identified as places where the mere presence of a dog can have a negative effect, for instance on bio-diversity.
30. The proposal identified two highly sensitive (dogs prohibited) areas within Table 5 of the Statement of Proposal (Attachment A of the hearing agenda).
31. Both areas comprise ecologically sensitive areas from which dogs are proposed to be prohibited:
 - Tamaki Estuary (including the foreshore adjacent to Highbrook Drive and Ngati Ōtara Reserve), and
 - Manukau Harbour (including the foreshore adjacent to Puhinui Reserve and Colin Dale Park).
32. Currently, dogs are allowed under control off a leash in the foreshore areas of Tamaki Estuary and on the foreshore adjacent to Colin Dale Park identified in the previous paragraph. The Department of Conservation currently prohibit dogs on the crown foreshore (the Puhinui Wildlife Refuge) adjacent to Puhinui Reserve.
33. No submission points were received in relation to this topic.

Hearing panel decision

34. The decisions of the Panel are as follows:

Matter considered	Decision and Reasons
Foreshore of the Tamaki Estuary within the Ōtara-Papatoetoe Local Board area (including the foreshore adjacent to Highbrook Drive and Ngati Ōtara Reserves)	To identify the areas as highly sensitive areas where dogs are prohibited. <i>Reasons include:</i> <ul style="list-style-type: none"> • to better protect local wildlife.
Foreshore of the Manukau Harbour within the Ōtara-Papatoetoe Local Board area (including adjacent to Puhinui Reserve and Colin Dale Park)	

Submission topic 3 – High use areas

35. A high use area is a place that attracts a lot of people at certain times of the day or year. When there are a lot of people without dogs, dogs can affect public safety and comfort and it is appropriate that dogs be prohibited or under control on a leash. At low use times, it may be appropriate to allow dogs under control on or off a leash to meet the recreational needs of dogs and their owners.
36. The proposal did not identify any high use areas, but did propose a time and season rule should any high use areas be identified through public consultation (see Table 2 below).
37. Currently, there is no time and season rule in the Ōtara-Papatoetoe Local Board area.
38. The panel only need consider the following submission points about the proposed time and season rule if it identifies a specific location as a high use area.
39. A total of 28 submission points were received in relation to high use areas. Of these:
 - 16 were from local residents and seven from visitors
 - 14 were regarding the proposed summer season rule
 - 10 were regarding the proposed winter season rule
 - Two submitters opposed the proposal.
40. A summary of specific submission points on the proposed time and season rule is provided in Attachment D of the hearing agenda – Time and season rule submissions.

Table 2: Proposed time and season rule

Summer (Labour Weekend until 31 March)		
Before 10am	10am to 7pm	After 7pm
Under control off a leash	Prohibited	Under control off a leash
Winter (1 April until Friday before Labour Weekend)		
Before 10am	10am to 4pm	After 4pm
Under control off a leash	Under control on a leash	Under control off a leash

Hearing panel decision

41. The decisions of the Panel are as follows:

Matter considered	Decision and Reasons
Time and season rule	That a time and season rule is not required in the Ōtara-Papatoetoe Local Board area.

Submission topic 4 – Dog friendly areas

42. A dog friendly area is a place that is suitable for dogs to run and play off a leash. These places may have lower levels of public use by non-dog owners, or be of a size that allows for shared use without significant impact on other users of the place.
43. The proposal identified 82 dog friendly (off a leash) areas within Table 7 of the Statement of Proposal (Attachment A of the hearing agenda).

**Ōtara-Papatoetoe Local Board Dog Access Hearing Panel
31 August 2016**

44. Currently, dogs are allowed under control off a leash in all of the areas proposed to be dog friendly.
45. One submission point in support of the proposal was received in relation to this topic.

Hearing panel decision

46. The decisions of the Panel are as follows:

Matter considered	Decision and Reasons
310 Te Irirangi Drive	<p>To identify the planned fenced area at 310 Te Irirangi Drive as a designated dog exercise area where dog owners are a priority user.</p> <p>To identify the remainder of the park at 310 Te Irirangi Drive as a standard area where dog are allowed under control on a leash.</p> <p>That the changes commence once the fence is erected. Until then the current dog friendly under control off a leash rule continues to apply.</p> <p><i>Reasons include:</i></p> <ul style="list-style-type: none"> • to provide an area specifically for dog owners to provide for the under control off a leash recreational needs of dogs and their owners • the planned area satisfies the criteria in Policy Method 3E of the Auckland Council Policy on Dogs 2012.
81 proposed dog friendly areas contained in Table 7 Attachment A of the agenda of the Panel meeting on 31 August.	<p>To identify the areas as dog friendly areas where dogs are allowed under control off a leash.</p> <p><i>Reasons include:</i></p> <ul style="list-style-type: none"> • to better provide for recreational needs of dogs and their owners in suitable areas.

Submission topic 5 – Standard areas

47. A standard area is a place that does not fall into any of the other three categories. These places may include:
- moderate or low use places that are not suitable for dogs to run and play off a leash
 - high use areas where the proposed time and season rule would not balance public safety and comfort and the needs of dogs and their owners
 - areas that allow for dogs to be included within family activities without interfering with other users.
48. The proposal identified 77 standard (under control on a leash) areas in Table 8 of the statement of Proposal (Attachment A of the hearing agenda). These areas include the esplanade reserves in Puhinui Reserve and Colin Dale Park.
49. With the exception of esplanade reserves in Puhinui Reserve, dogs are currently allowed under control off a leash in the areas identified in the previous paragraph. On the esplanade reserves in Puhinui Reserve dogs are currently allowed under control on a leash.

**Ōtara-Papatoetoe Local Board Dog Access Hearing Panel
31 August 2016**

50. A total of five submission points were received in support of standard areas for the following reasons:
- owners do not clean up after dogs or allow dogs to urinate on sand castles
 - dogs interfere with belonging, picnics or try to take food
 - non-dog owners do not like dog approach them
 - owners do not try or unable to control their dogs.
51. A total of two submission points want Colin Dale Park to prohibit dogs because of a higher risk of dogs causing harm and the area being unsuitable to walk a dog.

Hearing panel decision

52. The decisions of the Panel are as follows.

Matter considered	Decision and Reasons
Colin Dale Park	<p>To identify Colin Dale Park as a highly sensitive area where dogs are prohibited.</p> <p><i>Reasons include:</i></p> <ul style="list-style-type: none"> • to avoid the potential for conflict between dogs and motorsport activities. • to better protect wildlife in the adjacent foreshore. • to note that Colin Dale Park is currently being developed as a motorsport venue.
76 proposed standard areas contained in Table 8 Attachment A of the agenda of the Panel meeting on 31 August.	<p>To identify the standard areas in Table 8 of Attachment A as standard areas where dogs are allowed under control on a leash with the following amendments:</p> <p>(i) that the following proposed standard areas remain as dog friendly areas where dogs are allowed under control off a leash:</p> <ul style="list-style-type: none"> • Ngati Ōtara Park in the open area to the west of the sport fields. <p><i>Reasons include:</i></p> <ul style="list-style-type: none"> • to better protect local wildlife from off-leash dogs, while providing for recreational needs of dog owners (albeit on a leash) • to retain a dog friendly area in suitable areas of Ngati Ōtara Park to provide for the needs of dogs and their owners. • to note that a region-wide rule prohibits dogs from sports fields and requires dogs to be under control on a leash nearby when in use.
Default rule	<p>To establish an under control on a leash default rule.</p> <p><i>Reasons include:</i></p> <ul style="list-style-type: none"> • region wide consistency (with region wide default rule). If in doubt, owners can assume parks and reserves are on a leash.

Submission topic 6 – Ambiguous dog access rules

53. It is proposed to remove any ambiguous rules and rely on whichever dog access rule applies to the wider location.
54. Currently, Ōtara-Papatoetoe Local board has a rule that requires dogs to be under control on a leash on farm paddocks in parks occupied by stock (e.g. on stocked paddocks in Puhinui Reserve).
55. No submission points were received in relation to this topic.

Hearing panel decision

56. The decisions of the Panel are as follows.

Matter considered	Decision and Reasons
Farm paddocks in parks occupied by stock	Remove any ambiguous rules and rely on whichever dog access rule applies to the wider location. <i>Reasons include:</i> <ul style="list-style-type: none"> • simplified rules are easier to understand.

Submission topic 7 – Other matters

57. A total of 14 submission points were received in relation to this topic. A summary of the matters raised is shown in Table 5 below. The panel cannot make decisions on these matters but can make recommendations to the relevant authority.

Table 3: Summary of other matters raised

Other matter	Total submission points
Dog owner education	1
Improvement to the process	1
More dog parks	5
More rubbish bins	1
More/better enforcement	4
More/better signage	1
Other suggestion	1

Hearing panel decision

58. That the Panel:
 - note the concerns raised, in particular the need for easy to read statements of proposal, clear signage, and more rubbish bins.

Attachments

Attachment A - Amendments to the Auckland Council Policy on Dogs 2012

Attachment A - Schedule of Proposed Changes to Auckland Council Policy on Dogs

The changes to the dog access rules are shown in the right hand column, additions underlined and deletions in ~~strikethrough~~.

The changes to the dog access rules commence on 1 July 2017.

Region-wide rules are listed after the table below for information purposes. Region-wide rules also apply within the Ōtara-Papatoetoe Local Board area. Region-wide rules prevail over any local board rule.

Ōtara-Papatoetoe Local Board Area Rules

Current local dog access rule	Amended local dog access rule																																																																								
<p>(1) Dogs are allowed under control off a leash on all parks, beaches or foreshores not specifically identified as a prohibited or under control on a leash area.</p>	<p>(1) <u>Dogs are allowed under control off a leash on the following designated dog exercise areas -</u> (a) <u>310 Te Irirangi Drive within the fenced area only.</u> <i>Explanatory note: The above rule comes into force on the date the fenced area on 310 Te Irirangi Drive is open to the public. Until that date dogs are allowed under control off a leash on the entire park.</i></p> <p>(2) Dogs are allowed under control off a leash on all the following parks, beaches or foreshores not specifically identified as a prohibited or under control on a leash areas (sports surface and playground restrictions may apply, see note ** and ***) -</p> <table border="0"> <tr> <td>(a) <u>Antrim Crescent Esplanade Reserve</u></td> <td>(ap) <u>Malaspina Reserve</u></td> </tr> <tr> <td>(b) <u>Mayfield Park</u></td> <td>(aq) <u>Mathews Park</u></td> </tr> <tr> <td>(c) <u>Billington Esplanade Reserve</u></td> <td>(ar) <u>Maxwell Park</u></td> </tr> <tr> <td>(d) <u>Ōtara Creek Reserve</u></td> <td>(as) <u>Middlemore Crescent Reserve</u></td> </tr> <tr> <td>(e) <u>Alexander Park</u></td> <td>(at) <u>Middlemore Park</u></td> </tr> <tr> <td>(f) <u>Aorere Park</u></td> <td>(au) <u>Milton Park</u></td> </tr> <tr> <td></td> <td>(av) <u>Ngati Ōtara Park on the open area to the west of the sportsfields adjacent to Ōtara Road</u></td> </tr> <tr> <td>(g) <u>Ashton Park (Motorway Off Ramp</u></td> <td>(aw) <u>O'Connor Reserve</u></td> </tr> <tr> <td>(h) <u>Bairds Road 21r</u></td> <td>(ax) <u>Omana Park</u></td> </tr> <tr> <td>(i) <u>Beaufort Reserve</u></td> <td>(ay) <u>Orlando Reserve</u></td> </tr> <tr> <td>(j) <u>Birmingham Park (Birmingham 1)</u></td> <td>(az) <u>Ōtara Creek (North)</u></td> </tr> <tr> <td>(k) <u>Birmingham Reserve (Birmingham 2)</u></td> <td>(aaa) <u>Ōtara Creek Reserve South</u></td> </tr> <tr> <td>(l) <u>Blair Park</u></td> <td>(ba) <u>Othello Park</u></td> </tr> <tr> <td>(m) <u>Blair Park – Ōtara</u></td> <td>(bb) <u>Papatoetoe Recreation Ground</u></td> </tr> <tr> <td>(n) <u>Boundary Park (Oreti Place Reserve)</u></td> <td>(bc) <u>Pearl Baker Reserve</u></td> </tr> <tr> <td>(o) <u>Caringbah Park</u></td> <td>(bd) <u>Penion Park</u></td> </tr> <tr> <td>(p) <u>Charntay Park</u></td> <td>(be) <u>Preston Road Reserve</u></td> </tr> <tr> <td>(q) <u>Clayton Park</u></td> <td>(bf) <u>Puhinui Road 204 & 206 House Grnds Parks</u></td> </tr> <tr> <td>(r) <u>Clutha Park</u></td> <td>(bg) <u>Rainbows End Reserve - 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(s) <u>Cooper Park</u>	(bh) <u>Rangitoto Park</u>																																																																								
(t) <u>Cooper Park (Whitley No 2 Reserve)</u>	(bi) <u>Redoubt Road Corner Reserve</u>																																																																								
(u) <u>Derrimore Park</u>	(bj) <u>Robert White Park</u>																																																																								
(v) <u>Dissmeyer Park</u>	(bk) <u>Rongomai Park</u>																																																																								
(w) <u>East Tamaki Drainage Reserve</u>	(bl) <u>Rotary West Park</u>																																																																								
(x) <u>Ferndown No 1 (65R)</u>	(bm) <u>Rotoma Park</u>																																																																								
(y) <u>Ferndown Park (24R)</u>	(bn) <u>Sandbrook Reserve</u>																																																																								
(z) <u>Fisher Park</u>	(bo) <u>Selfs Park</u>																																																																								
(aa) <u>Flinders Park</u>	(bp) <u>Sikkim Crescent Reserve</u>																																																																								
(ab) <u>Gaye Crescent/Eccles Place Esplanade Reserve</u>	(bq) <u>Sikkim Park (Pulman Place Reserve)</u>																																																																								
(ac) <u>Gordon Park</u>	(br) <u>Stadium Reserve-Papatoetoe</u>																																																																								
(ad) <u>Hamill Reserve</u>	(bs) <u>Stonex Park</u>																																																																								
(ae) <u>Harwood Reserve - Ōtara</u>	(bt) <u>Sunnyside Domain</u>																																																																								
(af) <u>Hayman park</u>	(bu) <u>Sutton Park</u>																																																																								
(ag) <u>Israel Drainage Reserve</u>	(bv) <u>Swaffield Park</u>																																																																								
(ah) <u>Kimpton Park</u>	(bw) <u>Tomlin Park</u>																																																																								
(ai) <u>Kingswood Reserve</u>	(bx) <u>Troon Place Reserve</u>																																																																								

Current local dog access rule	Amended local dog access rule	
	<ul style="list-style-type: none"> (aj) <u>Kohuora Park</u> (ak) <u>Kurt Lane Reserve (Kurt-Elsa Park)</u> (al) <u>Lappington Park</u> (am) <u>Laxon Esplanade Reserve</u> (an) <u>Lendenfield Reserve</u> (ao) <u>Mahon Park</u> 	<ul style="list-style-type: none"> (by) <u>Waimate Park</u> (bz) <u>Whitley Park (Whitley No 1)</u> (ca) <u>Wintere Park</u> (cb) <u>Woolfield Park</u>
<p>(2) Dogs are allowed under control on a leash in the following areas</p> <p>(a) Any farm paddocks in a park occupied by stock.</p> <p>(b) Esplanade reserves in Puhinui Reserve.</p>	<p>(3) Dogs are allowed under control on a leash on all park, beach or foreshore areas not specifically identified as a prohibited, under control off a leash, or designated dog exercise area, including in the following areas (sports surface and playground restrictions may apply, see note ** and ***):</p> <p>(a) Any farm paddocks in a park occupied by stock.</p> <p>(b) Esplanade reserves in Puhinui Reserve.</p> <ul style="list-style-type: none"> (a) <u>Aerovista Place Reserve</u> (b) <u>Alabaster Walkway</u> (c) <u>Alexander Avenue 42r</u> (d) <u>Allenby Park</u> (e) <u>Birdwood Avenue 12r</u> (f) <u>Burnside Park</u> (g) <u>Butler Avenue 6 Grounds</u> (h) <u>Cambria House (Park Homestead)</u> (i) <u>Cambridge Terrace 91 Grounds</u> (j) <u>Carolyn Street 2r</u> (k) <u>Charles Street 27 Grounds</u> (l) <u>Clover Park Community House</u> (m) <u>Coombe Avenue Reserve</u> (n) <u>Crown Park 50</u> (o) <u>Dingwall No 2</u> (p) <u>East Tamaki Reserve</u> (q) <u>Electrocorp 1</u> (r) <u>Eric Baker Place 15</u> (s) <u>Fairview Road 2r</u> (t) <u>Farley And Latimer Reserve 70</u> (u) <u>Fergusson Oaks Reserve</u> (v) <u>Garrett Place 5r</u> (w) <u>Glenmary Place Reserve</u> (x) <u>Grayson Ave Reserve</u> (y) <u>Great South Rd 570 Grounds</u> (aa) <u>Great South Rd Esplanade Reserve</u> (ab) <u>Hallberry Reserve</u> (ac) <u>Hallberry Road Park</u> (ad) <u>Hampton Park</u> (ae) <u>Hannah Road Reserve</u> (af) <u>Highbrook Park</u> (ag) <u>Highbrook Drive Reserve</u> (ah) <u>Hillcrest Road 86r</u> (ai) <u>Hillside Park</u> (aj) <u>Hillside South Park</u> (ak) <u>Hollyford Drive 16r</u> (al) <u>Hollyford Drive 35r</u> (am) <u>James Watson Park</u> <ul style="list-style-type: none"> (an) <u>Kakapo Park (Dingwall No 1)</u> (ao) <u>Kennel Hill Reserve 60</u> (ap) <u>Kimpton Park</u> (aq) <u>Kurt-Elsa Park (Kurt Lane Reserve)</u> (ar) <u>Laureston/Halcyon Esplanade Reserve</u> (as) <u>Manukau Sports Bowl</u> (at) <u>Manukau Square</u> (au) <u>Manukau Velodrome – sports</u> (av) <u>Middlemore Crescent</u> (aw) <u>Motatau Park</u> (ax) <u>Motatau Reserve (Hall Park)</u> (ay) <u>Murdoch Park</u> (az) <u>Nesdale Avenue 21r</u> (ba) <u>Ngāti Ōtara Park (excluding on the open area to the west of the sportsfields adjacent to Ōtara Road)</u> (bb) <u>O'Connor Reserve</u> (bc) <u>Old Papatoe 107/109 St. George St Grnds</u> (bd) <u>Old Papatoe Mall & Hall Grounds</u> (be) <u>Old Papatoe Train Station Grounds 84</u> (bf) <u>Orlando 1,2,3</u> (bg) <u>Osterley Way 9 Grounds</u> (bh) <u>Ōtamariki Reserve</u> (bi) <u>Ōtara N. Kirk Pool Grnds</u> (bj) <u>Ōtara Recreation Centre Grounds</u> (bk) <u>Ōtara Road 2r</u> (bl) <u>Ōtara Town Centre (Bairds Rd Playgrnd)</u> (bm) <u>Papatoetoe Library</u> (bn) <u>Puhinui Reserve</u> (bo) <u>Puhinui Stream (Plunket Ave)</u> (bp) <u>Rangitoto Park</u> (bq) <u>Roscommon Road 90r - Drainage Reserve</u> (br) <u>Stadium Reserve - Papatoetoe</u> (bs) <u>Station Road Park and Ride</u> (bt) <u>Sunnyside Domain</u> (bu) <u>Te Puke o Tara</u> (bv) <u>Turin Place Stream</u> (bw) <u>Waipapa Park (Electrocorp 2 & 3)</u> (bx) <u>Wiri Station Road Corner</u> (by) <u>Wiri Stream Unmaintained</u> (bz) <u>310 Te Irirangi Drive (excluding fenced area)</u> 	

Current local dog access rule	Amended local dog access rule
	<i><u>Explanatory note: The above rule comes into force on the date the fenced area on 310 Te Irirangi Drive is open to the public. Until that date dogs are allowed under control off a leash on the entire park.</u></i>
(3) Dogs are prohibited on Crown foreshore adjacent to and including the Puhinui Wildlife Refuge² (DOC Map 6.40).	(4) Dogs are prohibited in the following areas to protect wildlife: (a) On Crown foreshore adjacent to and including the Puhinui Wildlife Refuge ² (DOC Map 6.40) (b) Foreshore of the Tamaki Estuary within the Ōtara-Papatoetoe Local Board area (including the foreshore adjacent to Highbrook Drive and Ngati Ōtara Reserves) (c) Foreshore of the Manukau Harbour within the Ōtara-Papatoetoe Local Board area (including adjacent to Puhinui Reserve and Colin Dale Park) (d) Colin Dale Park

*** *Explanatory Note: The region-wide rule that prohibits dogs on any sports surface (unless exceptions are stated) and that requires dogs to be kept under control on a leash in the vicinity of any sports surface when in use as stated in Schedule 1, Rule 1(2) continues to apply. This note is specified in relation to particular parks where a sportsfield is known to exist to assist readers.*

*** *Explanatory Note: The region-wide rule that prohibits dogs on any playgrounds and that requires dogs to be kept under control on a leash in the vicinity of any playground when in use as stated in Schedule 1, Rule 1(1) continues to apply. This note is specified in relation to particular parks where a playground is known to exist to assist readers.*

Region-wide rules

The following region-wide dog access rules also apply within the Papakura Local Board area but are not within the scope of this review. Region-wide rules prevail over any local board rule.

(1) **Playgrounds under the control of the council**

Dogs are prohibited on any playground at all times and must be under control on a leash in the vicinity of any playground when in use.

(2) **Sports surfaces under the control of the council**

Dogs are prohibited on any sports surface at all times and must be kept under control on a leash in the vicinity of any sports surface when in use.

For the avoidance of doubt, dogs must still be kept under control on a leash in the vicinity of the sports surface when in use.

(3) **Roads, private ways, and council-controlled car parks and boating areas**

Dogs must be under control and on a leash on all –

(a) *formed public roads (including any street, highway, access way, service lane, and any footpath, cycle track, bus stop and berm within the boundaries of the road);*

(b) *private ways;*

(c) *council-controlled car parks; and*

(d) *council-controlled boating areas (including any wharf, jetty, boat ramp, boat marshalling area).*

For the avoidance of doubt, this rule does not apply to any unformed road, or any walkway, track or road within or surrounded by a park.

(4) **Council cemeteries, council camping grounds and council holiday parks**

Council cemeteries

Dogs are allowed under control and on a leash in the following council-controlled cemeteries:

(a) *North Shore Memorial Park*

(b) *Waikumete Cemetery*

Dogs are prohibited from all other council-controlled cemeteries unless permission is obtained from the council (e.g. a park manager with the appropriate delegated authority), or signage indicates dogs are allowed and provided the person whom the dog is accompanying complies with any reasonable conditions imposed by the council in relation to the entry or presence of the dog.

Camping grounds and holiday parks under the control of the council

Dogs are prohibited from all council-controlled camping grounds and holiday parks unless permission is obtained from Council (e.g. park manager with delegated authority), or signage indicates dogs are allowed, and provided the person whom the dog is accompanying complies with any reasonable conditions imposed by the Council in relation to the entry or presence of the dog.

(5) Default dog access rules

Unless otherwise stated in the local board dog access rules:

- (a) dogs must be under control and on a leash in all council-controlled public places with unrestricted access; and*
- (b) dogs are prohibited in all other public places (e.g. fenced sports stadiums, libraries, cafes, shopping malls, school grounds, non-council cemeteries and urupa) unless permission is obtained or signage indicates dogs are allowed from –*
 - (i) council, in relation to places under control of the council; or*
 - (ii) the person in charge of the place, in relation to places not under control of the council; and*
 - (iii) provided the person whom the dog is accompanying complies with any reasonable conditions imposed in relation to the entry or presence of the dog.*

Explanatory Notes:

Dog Faeces

The owner of any dog that defecates in any public place or private way must immediately remove and dispose of the faeces in a way that does not cause a nuisance.

Dogs confined in a vehicle or cage

Dogs confined in a vehicle or cage are not exempt from prohibited dog access rules. They are exempt from under control on-leash dog access rules.

Working dogs (includes disability assist and police dogs)

Dog access rules in Schedule 1 and Schedule 2 do not apply to any working dog accompanying and assisting a person with work, or accompanying a person genuinely engaged in the dog's training.

Female dog in season

The owner of any female dog in season must ensure that dog does not enter or remain in any public place or private way unless that dog is completely confined in a vehicle or cage for the purposes of transportation, or the owner of that dog has the permission of the occupier or person controlling the public place (such as a veterinary clinic) in relation to the entry or presence of the dog, and complies with any reasonable conditions imposed.

Temporary Changes to Dog Access Rules

The council may make temporary changes to dog access rules in Schedule 1 and Schedule 2 in relation to leisure and cultural events (including dog friendly events), dog training, threatened or 'at risk' protected wildlife vulnerable to dogs, pest control in any park and/or beach, and events of a comparative nature.