Dog Policy and Bylaw Panel

Additional staff advice for Panel deliberations on 13 June 2025

The Panel at its deliberations on 6 June 2025 for 'Proposal 1: Set a limit on the number of dogs walked in council-controlled places', requested staff to provide further advice on a framework:

- 1. within which a maximum limit is set for the number of dogs that can be walked by "unqualified persons".
- 2. above which council approval is required to a maximum number of dogs that can be walked by any qualified person including a commercial dog walker².
- 3. that includes terms and conditions including the visible identification of the walker and dogs and conditions around where dogs can be taken (for example conditions around the use of the roads/footpaths)
- 4. advice on how best to engage with the industry on the terms and conditions.

Staff advice in response to this request is contained in this document.

Staff advice on 'how best to engage with the industry' in general

The advice in this document seeks to help the Panel confirm whether it wishes to introduce an approval framework and to decide the structure and content of the framework.

The extent to which the Panel considers further engagement is necessary will depend on whether the Panel considers it has enough information to make a decision.

The Panel, if it wishes, could consider one or a combination of the following options:

- Has sufficient information: Panel finalise recommendations to the Governing Body meeting on 26 June 2025.
- **Needs more information:** Panel use section 83(3) of the Local Government Act 2002 to **seek further views** from commercial dog walkers, breeders and fosters who gave feedback, before making a recommendation.
 - o One to two weeks for written feedback, opportunity to present views, or both.
 - Panel finalise recommendations to the Governing Body meeting in July 2025.
- Sufficient information on framework and some (but not all) content (hybrid).
 - Panel finalise recommendations on framework and some (but not all) content to the Governing Body meeting on 26 June 2025.
 - Panel recommend the Regulatory and Safety Committee consult and finalise remaining content using the framework.
 - o Timing to be determined.
 - If a priority (for example in relation to visible identification of walker and dogs) could occur by September 2025 committee meeting. If not a priority, recommended framework and content could be monitored for improvement after in operation for 12 months

¹ "Unqualified" is a term used for convenience to categorise people who may walk dogs but may not have any formal dog walking qualifications. It is not, for example, intended to imply that those operating as commercial dog walkers (within this set limit) are unqualified.

² "Qualified" is a term used for convenience to categorise people who may have some type of qualification to walk dogs. It does not imply that Council has approved the dog walker as a 'qualified' dog walker.

Staff advice on 'a maximum limit for walking multiple dogs by "unqualified persons"

This aspect of deliberations is considered to focus on people, such as:

- those the dog belongs to, or family, friends and neighbours who may walk the owner's dog
- older children who may walk neighbourhood dogs for 'pocket money'.

Information obtained during the development of the proposal and public feedback included:

- National and international sources recommend a limit ranging from four to 10, with a licence for professional dog walkers to walk four to eight maximum.
- The 2024 Peoples Panel survey found:
 - o 38 per cent who saw a maximum of two dogs walked experienced a problem
 - o 51 per cent experienced problems encountering four dogs being walked
 - o 49 per cent experiencing problems with six or seven dogs are walked
 - o 80 per cent when eight or nine dogs are walked.
- In regard to limits on the number of dogs walked:
 - the survey found 78 per cent identified a limit set between two to four dogs (two dogs, 51 percent; three dogs, 18 per cent; four dogs, nine per cent)
 - o public feedback supported:
 - a lower limit of one, two or three dogs on-leash, zero, two or three off-leash (110 responses)
 - the same number of dogs on and off leash (105 responses)
 - Suggested numbers on dogs walked from the public feedback were one to two dogs (68 responses), three dogs (42 responses), four dogs (46 responses), five dogs (14 responses).
- At 10 June 2024 99.8 per cent of registered Auckland dog owners own four or fewer dogs.

The five options publicly consulted on are within the scope of the Panel's decision-making:

Option	Public feedback in support
Option 1: Confirm Policy and Bylaw (dogs to be under control)	1265
Option 2A: Maximum of four dogs, no more than two off-leash	160
Option 2B: Maximum six dogs, no more than three off-leash	1192
Option 2C: Maximum eight dogs, no more than four off leash	89
Option 2D: Maximum four dogs, no more than two off-leash unless licence obtained	121

Relevant decision-making criteria include a focus on:

- what is a proportionate response to the problem currently and in the future
- minimising danger, distress, and nuisance to the community generally
- avoiding inherent danger of uncontrolled dogs in public places frequented by children
- exercise and recreational needs of dogs and their owners.

The Panel, if it wishes, could start deliberations by considering a lower limit of four dogs and no more than two off-leash for 'unqualified persons', noting this:

- is within the scope of the proposal
- reflects the lower limit from national and international sources
- would address the 38 per cent (albeit in relation the number of off-leash dogs) and 49 per cent of the problems experienced from survey respondents

- would not impact the 99.8 per cent of dog owners who currently own up to four dogs
- would seek to prevent an increase in the current extent of the problem in the future
- noting the public feedback was in relation to a 'blanket rule' and the Panel's direction to explore an approval for any person (not only commercial dog walkers) to walk more than this limit where certain criteria are met.

Staff advice on 'a maximum number of dogs walked by "qualified persons"

This aspect of deliberations is considered to focus on people, such as:

• dog owners, commercial dog walkers, breeders or fosterers who walk more dogs than the 'unqualified person' maximum limit in council-controlled public places.

Information obtained during the development of the proposal included:

- Different approaches nationally to upper dog limits:
 - Wellington City Council licence dog walkers to walk a maximum of 12 dogs, with an additional 'approval process' to be able to operate in the Wellington town Belt. No other council sets an upper limit, at this time
 - Dunedin City Council require dog walkers of more than six dogs to apply for a
 dog walking licence, however, does not set a maximum limit
 - Tauranga City and Waipā District councils set a limit that applies to all dog walkers with no licence or upper limit (four on / two off and four off respectively).
- International sources recommend a licence to walk a maximum of four to 10 dogs.

The proposal did not contain any upper limit options. However, the table below shows public feedback on suggested upper limits on the number of dogs to walk at one time.

Suggested number	# response
Maximum 8 dogs	137
Maximum 10 dogs	39
More than 10 dogs	26
Maximum 12 dogs	15
Maximum 15 dogs	8
No limit / larger groups	49

Relevant decision-making criteria include a focus on:

- what is a proportionate response to the problem currently and in the future
- minimising danger, distress, and nuisance to the community generally
- avoiding inherent danger of uncontrolled dogs in public places frequented by children
- exercise and recreational needs of dogs and their owners.

The Panel, if it wishes, could start deliberations by considering an upper limit of 10 dogs for 'qualified persons', noting this:

- is within the scope of the proposal
- reflects the upper limit from international sources
- considers public feedback on the suggested maximum number
- would not significantly impact commercial dog walkers, breeders or fosters
- would seek to prevent an increase in the current extent of the problem in the future.

Staff advice on 'setting an approval system'

This aspect of deliberations is considered to focus on people who:

• walk **more** dogs than the 'unqualified person' limit in council-controlled public places.

The proposal contained one option for an approval system (licencing) (Option 2D) and gave the following examples of the licence process:

- pass theory, practical and character tests
- minimum qualifications
- licence expiry
- fees and charges

Information obtained during the development of the proposal included:

- Wellington City Council licence system allows licensed walkers a maximum of 12 dogs
- Council's Animal Management view that the benefits of licensing are limited, however, there may be benefits in a registration process (provides council a database of walkers).

Information received during public feedback supported:

- regulating the dog walking industry (65 responses)
- requiring dog walkers to register or be certified (154 responses)
- allowing an exemption for those who walk multiple dogs (23 responses).
- licensing commercial dog walkers to walk specified number of dogs (504 responses).

Council uses an agile regulatory approach that can vary levels of intervention proportionate to the problem. This includes using permitted activity standards and approvals. Approvals are a holistic concept that includes 'registration', 'permit', 'consent' and 'licence'.

Intervention	Description and analysis (in the context of this proposal)
Permitted activity standards (conditions of use)	 Appropriate for low to moderate problems now and in the future (sets behavioural norms that can be promoted and enforced). Could for example be the Policy Control for Exercising Multiple Dogs. Enforcement via patrols and complaint response with \$300 infringements. No cost to ratepayer or diversion of council resource and low impact to walkers (depending on rules and controls adopted).
Approval (Registration)	 Appropriate for low to moderate problems now, but potentially higher in the future (sets norms with added incentive to retain approval to operate). Could for example be on-line registering of details and complying with Policy Control. Enforcement via patrols and complaint response with \$300 infringements and ability to revoke approval. Potentially negligible cost to ratepayer or diversion of council resource and low impact to walkers. Note: This is dependent on the registration process and rules and controls adopted. However, council has other 'on-line, no fee, no assessment' approval systems that could be leveraged.
Approval (Licensing)	 Appropriate for moderate to high problems now or potentially in the future (sets norms, includes assessment of qualifications and competence, with added incentive to retain approval to operate). Could for example be on-line licence application with council, verification of qualifications, in-person assessment of competence, and complying with Policy Control. Enforcement via patrols and complaint response with \$300 infringements for non-compliance, licence renewals and ability to revoke approval. Potentially higher implementation cost to ratepayer or diversion of council resource, and impact to walkers. May be additional costs to establish the licence database, 12 months to set fees and charges, and to establish a qualifications and competence framework, noting there is no nationally recognised qualification or competence assessment.

Relevant decision-making criteria include a focus on:

- what is a proportionate response to the problem currently and in the future
- minimising danger, distress, and nuisance to the community generally
- avoiding inherent danger of uncontrolled dogs in public places frequented by children
- exercise and recreational needs of dogs and their owners.

The Panel, if it wishes, could start deliberations by considering an approval (registration) system, noting this:

- is within the scope of the proposal
- is a proportionate response to the current problem that can be 'upscaled' to a licence in the future if required as an operational matter
- recognises the industry may be best placed to develop and promote a national qualification or competence framework for commercial dog walkers
- recognises the focus for council is managing the shared use of council-controlled public places (and not the inner workings of the commercial dog walking industry).

Setting 'terms and conditions', including engagement with industry

This aspect of deliberations is considered to focus on:

- any person who seeks approval to walk more than the 'unqualified' limit of dogs
- matters related to the use of council controlled public places (not the approval).

The proposal in relation to a licensing option (Option 2D) gave the following examples of matters related to 'terms and conditions' about the use of council controlled public places:³

- locations and times of the day and year (for example prohibiting the use of parks with playgrounds and sports surfaces or specifying designated dog exercise areas)
- limit on the number, breed or types of dogs.

Information obtained during public feedback and raised by Panel included:4

- Approval: Carried at all times
- Dogs: Registered, microchipped, desexed, muzzled, wear GPS tracking device and minimum age
- Location: location and time restriction, public park open spaces only, off-leash areas only, set limit when walking dogs in any high traffic parks or reserves, numbers restricted, off-leash in designated fenced dog parks only, Parks, off-leash beaches and regional parks only between 6am and 12pm weekdays
- Leashes: Carried and use longlines in designated dog exercise areas
- Vehicles: Secure, purpose-built cages or containment systems and prohibit the use of leads or chains for restraint inside vehicles
- visible identification of the walker and dogs.

Relevant decision-making criteria include a focus on:

- what is a proportionate response to the problem currently and in the future
- minimising danger, distress, and nuisance to the community generally
- avoiding inherent danger of uncontrolled dogs in public places frequented by children
- 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
- exercise and recreational needs of dogs and their owners.

Staff advice is for the Panel to consider a hybrid approach as appropriate as follows:

- recommend establishing a Policy Control framework in Schedule 1 of the Dog Policy
- the framework enables the Governing Body (or delegated authority) to adopt a 'Policy Control for walking of multiple dogs in council-controlled public places'
- recommend a 'Policy Control for walking of multiple dogs in council public places' containing matters the Panel considers it has enough information on
- for matters the Panel considers it does not have enough information on, recommend:
 - staff engage with persons who gave feedback on walking multiple dogs
 - staff report to the delegated authority on amendments to the Policy Control
 - staff to provide advice on opportunities for persons affected or with an interest in the matter to express their views to the committee (for example at public forum or in some other manner that gives effect to the requirements of section 82 of the Local Government Act 2002.

³ Note: The following matters in Option 2D are considered to relate to the approval process - pass theory, practical and character tests; minimum qualifications; licence expiry; fees and charges.

⁴ Note: The following matters in public feedback are considered to relate to the approval process – registration, fees, safe dog handling, qualifications (certification) and competence.

Staff advice on matters the Panel may consider it has enough information on in this Table.

Matter	Sufficient information?	Reason
Carry approval	Yes	Standard requirement of council regulatory approval.
Dogs registered	Yes	Requirement of the Dog Control Act 1996, noting there are exceptions
and		which the control should allow for.
microchipped		
Dogs desexed,	No	These matters may have merit, however, they are not mandatory
muzzled, wear		requirements of the Dog Control Act 1996.
GPS tracking		The Act and Dog Policy and Bylaw prescribe instances where individual
device,		dogs must be de-sexed and wear a muzzle for example.
minimum age		These matters may instead relate to the competence of the walker to
		identify suitable dogs for pack walking and may benefit from further
Lagation and	V	consultation and consideration.
Location and	Yes and no	This matter in general has merit and for some there is sufficient
time restrictions,		information.
public park open spaces only, off-		The Panel could for example recommend the following conditions in a Policy Control to the Governing Body:
leash areas		Dogs only allowed on parks, beach and foreshore areas where
only, set limit		dogs allowed (not roads)
when walking		Avoid areas at times when frequented by people other than
dogs in any high		multiple dog walkers (for example, weekends and public
traffic parks or		holidays, before and after school start and end times)
reserves,		Ensure dogs on tracks are walked in a configuration that avoids
numbers		damaged areas on or beside the track (including for example that
restricted, off-		dogs are walked in smaller packs than otherwise allowed and
leash in		that tracks are avoided following rain events)
designated		Staff suggest that some other matters would benefit from further
fenced dog		consultation and consideration:
parks only		 Setting mandatory time restrictions (for example 9:30am to
(DDEA), Parks,		2:30pm on working days which reflect 'in-school' times and
off-leash		exclude weekends and public holidays)
beaches and		Staff suggest that some other matters should not be considered further:
regional parks only between		Limiting access to DDEAs due to limited number in Auckland and
6am and 12pm		because there are suitable shared use off-leash areas available
weekdays		across Auckland at times of low use by people other than
	Voc	multiple dog walkers.
Leashes carried and use	Yes	Carrying leashes is a Dog Control Act 1996 requirement (s54A) and Policy Control should clarify that this applies to all dogs walked in council
longlines in		public places.
designated dog		Staff do not recommend a requirement for longlines in DDEAs. These
exercise areas		areas are identified as places where dog owners are the priority user and
(DDEA)		suitable for dogs classified as dangerous to be under control off a leash.
Vehicles secure	No	These matters may have merit. However, they are possibly best left to
with systems of		other existing regulations under the <u>Animal Welfare Act 1999</u> , <u>Animal</u>
containment that		Welfare (Care and Procedures) Regulations 2018, Code of Welfare: Dogs
exclude lead or		and industry practice. The Panel's focus is on the potential regulatory gap
chain restraints		when the dogs are out of a vehicle in a council-controlled public place.
Visible	No	These matters may have merit. However, it was not raised in public
identification of		feedback, impacts the multiple dog walkers and raises implications to the
the walkers and		approach in council's Public Trading Events and Filming Bylaw 2021
dogs		about the visible commercial use of public places and user charges. All
		these matters may benefit from further consultation and consideration.

[Note: Other conditions related but not specifically identified from public feedback obtained from an adhoc scan of national and international regulations include the following.]

Whether the Panel considers them for inclusion in its recommendations or leaves the matter to the Regulatory and Safety Committee will depend on whether the Panel considers the matters are in scope and has sufficient information.

- From Code of conduct for Commercial dog walking | The Royal Parks
 - No marketing or advertising
 - Walker to wear clearly visible armband
 - Dogs are pre-screened and only those with proper social skills walked (no dogs allowed that exhibit aggressive behaviour)
 - Avoid sensitive areas (could be applied to all sports parks, picnic areas)
 - o No congregating with other commercial dog walkers
- From Wellington City Council Commercial dog walking licence page
 - o Specific parks prohibited at peak hours
 - o Encourage use of recommended dog exercise areas
 - o Walkers to use stickers to identify their vehicles
- From City of Los Angeles proposed rules and regulations for Dog Walking services
 - o Proof of liability insurance of \$1,000,000 with council named as also insured
 - o Annual renewal of licence.
 - Permitted walking hours of 9 am to 5 pm on weekdays, excluding holidays
- From Yarra City Council (Victoria, Melbourne) Commercial dog walkers page:
 - o Public liability insurance of \$20 million with council as an interested party
- From Swindon City Council (UK) Code of Conduct for Commercial Dog Walkers:
 - o Public liability insurance of £5 million
 - Walkers to be separate of each walkers, but allowed if only two dogs off-leash
 - o No children under the age of 10 should accompany walker
 - o Recommended walker have animal first aid certificate and carry a kit
 - Dogs suitably secured and transported in a well-ventilated vehicle fit for purpose
 - o All dogs should be walked away from and returned to the vehicle on a lead.

Amendments to the Dog Policy to implement the suggested starting point for deliberations

The amendments below are intended to illustrate how a framework could appear in the Policy to assist deliberations using the suggested starting points.

Additions underlined, deletions in strikethough.

3.8.1 In this Policy, unless the context otherwise requires

Owner

- (a) has the meaning given by section 2 of the Dog Control Act 1996; and
- (b) in relation to a dog in a public place specified in Schedule 1 and 2 of this Policy, includes every person who -
 - (i) <u>is in possession of the dog, unless for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or</u>
 - (ii) employs the person in (i) to have possession the dog, whether as an employee or volunteer; or
- (iii) is the parent or guardian of a person under the age of 16 years who is in possession of the dog in (i) and **person**, has a corresponding meaning.

Example of a person is who considered to be the 'owner' of a dog

- the person who owns and 'walks' the dog in a local park owned by council
- the person who 'walks' the dog, including person in the same household, a friend or neighbour
- the business owner who employs a person to 'walk' the dog in a council owned park.

4 Limits on the number of dogs a person may possess on council-controlled public places

(1) Dogs that a person has in their possession, that exceed the following limits are **prohibited** on council-controlled places

The number of dogs a person has in their possession in a council controlled public place must not exceeds the following limits –

	Maximum number of dogs <u>in areas not</u> <u>prohibited</u> (both on-leash or off leash)	Maximum number of on-leash dogs <u>in an</u> <u>under control on-leash</u> <u>area</u>	Maximum number of off-leash dogs <u>in an</u> under control off-leash area
Without council approval	6 <u>4</u>	6 <u>4</u>	3 <u>2</u>
With prior council approval in (2) and compliance with conditions in (3)	<u>10</u>	<u>10</u>	<u>10</u>

Example of the maximum number of dogs a person may possess on council-controlled public places

A person wants to exercise their three dogs and their friend's two dogs at an off-leash council park.

The person may take all <u>four five</u> dogs to the park, but may only have <u>two</u> <u>three</u> of the <u>four</u> <u>five</u> dogs under control off a leash at any one time. The other two dogs must be under control on a leash at all times. <u>If the dogs are unable to be controlled in this configuration, then the responsible dog owner behaviour is to keep all four dogs on-leash or have another person 'walk' two of the dogs off-leash.</u>

(2) Approvals in (1) -

- (a) are determined by council from time to time in its discretion, and includes the application process, information, fees, criteria to grant or decline, conditions, charges (for example to use council land for commercial purposes), duration, transfer and review
- (b) may take into account and include any matter which it considers, in its discretion, to be relevant to achieve the purpose of this Policy, for example (but not limited to) qualifications and competence.
- (c) comes into effect on the date specified by council.

(3) Conditions of use in (1) -

- (a) may be specified from time to time by council in a resolution
- (b) may take into account and include any matter which it considers, in its discretion, to be relevant to achieve the purpose of this Policy, for example (but not limited to) areas, times, qualifications, competence, equipment and compliance with primary and secondary legislation and this **Policy**.
- (c) comes into effect on the date specified in the resolution, or if no date is specified, the date the resolution is made.



Auckland Council Policy on Dogs (Exercising Multiple Dogs in Council-Controlled Public Places) Control 2025

(as at 26 June 2025)

made by Auckland Council
on 26 June 2025

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1 Title

This control is the Auckland Council Policy on Dogs (Exercising Multiple Dogs in Council-Controlled Public Places) Control 2025.

2 Issuing authority

This control is made under clause 4(3) of Schedule of the **Policy**.

3 Commencement

This control comes into force comes on the same date as clause 4(1) of Schedule in the **Policy**.

4 Application

This control applies to Auckland.

5 Purpose

To specify conditions that apply to a person who has an approval from council to have possession of multiple dogs in council-controlled public places.

Related information about conditions

Additional conditions may be specified on any approval from council.

6 Interpretation

(1) In this control, unless the context otherwise requires:

Policy means the Auckland Council Kaupapa mo ngā Kurī 2025 / Policy on Dogs 2025.

(2) Unless the context requires another meaning, a term or expression that is defined in the **Policy** or Dog Control Act 1996 and is used, but not defined, in this control has the meaning given by the **Policy** or Act.

7 Conditions to the exercise multiple dogs in council-controlled public places

- (1) The following conditions apply to a person carrying out activities allowed in an approval from council to have possession of multiple dogs in council-controlled public places under clause 4(2)(a) of Schedule 1 of the Policy
 - (a) the dogs may only be exercised in council-controlled parks, beaches and foreshore areas where dogs are allowed under control on a leash or under control off a leash in Schedule 1 and 2 of the Policy, excluding the following areas:
 - (i) council-controlled cemeteries, camping grounds and holiday parks;
 - (b) for the avoidance of doubt, the dogs are prohibited on all formed roads (including on any footpath within the boundaries of the road), unless confined in a vehicle;
 - (c) the person must take all reasonable steps to -
 - (i) avoid areas at times when frequented by people (for example, parks that are busy on weekends and public holidays, or before and after school start and end times); and
 - ensure dogs on tracks are in a configuration that avoids damage to areas on or beside the track (for example by controlling the dogs in smaller packs than otherwise allowed, or avoiding tracks following rain events);
 - (d) the person must be suitably qualified or competent to exercise the dogs in council-controlled public places, including for example:
 - (i) assessing the temperament of the dogs as individuals and as a pack
 - (ii) having control of the dogs on-leash, off-leash and a combination of both where appropriate
 - (iii) having situational awareness of the unpredictability of public places and the recreational needs of other users who may not enjoy the presence of dogs;
 - (e) the person must carry the means to:
 - (i) leash all the dogs at all times;
 - (ii) remove any of the dogs faeces at all times;
 - (f) the dogs must be registered and microchipped as required by the Dog Control Act 1996;
 - (g) the person must comply with all applicable requirements under the Dog Control Act 1996 as if they were the owner, <u>Animal Welfare Act 1999</u>, <u>Animal Welfare (Care and Procedures) Regulations 2018</u>, <u>Code of Welfare: Dogs</u>, **Policy**, and Auckland Council Dog Management Bylaw 2019;
 - (h) the person must carry a physical or digital copy of the approval at all times; and
 - (i) the person must produce a physical or digital copy of the approval on request from a dog control officer or a dog ranger.
- (2) If there is any inconsistency between the conditions in (1) and any conditions in an approval, the approval conditions prevail.

[Note: Other conditions related but not specifically identified from public feedback obtained from an adhoc scan of national and international regulations include the following:

Whether the Panel considers them for inclusion in its recommendations or leaves the matter to the Regulatory and Safety Committee will depend on whether the Panel considers the matters are in scope and have sufficient information.

- From Code of conduct for Commercial dog walking | The Royal Parks
 - No marketing or advertising
 - o Walker to wear clearly visible armband
 - Dogs are pre-screened and only those with proper social skills walked (no dogs allowed that exhibit aggressive behaviour)
 - o Avoid sensitive areas (could be applied to all sports parks, picnic areas)
 - o No congregating with other commercial dog walkers

Related information, Control history			
Date	Description	Authority	
26 June 2025	Made Controls made under the Policy on Dogs 2025 (GB/2025/##)	Governing Body of Auckland Council	
TBC	Commencement of controls made on 31 July 2014 (GB/2025/##)	Governing Body of Auckland Council	

