

**LOGAN CITY COUNCIL SUBMISSION ON FSANZ PROPOSAL P1018  
- COMPANION DOGS IN OUTDOOR DINING AREAS**

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Proposal P1018 has been examined and this submission authorised by Council's Environment & Sustainability Branch, City Standards Branch and Animal & Pest Services Branch.

## **1. Voluntary Admission of Companion Dogs into Outdoor Dining Areas by Food Business Operators**

Proposal 1018 states that a new Clause 24 in Standard 3.2.2 is to be substituted:

'to provide food businesses with the discretion to permit dogs other than assistance animals to be present in outdoor dining areas'.

It goes on to state:

'The new clause does not expressly limit the discretion to dogs that are companion animals. This avoids the need for the new clause to define a companion animal and to incorporate legal tests of ownership of or effective control over dogs that food businesses must apply in determining when to allow a dog to be present. In practice, the dogs present will be customers' companion animals and food businesses retain the right to exclude for any reason any dog that is not an assistance animal. Food businesses also remain subject to the Code's other food safety requirements.

Based on the definition of 'outdoor dining area' in the Proposal, this is supported. The change to Standard 3.2.2 must be clear that the removal of the restriction on companion dogs in outdoor dining areas does not result in a mandatory requirement to allow companion dogs in outdoor dining areas. Individual business operators should have the right to prohibit companion dogs entering an outdoor dining area, based on their assessment of their ability to manage the potential risks.

It is recognised that it will be necessary for local governments to review their local laws for any conflict with the Standards. In the case of the *Food Act 2006* (Qld), this would occur against the backdrop of sections 30 (Local laws relating to purposes of the Act) and section 8 (Main purposes).

### **Amendment to Local Law no 4 (Animal Management)**

At present Logan City Council Local Law No 4 (Animal Management) states that:

*The keeper of an animal, other than an assistance dog, is not to bring or permit an animal to enter or remain on any premises operated for the purpose of the manufacture, preparation, storage or sale of food for human consumption." (S11 {5})*

Council will need to review this provision against the *Food Act 2006* (QLD) in light of its support for the proposal.

## **2. Acknowledgment of Health Benefits of Companion Animals**

There is significant research demonstrating the overall health benefits of companion dogs. This includes the mental health benefits of companionship, physical and wellbeing benefits through an increase of exercise, walking and outdoor activity observed by companion dog owners.

Recognition of these health benefits should be acknowledged and considered in the decision making process for Proposal 1018.

### **3. Development of Best Practice Guidelines**

Logan City Council supports the risk assessment within the proposal. Any change to Standard 3.2.2 that removes the restrictions of companion dogs in outdoor dining areas should be accompanied with supporting guidelines, which support food business operators in minimising the relevant risks. It is suggested that the guidelines include methods to introduce, monitor and enforce appropriate controls for companion dogs in the outdoor dining area.

The guidelines should address the risks while promoting an outcome focused risk based approach to the issue consistent with the Food Safety Standards. Any guidelines should be developed in consultation with key stakeholders including State wide hospitality industry associations, local governments, State health departments, State dog associations and RSPCA representatives.