

Companion Dogs in Outdoor Dining Areas

'Call for submissions – Proposal P1018'

Food Standards Australia New Zealand

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Submission by Ipswich City Council

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Please note that this submission is Council Officers feedback only. Due to submission timeframes and Council meeting dates, this submission has not been endorsed by Council. It will be going to the next Council meeting and if there are any substantial changes a copy will be forwarded at that time for consideration.

Background

Council is responding to the proposal to remove restrictions on the presence of companion dogs in outdoor dining areas and prepared draft food regulatory measure. It is also noted that within the *Australia New Zealand Food Standards Code* (the Code) that there is no definition of Companion Dogs (other than it doesn't include Assistance Dogs). It is assumed therefore that Companion Dogs represents all dogs that are not defined as Assistance dogs for the purpose of this submission.

Synopsis

In summary, Council is supportive of companion dogs being allowed in certain outdoor dining areas. It is recognized that there are multiple benefits for this approach, not the least increased perception in the value of dogs in the community (e.g. a dog is part of the family). However, an approach such as this must be undertaken with clear guidelines and rules on how public and animal health and safety is not diminished.

Council would like to provide the following comments in relation to the questions posed in the consultation paper.

Proposal Comments

Overall Comments

- Definitions of companion dogs and outdoor dining areas are required to provide clear interpretation and application of the desired outcomes. Outdoor area to include issues such as accessibility i.e. must not be accessible solely through a building and has effective screening from public areas and neighboring properties. This proposal is likely to have a minimal negative impact on current businesses with outdoor dining facilities in the Ipswich community. However, Ipswich has a burgeoning population growth (4% pa) and it is acknowledged that with this will come an increase in business opportunities. This change in policy has the potential to lead to a variety of outcomes and experiences for the community.


Food Safety & Public Health Comments

- It is noted that the risk assessment of the issue supports a low to zero risk to food borne illnesses from the proposal. High standards of sanitation, pest control and hygiene would need to be maintained and improved through the current legislation and codes.
- Where concerns are identified with potential contamination of food from companion animals at the premises, there may be more time needed in enforcement practices (e.g. food premises with no companion dogs allowed compared to food business with companion dogs allowed) to prove elements of providing unsafe food. This is principally due to the likely risks / modes of transmission being outside the kitchen environment.
- Wait staff handling the companion dogs (i.e. patting) in regards to safe food handling practices may be difficult for regulatory staff to enforce however a development of 'best practice' sanitation and hygiene, in line with current procedures and requirements would be highly recommended. Documented procedures would demonstrate the businesses initiative to self-regulate safety procedures. The procedures would then minimize the transmission of pathogens from the companion dogs to staff and in turn food preparation areas.
- Noted are the studies on human-dog interaction and although there is minimal content about people's contact with dog and / or the dog's remnants of saliva and fur left when the dog vacates the premises. Has this been considered? If there are risks of allergies and zoonotic diseases, then would it be necessary to ensure this is controlled? Again appropriate practices for cleaning furniture, floors etc. would need to be adopted to prevent cross contamination.
- The proposal supports increased physical activity options for the community and therefore increased health outcomes. For example, a time-poor resident who drove to get the coffee may now walk as they can now take their dog for its walk while getting a coffee.
- It is expected that the liability will be assumed by the operator of the premises and will wear responsibility if an incident was to occur. This would need to be a consideration by the business and incorporated into their insurance as a part of their business planning and operations.

Animal Management Comments

- Sufficient barriers to separate the companion dogs from public passing by would be required to ensure the safety of the community. Other legislation managing dogs such as local laws and the *Animal Management (Cats and Dogs) Act 2009 (QLD)* would assist in managing for example regulated or restricted dogs should be excluded from these outdoor dining areas.
- Education and awareness on how to assimilate dogs into these spaces would be required to ensure that a harmonious environment would be retained. Effective control is not defined in the *Animal Management (Cats and Dogs) Act 2009 (QLD)*. Legislation and/or local laws must define the responsibility of the owner to a) maintain the amenity b) control and limit the dog physically c) control the dog behaviorally and it is recognized that each individual State and Local Government

- Discrimination should not be given to breed size and any such legislation should not create an inequitable experience for any dog owner (with the exception of regulated and restricted dog breeds).
- In some circumstances, the outdoor dining areas could involve public spaces (e.g. roadways and parks). Consideration of appropriate controls (including prohibition) for such scenarios and may mean changes to local governments local laws around Australia. To assist with any changes in current laws that would be impacted by this proposal a six to twelve month introduction/gazettal of proposed changes would be necessary for local governments, businesses and the community to prepare for change. The legislation should define and exclude any relevant area in which there is defining reasons for banning animals generally i.e. Hospitals, Train Stations, etc.
- There may be equality issues to manage for example; I can take my dog but not my cat. However, Council sees this proposal as an initial change that may result in additional exceptions. In years to come based on experiences with dogs, this may be expanded to other animals. However animal management and public health would need to be analyzed on a case by case basis for each animal.

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