

Submission

Proposal 1018 - Companion Animals in Outdoor Dining Areas Attachment A – Draft variation to the Australian New Zealand Food Standards Code

I wish to submit information which I believe is pertinent to your proposed draft variation to the Australian New Zealand Food Standards Code – *Standard 3.3.2 Clause 24*

From living in other states and personally enjoying the ability to take my dog to outdoor dining areas I have identified a shortfall in the legislation allowing this, and a solution which I believe should be implemented within the clauses permitting dogs in outdoor dining areas.

The Problem:

There is a distinct lack of suitable/close positions for a pet owner to tether their pet when visiting outdoor dining areas. Café tables, chairs, street poles, signs and bins are some examples of what are currently being used to secure pets in these areas. These structures/objects are not primarily designed, positioned or suitable to tether a pet.

Problems arising from this are –

- Tethering a pet to a pole across a footpath or up the street with pedestrians/pets passing by restricts the ability to remain in effective control of a pet.
- Pets tethered to chairs and tables can pull them over and also present as a trip hazard to wait staff delivering food/drinks to their customers.
- Pets not tethered in close proximity to their owner can hinder other customers dining at the venue.
- Venues which are not pet friendly have no way of displaying it to their customers.

The Solution:

Venues with outdoor dining areas wishing to welcome pets should provide customers a secure point in a suitable position to tether their pet during their visit.

I believe the following should be implemented in *Standard 3.3.2 Clause 24 (3)*:

- (3) A food business may contain a dog which is not an assistance animal to be present in an outdoor dining area **providing-**
 - (a) the venue is equipped with a secure fixture to tether a pet; and
 - (b) the pet is under effective control of some competent person; and
 - (c) a person does not feed a pet or permit the pet to be fed; and
 - (d) the pet is kept on the ground.

In addition to this, ‘Effective Control’ should be stated in *Standard 3.3.2 Clause 24 (4)*:

In this clause –

assistance animal means an animal referred to in section 9 of the *Disability Discrimination Act 1992* of the Commonwealth.

effective control means a dog is –

- (a) restrained by adequate chain, cord or leash controlled by some competent person; or
- (b) tethered to a secure point/position by adequate chain, cord or leash in immediate proximity of some competent person.

enclosed area means an area that, except for doorways and passageways, is substantially or completely closed, whether permanently or temporarily, by –

- (a) a ceiling or roof; and
- (b) walls or windows or both walls and windows.

outdoor dining area means an area that –

- (a) is used for dining, drinking or both drinking and dining; and
- (b) is not used for the preparation of food; and
- (b) is not an enclosed area; and
- (c) can be entered by the public without passing through an enclosed area.

Implementing such a clause will:

- Importantly, ensure pets visiting outdoor dining areas remain under effective control of the person responsible for the pet.
- Pets will be situated with their owner, not tethered to street poles leaving them in the path of passing by pedestrians and dogs.
- Pet friendly venues will be easily identifiable to customers and venues not wishing to host pets will not provide a fixture to secure them.
- It provides a resolution to those who think pets should not be in outdoor dining areas as pets (small and large) who do visit outdoor dining areas will be situated by their owners side and secure at all times enabling other patrons to enjoy their visit without being hindered or feeling uneasy.
- Installing the devices away from entrances will provide staff with sufficient access to their customers without having a pet in and around their feet.

Suggested Device:

The realisation and frustration of the lack of positions to tether a pet in outdoor dining areas inspired me to invent, design and manufacture Pet Parking - a safe, effective and secure device designed solely to tether a pet on a leash. I designed Pet Parking ensuring it has no hooks bars or sharp edges ensuring it does not pose a threat to customers, children or passing by pedestrians. Pet Parking is a permanent fixture and protrudes only 17mm from any given surface. It is available in a range of colours and is effectively being used in cafés, small shops, homes, veterinary surgeries, dog training, RSPCA NSW animal shelters, veterinary clinic and their care centres.

Key Features



- (1) The housing component of Pet Parking is made from **UV STABILISED POLYCARBONATE** which has excellent impact resistance, approximately 250 times that of glass. To provide an idea of strength, other products polycarbonate is used for are machinery guards, military vehicle windows, medical safety equipment and the lenses of safety glasses. Pet Parking is made from a UV stabilised polycarbonate which prevents the device from fading and losing colour when installed in outdoor locations. Polycarbonate is available in a range of colours making Pet Parking suitable for all locations.
- (2) Pet Parking is **READY TO INSTALL** with stainless steel screws, wall plugs and an installation guide provided in pack. This enables installation to masonry and wooden structures.
- (3) There are **NO SHARP EDGES** on the Pet Parking device. This is a safety aspect of Pet Parking as it ensures there is no possibility of a person injuring themselves if they were to bump into or brush up against the device.
- (4) The Pet Parking **LOGO IS SUBTLE AND NON-INTRUSIVE**. Free from bright outstanding colours, the logo remains the same colour as the device itself. This ensures the device does not take anything away from the overall appearance of the locations/venues which it is installed.
- (5) Pet Parking **PROTRUDES ONLY 17mm FROM ANY GIVEN SURFACE** and measures 134mm x 85mm. Pet Parking is a slim line device which is non-intrusive to customers or passing by pedestrians when installed at commercial venues.
- (6) The custom designed latch swings off a stainless steel round bar and sits naturally in a recess provided by the polycarbonate housing. This ensures Pet Parking has **NO BARS OR HOOKS** protruding from

the device. Eliminating the risk of customers, children or passing by pedestrians becoming caught up or injured by the device.

- (7) Pet Parking has a **CUT OUT SECTION** along the bottom edge of the device to allow users to conveniently swing out the custom designed latch when tethering a leash through the underside of the device.
- (8) The **CUSTOM 316 STAINLESS STEEL LATCH** has a centre prong incorporated specifically to accommodate the eye of a pet leash. A pet leash can be tethered either by placing the eye of a leash over the prong through the front of the latch or through the underside of the latch. When tethered to Pet Parking, any pressure applied to a leash causes the latch to naturally swing out against the point of strain ensuring a tethered leash remains secure at all times.

Pet Parking is suitable for pets up to 75kg.

Conclusion:

If such a clause is implemented and pet friendly venues offer a device such as Pet Parking. Safety and risk management will be effectively addressed and suitable measures will be in place.

There is also the opportunity for local councils to provide Pet Parking to their local venues with their own branding/council logo on the device. This is offered to Councils throughout Australia only.

If you have any questions or would like any further information please don't hesitate to contact me via the means stated below.

Regards,

David Wyatt - Managing Director

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