

ORDINARY MEETING

OF

MAKARA/OHARIU COMMUNITY BOARD

AGENDA

Time: 7:00 p.m.
Date: Thursday, 25 February 2016
Venue: Ohariu Valley Hall
550 Ohariu Valley Road
Ohariu
Wellington

MEMBERSHIP

Murray Burdan
Christine Grace (Chair)
Judy Liddell
Wayne Rudd
Margie Scotts
Hamish Todd (Deputy Chair)

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing public.participation@wcc.govt.nz or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.

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1 Meeting Conduct

1.1 Apologies

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Makara/Ohariu Community Board; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.2 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.3 Confirmation of Minutes

The minutes of the meeting held on 21 January 2016 will be put to the Makara/Ohariu Community Board for confirmation.

1.4 Public Participation

A period of at least 10 minutes shall be set aside near the beginning of Makara/Ohariu Community Board meetings to enable members of the public to make statements about any matter on the Agenda for that meeting. The total time set aside for public participation may be extended with the majority agreement of the Board.

1.5 Items not on the Agenda

A motion relating to any matter not on the Agenda may be made without notice, by the unanimous resolution of the meeting. The Chairperson shall explain to the meeting why the item is not on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

2 Oral Reports

2.1 Community Plan discussion

2.2 Rooding

3 Reports

ANIMAL BYLAW AND DOG POLICY REVIEW

Purpose

1. To provide guidance on Animal Bylaw and Dog Policy review.

Summary

2. The Wellington Consolidated Bylaw, Part 2: Animals determines requirements for the keeping of animals to protect the public from nuisance, to maintain and promote public health and safety, and to protect the welfare of animals. Under the Local Government Act 2002 the Animal Bylaw review must be completed by August 2016.
3. The Dog Policy was last reviewed in 2009. The Dog Policy must be reviewed when the Animal Bylaw is reviewed, as per the Dog Control Act 1996. As part of this review, exercise areas are being looked at.
4. The Dog Policy determines the obligations for dog owners, and lists where dog exercise areas are. The Dog Policy aims to recognise the community and health benefits of dog ownership, while balancing public safety concerns and the relevant legal requirements.
5. The majority of dog owners in Wellington are responsible, and interactions between dogs and people are generally positive.
6. Public debate surrounding cat ownership has increased since the Bylaw was last reviewed. Key issues are domestic cats killing native animals¹, and the need to control feral cats to protect native animals. Nuisance caused by cats is also an issue, such as noise from fighting, and faeces. There are currently no explicit restrictions on the keeping of cats.
7. Officers note that poultry are increasingly being kept as pets. The Council regularly receives complaints from the public regarding noise from roosters. The current Bylaw does not place any explicit restrictions on keeping poultry or roosters.

Recommendations

That the Makara/Ohariu Community Board:

1. Receive the information.
2. Provide guidance on issues and strengths of the Animal Bylaw and Dog Policy.

¹ Mya J. Gaby, [What do owned free-ranging domestic cats get up to?](#) Victoria University of Wellington & Wellington City Council, 2014

Background

Animals in Wellington

8. Approximately 52% of New Zealand households own a cat. There are no official records of the number of cats in Wellington. The Bylaw does not place any explicit restrictions on cat ownership. Public debate surrounding cat ownership has increased since the Bylaw was last reviewed in 2009.
9. Wildlife numbers within the city are growing as a result of numerous programmes to expand Wellington's biodiversity. Wildlife and cats are increasingly coming into conflict². A balance needs to be found that retains the rights of owners' and cats, while protecting wildlife in its natural habitat.
10. Officers are meeting with community and interest groups to hear their thoughts on a range of regulatory and non-regulatory options for managing cats. Non-regulatory options might include working with vets and the SPCA to promote de-sexing and microchipping, to reduce the number of cats and make owned cats easy to identify.
11. A regulatory option the Council could consider is limiting the number of cats per household, for example Buller District Council, Invercargill City Council, Masterton District Council, Palmerston North City Council, and Rangitikei District Council have a limit of 3 cats. The Council would need to understand how options such as restricting the number of cats would work in practice.
12. Roosters causing noise is the most time consuming complaint for officers, and wandering chickens is another leading issue. There are no official records of the number of domestic poultry and roosters in Wellington.

Dogs in Wellington

13. There are 10,716 dogs registered dogs in Wellington City. Popular breeds of dogs are Labrador/cross, Border Collie/cross, Cavalier King Charles Spaniel/cross, and Bichon Frise.
14. Officers note that key issues identified so far in the review are: dog exercise areas, interactions with wildlife, and fees.
15. Dog exercise areas are popular with dog owners, and are a positive environment for dogs to socialise. Dog owners are moderately dissatisfied with some of the operational aspects of dog exercise areas, including the lack of bins, owner behaviour, issues with lighting and seating. There are currently 71 off-leash dog exercise areas³. Officers are currently undertaking a detailed review of exercise areas.
16. Responsible Dog Owner (RDO) status offers a reduced dog registration fee to recognise and encourage good dog ownership. Currently 2,243 of 8,979 owners (25%) have RDO status. Other Territorial Authorities have similar schemes that are well regarded.
17. Dogs have also conflicted with wildlife. In Wellington there have been confirmed cases of dogs killing kaka⁴ and little blue penguins. Officers suspect that more cases go unreported.
18. Dog registration fee levels are contentious. Fees and late penalties are set by territorial authorities, and must take into account relative costs of the registration and other relevant factors.

² <http://wellington.govt.nz/services/environment-and-waste/environment/biodiversity/kaka-cam>

³ Wellington City Council, [Wellington City Dog Exercise Areas](#), 2015

⁴ Wellington City Council, [Dog kills kākā in Huntleigh Park](#), 2015

Discussion

19. Dog faeces is a key concern for the public. Owners must *immediately remove and dispose of their dog's faeces if the dog defecates in a public place*. Only a dog control officer from Animal Services is able to Infringement Notices for failing to remove faeces. Officers note that this is ineffective as they can ask owners to clean up but not compel them.
20. Exercise areas do not need to be fenced at present, and many share boundaries with children's play areas, roads, sport fields and reserves. Officers note that seasonal and 'specified times' rules (e.g. for beach restrictions during summer and some exercise areas) can be confusing for the public.
21. Dog exercise areas are funded partially by the Council's Parks, Sport and Recreation, and Public Health teams. A destination dog exercise park was previously consulted on in 2009, finding that 62 percent of people would be likely to use a destination dog park. No developments towards the building of a destination dog park have been made due to funding constraints.
22. Rule variation by season for *Beach areas restricted during summer* and *Exercise area (specified times)* is confusing for the public. Officers note Public Health would encourage the adoption of a blanket rule for the entire year.
23. Wildlife and owned animals (such as cats and dogs) are increasingly coming into conflict as wildlife numbers grow, particularly in reserve areas. A balance needs to be found for the rights of owners' and their pets, while protecting wildlife.
24. Long leashes restrain dogs, but only provide owners limited control. Dogs on long leashes can rush people and create nuisance. Officers note that this is an increasing issue.

Next Actions

| | |
|---|---|
| February 2016 | Officers work with communities to identify issues |
| 17 March 2016 | Statement of Proposal final drafts to Environment Committee |
| 01 April – 02 May 2016 | Consultation period |
| Mid – late May | Oral submissions heard |
| 23 June 2016 | Environment Committee considers report on all written and oral submissions received |
| 17 August 2016 | The Council decides whether to adopt the proposed changes |
| The amended Policy and Bylaw will come into force | |

Item 3.1

Attachments

Nil

| | |
|------------|---|
| Author | Jessica Clarke, Graduate Advisor, Policy and Reporting |
| Authoriser | John McGrath, Acting Director Strategy and External Relations |

SUPPORTING INFORMATION

Consultation and Engagement

An engagement and consultation plan has been developed as part of this review.

Treaty of Waitangi considerations

Treaty of Waitangi considerations have been taken into account.

Financial implications

Not applicable at this point.

Policy and legislative implications

The Bylaw and Policy review consider decisions made in this paper.

Risks / legal

The Bylaw amendments are required to fulfil Council's obligations under the Local Government Act 2002, Dog Control Act 1996, Health Act 1956, and the Animal Welfare Act 1999.

Climate Change impact and considerations

No considerations at this point.

Communications Plan

A communication plan will be developed as part of the consultation process for the reviewed Bylaw and Policy.

RESOURCE CONSENT APPLICATIONS AND APPROVALS FOR 2 JANUARY 2016 TO 31 JANUARY 2016

Purpose

1. In accordance with an agreement reached with the Makara/Ohariu Community Board, the purpose of this report is to advise the Board of all resource consents lodged, along with decisions made by Officers acting under delegated authority, on land use and subdivision resource consent applications.

Recommendation

That the Makara/Ohariu Community Board:

1. Receive the information.

Background

2. This report advises the Community Board of resource consents lodged and decisions made during the period 2 January 2016 to 31 January 2016.

Discussion

3. For the period from 2 January 2016 to 31 January 2016, there was one application lodged with the Council.

| Service Request | Address | Applicant |
|--|-------------------------------|----------------------------------|
| 349224 | 803 Ohariu Valley Road | Katherine & Peter May |
| Land Use for the construction of an auxiliary storage building | | |

4. For the period from 2 January 2016 to 31 January 2016 there were two applications approved under delegated authority.

| Service Request | Address | Applicant |
|--|--------------------------------|---|
| 347209 | 140 Opau Road | Meridian Energy Ltd |
| Land Use for the construction of an auxiliary storage building | | |
| 346975 | 1029 Ohariu Valley Road | Justine Taylor & Vicki Karaminas |
| Land Use for the construction of a farm building and associated earthworks | | |

Attachments

Nil

| | |
|------------|---------------------------------------|
| Author | Judy Harte, Executive Support Officer |
| Authoriser | Anthony Wilson, Chief Asset Officer |

CURRENT AND UPCOMING COUNCIL CONSULTATION ITEMS

Purpose

1. To provide the Makara/Ohariu Community Board with an update on the current items Council is seeking public feedback on and to advise the Board on upcoming items for consultation.

Recommendation

That the Makara/Ohariu Community Board:

1. Receive the information

Discussion

2. The Council will be or is currently seeking feedback on the following items:
 - Trade Waste Bylaw 2004 Review—submissions close 5 p.m. on 26 February 2016.
 - Draft Car Share Policy—submissions close 5 p.m. on 11 March 2016.
 - Movie Museum and Wellington Convention Centre—submissions close 5 p.m. on 15 March 2016.
3. Wellington City Council would like the public's view on the proposed amendments to the Trade Waste Bylaw. The Council proposes to expand the purpose of the bylaw to capture the promotion of cleaner production of trade waste and explicitly provide for a monitoring and charging regime
4. The Council is also seeking the public's views on a draft car share policy. The draft policy looks at ways schemes such as these can be encouraged and also includes providing free or subsidised on and off-street car parks where vehicles operated by authorised car share operators can be parked when they are not in use.
5. The Council is also seeking the public's views on its proposal to establish a combined Convention Centre and Movie Museum in the city centre. The Council believes the proposal will provide world-class tourism to the city and good economic return.
6. All relevant information and supporting information is available on Council's website: <http://wellington.govt.nz/have-your-say/consultations>

Options

7. Should the Board wish to make a submission on any of these items, the submission will need to be retrospectively ratified at the next Board meeting, which is scheduled for Thursday, 7 April 2016.

Attachments

Nil

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|------------|---|
| Author | Claire Gilray, Governance Advisor |
| Authoriser | Crispian Franklin, Governance Team Leader |

SUPPORTING INFORMATION

Consultation and Engagement

All relevant supporting information and documentation relating to these items for consultation are available on Council's website and community input is being sought.

Treaty of Waitangi considerations

Any Treaty of Waitangi considerations will be taken into account.

Financial implications

Any financial implications will be considered.

Policy and legislative implications

Any policy and legislative implications will be considered.

Risks / legal

Any legal implications and risks will be taken into account.

Climate Change impact and considerations

Climate change impacts (if any) will be considered.

Communications Plan

Council's website details the next steps for each item that is being consulted on.

FORWARD PROGRAMME

Purpose

1. To provide a current draft work programme for the Board's consideration.

Recommendation/s

That the Makara/Ohariu Community Board:

1. Receive the information.
2. Approve its current draft work programme subject to any alterations, additions, or deletions deemed necessary.

Discussion

2. The Forward Programme as it currently stands is outlined below:

| Thursday, 7 April 2016 (Makara Hall) |
|--|
| <ul style="list-style-type: none">• Standing Items:<ul style="list-style-type: none">○ Roding○ Resource Consents○ Forward Programme○ Upcoming Areas of Consultation (if any)• Agenda Items:<ul style="list-style-type: none">○ Finalising Community Plan○ The Board's Standing Orders |

Attachments

Nil

| | |
|------------|---|
| Author | Claire Gilray, Governance Advisor |
| Authoriser | Crispian Franklin, Governance Team Leader |

SUPPORTING INFORMATION

Consultation and Engagement

No consultation or engagement is required.

Treaty of Waitangi considerations

There are no Treaty of Waitangi considerations associated with this report.

Financial implications

There are no financial implications associated with this report.

Policy and legislative implications

There are no policy or legislative implications associated with this report.

Risks / legal

There are no risks or legal implications associated with this report.

Climate Change impact and considerations

N/A

Communications Plan

N/A