
Regulatory and Consents Committee

OPEN MINUTES

Minutes of a meeting of Regulatory and Consents Committee held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 17 May 2017 at 9am.

PRESENT

Chairperson	Gavin Macpherson
Councillors	Brian Dillon
	Paul Duffy
	Darren Frazer
	Julie Keast
	Neil Paterson

IN ATTENDANCE

Group Manager, Environmental Services (Bruce Halligan), Team Leader, Resource Management (Marcus Roy), Team Leader, Building Solutions (Michael Marron), Environmental Health Manager (Michael Sarfaiti), Communications Manager (Louise Pagan), Group Manager, Customer Support (Trudie Hurst), Courtney Ellison (Senior Resource Management Planner - Policy) and Committee Advisor (Alyson Hamilton).

1 Apologies

Moved Cr Paterson, seconded Cr Frazer and **resolved:**

That the Regulatory and Consents Committee accept the apology from Mayor Tong.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There was no Public Forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

Moved Cr Keast, seconded Cr Dillon **and resolved:**

That the minutes of Regulatory and Consents Committee meeting, held on 6 April 2017 be confirmed as a true and correct record subject to the declaration of interest noted by Cr Duffy to his being a member of the South Catlins Charitable Trust.

Reports for Resolution

7.1 District Plan Effectiveness Monitoring Report

Record No: R/17/4/7505

Marcus Roy (Team Leader, Resource Management) and Courtney Ellison (Senior Resource Management Planner - Policy) presented the report.

Mrs Ellison advised the purpose of the report is to present the District Plan Effectiveness Monitoring Report and associated recommendations.

Mrs Ellison explained Council is required to monitor the effectiveness of the District Plan and the State of the Environment under section 35 of the Resource Management Act 1991.

Mrs Ellison added plan monitoring is also useful in understanding what changes might be needed to the District Pan or how it is implemented and to identify any key or emerging issues.

The Committee noted staff have prepared a baseline District Plan Effectiveness Monitoring Report with a number of recommendations for consideration. Mrs Ellison advised further development is being undertaken to these recommendations and will be presented at a future meeting of the Committee.

Resolution

Moved Cr Frazer, seconded Cr Paterson **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receive the report titled “District Plan Effectiveness Monitoring Report” dated 8 May 2017.**
- b) **Determine that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determine that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Notes the recommendations from the District Plan Effectiveness Monitoring Report 2017.**

7.2 Draft Variation 3 for Preliminary Consultation

Record No: R/17/4/8680

Marcus Roy (Team Leader, Resource Management) and Courtney Ellison (Senior Resource Management Planner - Policy) presented the report.

Mrs Ellison advised the purpose of the report is to seek the Committee’s approval of the draft variation for consultation with key stakeholders.

Mrs Ellison informed on 15 March 2017, Council gave approval for staff to draft a variation to address various matters that have arisen through the implementation of the plan. She added staff have prepared a draft variation which shows the proposed changes to the text of the Proposed District Plan 2012.

Mrs Ellison explained it is proposed to consult with the key stakeholders and relevant communities on the proposed changes prior to starting the formal process under the Resource Management Act (RMA) to provide more flexibility for the communities to shape the rules that will affect them.

Mrs Ellison advised in summary the proposed changes include:

- Removal of rules relating to sandwich boards as these are now covered by the ‘Signs and Objects on Roads and Footpaths Bylaw 2016’.
- Inclusion of a rule to reduce the duplication for people having to go through both the resource consent process under the RMA and the concessions process under the Conservation Act.
- Clarification and refinement of general standards relating to infrastructure.

- Provision for esplanade reserves/strips to be created along the coastline through the subdivision process.
- Changes to the earthworks provisions within the coastal environment.
- Reduction in carparking requirements for commercial activities in existing buildings.
- Provision for commercial activities in townships that do not have an identified 'Commercial Precinct'.
- Clarification that administrative buildings are included in permitted scope of the Edendale Concept Plan.
- Addressing the bulk of accessory buildings permitted.

Mrs Ellison further advised that meetings will be held with key stakeholders for these proposed changes including, but not limited to:

- Relevant Community Boards and Community Development Area Subcommittees.
- In relation to the proposed concessions rule: Department of Conservation, Forest & Bird, Fish & Game, major concessionaires.
- In relation to the infrastructure changes: major infrastructure providers and Forest & Bird who currently have an appeal on some aspects of the infrastructure rules.
- In relation to changes to accessory buildings rules: local surveyors / planning consultants.

Resolution

Moved Cr Dillon, seconded Cr Keast **and resolved:**

That the Regulatory and Consents Committee:

- a) Receive the report titled "Draft Variation 3 for Preliminary Consultation" dated 4 May 2017.**
- b) Determine that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determine that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Approves the draft variation to the Proposed District Plan 2012 for informal consultation.**

Reports

8.1 Dog Attacks - Research and Recommendations

Record No: R/17/3/6549

Michael Sarfaiti (Environmental Health Manager) presented the report.

Mr Sarfaiti advised Dog Control has completed a research exercise looking at dog attack data over the last three years.

Mr Sarfaiti explained historically there has been on average about one dog attack a week reported in the District. Most are attacks on dogs or other animals, with few attacks each year on people. Mr Sarfaiti advised severe attacks on people are a rarity in the District, the worst by far being the attack on a lady in a wheelchair and her dog in Riverton, in 2014.

Mr Sarfaiti advised attacks on animals on the other hand, particularly lambs, can be severely gruesome, and horrific for the owners of the injured or killed stock or dogs.

The Committee was advised Council's recent review of the Dog Control Bylaw was designed in part to reduce aggression incidents, by:

- Introducing new dog registration discounts, that encourage neutering, containment, and responsible ownership.
- Introducing multiple dogs licensing.
- Mandatory neutering of menacing dogs.

Mr Sarfaiti added the Government is also looking at amending the Dog Control Act, with the aim of reducing the number of dog attacks.

Mr Sarfaiti advised staff wished to analyse dog attacks over the last few years in order to identify any trends, or any actions that could prevent attacks from occurring. Mr Sarfaiti confirmed this work will not conflict with any Government proposals.

Mr Sarfaiti explained there were difficulties with gathering information for this research, and the accuracy of the data may contain some errors. The Committee noted the collation of the data was a manual exercise.

Mr Sarfaiti informed the main findings of the analysis are:

- a) Most bites occur near to where the dog lives. Typically a person, or a person with a dog, walks/runs/bikes past a house and the dog escapes the property and bites the person or dog.
- b) Incidents that occur on the dog's property usually involve a meter reader courier or postie, or another visitor to the property.
- c) Non-registration history was a significant factor, just over 50%. Combined with other history such as wandering warnings or failure to control, the figure jumps to around two-thirds.
- d) Most dogs were not neutered, however data is not clear enough to give a percentage.
- e) The dogs being kept in rental properties was another factor of interest, with around two-thirds being on rental properties.

Mr Sarfaiti advised the findings of the research are consistent with the general understanding of what SDC Dog Control officers would consider to be the risk factors in attacks.

Mr Sarfaiti explained some councils have had amnesties, where people with unregistered dogs are invited to register their dogs for free with no consequences. Another type of amnesty is where owners of menacing breeds are invited to register their dogs for free with cheap de-sexing.

Mr Sarfaiti outlined the benefits of an amnesty are a safer community due to a number of unknown higher risk dogs becoming compliant through the amnesty.

The Committee noted drawbacks included that some responsible dog owners may feel aggrieved that this rewards bad behaviour, and the same result could be achieved through door to door monitoring; and funded by the issuing of infringements for non-registration.

Mr Sarfaiti sought feedback from the Committee on the following points whether further actions with respect to dog attacks are warranted.

- support the provision of signs for gates for free, eg “Please use back door”?
- support the Dog Control team organising a workshop for Posties and meter readers, to discuss health and safety?
- support the Dog Control team identifying higher risk properties, for the purpose of smarter monitoring?
- support the Dog Control team systematically identifying unregistered dogs on properties by District wide monitoring?
- support the concept of an amnesty for either/both unregistered dogs and menacing dogs?

Members agreed to support the concept of an amnesty subject to consultation with other councils who provide an amnesty and the issues that may arise.

Resolution

Moved Cr Keast, seconded Cr Dillon **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report titled “Dog Attacks - Research and Recommendations” dated 1 May 2017.**
- b) **Agrees to support the provision of signs for gates for free, eg “please use back door”.**
- c) **Agrees to support the Dog Control Team organising a workshop for Posties and meter readers, to discuss health and safety.**
- d) **Agrees to support the Dog Control Team identifying higher risk properties, for the purpose of smarter monitoring.**
- e) **Agrees to support the Dog Control Team systematically identifying unregistered dogs and their owners on properties by District wide monitoring.**

- f) **Agrees to support the concept of an amnesty, for a month, subject to staff providing further information on how this issue is managed/enforced by other councils.**

The meeting concluded at 10.23am.

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE
REGULATORY AND CONSENTS COMMITTEE
HELD ON 17 MAY 2017.

DATE:.....

CHAIRPERSON:.....