

Notice is hereby given that a Meeting of the Regulatory and Consents Committee will be held on:

Date: Thursday, 29 June 2017
Time: 9am
Meeting Room: Council Chambers
Venue: 15 Forth Street, Invercargill

Regulatory and Consents Committee Agenda

OPEN

MEMBERSHIP

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

IN ATTENDANCE

Group Manager, Environmental Services	Bruce Halligan
Committee Advisor	Alyson Hamilton

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Full agendas are available on Council's Website
www.southlanddc.govt.nz

Terms of Reference – Regulatory and Consents Committee

The Regulatory and Consents Committee is responsible for overseeing the statutory functions of the Council under the following legislation (but not limited to the following):

- Resource Management Act 1991
- Health Act 1956
- Food Act 2014
- Dog Control Act 1996
- Sale and Supply of Alcohol Act 2012
- Heritage New Zealand Act Pouhere Taonga Act 2014
- Building Act 2004
- Freedom Camping Act 2011
- Psychoactive Substances Act 2013
- Impounding Act 1955

The Regulatory and Consents Committee is delegated the authority to undertake the following functions in accordance with the Council's approved delegations register:

- (a) Maintain an oversight of the delivery of regulatory services;
- (b) Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding matters it is legally unable to make decisions on as legislated by the Resource Management Act 1991);
- (c) Appoint panels for regulatory hearings;
- (d) Hear appeals on officer's decisions to decline permission for an activity that would breach the Southland District Council Control of Alcohol Bylaw 2015;
- (e) Approve Council's list of hearings commissioners (from whom a commissioner can be selected) at regular intervals and the Chief Executive Officer be authorised to appoint individual Commissioners for a particular hearing;
- (f) Make decisions on applications required under the Southland District Council's Development and Financial Contribution Policy for remissions, postponements, reconsiderations and objections;
- (g) Approve Commissioners and list members under the Sale and Supply of Alcohol Act 2012;
- (h) Exercise the Council's powers, duties and discretions under the Sale of Liquor Act 1989 and the Sale and Supply of Alcohol Act 2012;
- (i) Hear objections to officer decisions under the Dog Control Act 1996.

The Regulatory and Consents Committee shall be accountable to Council for the exercising of these powers.

The Regulatory and Consents Committee is responsible for considering and making recommendations to Council regarding:

- (a) Regulatory policies and bylaws for consultation;
- (b) Regulatory delegations;
- (c) Regulatory fees and charges (in accordance with the Revenue and Financial Policy)
- (d) Assisting with the review and monitoring of the District Plan.

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1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of Interest

Committee 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.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) the reason why the item was not on the Agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

6 Confirmation of Minutes

6.1 Meeting minutes of Regulatory and Consents Committee, 17 May 2017

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 Sarfai), 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 Plan 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:

- Receive the report titled "Draft Variation 3 for Preliminary Consultation" dated 4 May 2017.**
- Determine that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- 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.**
- 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?

Following discussion Members agreed to support the points raised by staff for further action with respect to dog attacks, including 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:.....

Objection to Disqualification from owning a dog - Scott Skilling

Record No: R/17/6/12107

Author: Michael Sarfai, Environmental Health Manager

Approved by: Bruce Halligan, Group Manager Environmental Services

☒ Decision

☐ Recommendation

☐ Information

Purpose

- 1 To determine Mr Scott Skilling's objection to disqualification from owning a dog.

Executive Summary

- 2 On 18 May 2017, the Group Manager Environmental Services, Mr Bruce Halligan, disqualified Mr Skilling from owning a dog until 22 January 2021, in accordance with Section 25 of the Dog Control Act 1996.
- 3 Mr Skilling has objected to the disqualification, and is entitled to appear before the Committee and speak in support of the objection.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled "Objection to Disqualification from owning a dog - Scott Skilling" dated 19 June 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines 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) Upholds the decision to disqualify Mr Scott Skilling and gives notice of this decision to Mr Skilling in accordance with Section 26(4) of the Dog Control Act 1996.

Content

Background

- 4 Mr Fairbairn's memorandum to Mr Halligan in Attachment A describes Mr Skilling's considerable record of irresponsible dog ownership. The history involves incidents relating to wandering dogs, dog rushing, and barking. He has received a number of infringements as listed in Schedule 1 of the memorandum. The notice of disqualification is in Attachment B.
- 5 Mr Skilling has objected to the disqualification, his objection is in Attachment C.

Issues

- 6 Section 26(3) of the Dog Control Act prescribes the matters that Council is required to have regard to in considering this objection. These are outlined below:

The circumstances and nature of the offence or offences in respect of which the person was disqualified:

- 7 The infringement history in **Attachment A** shows a history of significant repeat offending under the Dog Control Act 1996 (the Act). The offending is particularly concerning as it involves aggression incidents.

The competency of the person objecting in terms of responsible dog ownership:

- 8 Mr Skilling is not practicing responsible ownership by his repeated offending and failure to work with Dog Control staff.

Any steps taken by the owner to prevent further offences:

- 9 Mr Skilling does not advise of any steps taken in his objection.

The matters advanced in support of the objection:

- 10 Mr Skilling advises in his objection:
- a) He has received permission from his landlord to improve fencing; and
 - b) Proposes to have one or both of the dogs neutered.

Any other relevant matters:

- 11 The Committee considered my report titled “Dog Attacks - Research and Recommendations” on 17 May 2017.
- 12 An important finding is the strong link between prior compliance history and attacks. As a result Dog Control staff have a default position of disqualification when the criteria have been met (three infringements within a two year period), as opposed to considering probationary owner classification, or no further action. This is one way that Council can prevent attacks from occurring.

Factors to Consider

Legal and Statutory Requirements

- 13 The Dog Control Act provides:
- “25 Disqualification of owners**
- (1) A territorial authority must disqualify a person from being an owner of a dog if —
- (a) the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months; or
- (1A) Subsection (1) does not apply if the territorial authority is satisfied that the circumstances of the offence or offences are such that—
- (a) disqualification is not warranted; or
 - (b) the territorial authority will instead classify the person as a probationary owner under Section 21.”

Community Views

- 14 The public is particularly concerned about wandering dogs and irresponsible owners, and expects Council to take appropriate action to protect communities.

Costs and Funding

- 15 Mr Skilling is entitled to appeal the Committee's decision to the District Court, and so there would be legal costs associated with any appeal process.

Policy Implications

- 16 Council's Dog Control Policy 2015 enables Council to accept the recommendation of this report. Clause 9.1 of the Policy provides:

"The Council will use the full range of enforcement options available to it under the Dog Control Act 1996 and other legislation to ensure that dog ownership in the District is undertaken in accordance with this policy."

Analysis

Options Considered

- 17 The following are the options for the Council to consider:

Analysis of Options

Option 1 - Uphold the disqualification

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• Prevents Mr Skilling from owning a dog for a period, and during this period the local community will not be subject to problems from dogs that he owns.• Fulfils the public expectation of firm action with irresponsible owners and wandering dogs.• Is a preventive action to protect the neighbourhood from a dog attack incident.	<ul style="list-style-type: none">• None identified.

Option 2 - Bring forward the date of termination of the disqualification

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• An option if the Council believes that the period of disqualification is too long.	<ul style="list-style-type: none">• The period of disqualification is reasonable in my view, given Mr Skilling's disregard for complying with Dog Control laws despite efforts from Dog Control staff to encourage responsible dog ownership.

Option 3 - Immediately terminate the disqualification

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• None identified.	<ul style="list-style-type: none">• Mr Skilling's continued ownership of dogs is putting the neighbourhood at risk of an attack and further nuisance problems.

Assessment of Significance

- 18 This decision is not considered significant in terms of the decision-making requirements of the Local Government Act 2002.

Recommended Option

- 19 Option 1 is recommended. Mr Skilling has shown considerable irresponsibility in dog ownership in repeatedly offending under the Act. Despite a number of visits from Dog Control staff encouraging Mr Skilling to be more responsible he has failed to do so. In upholding the disqualification, the community will be protected during this period.

Next Steps

- 20 To give notice of this decision to Mr Skilling in accordance with Section 26(4) of the Dog Control Act 1996, and Dog Control staff will ensure that the disqualification will be complied with.

Attachments

- A Memorandum to Group Manager [↓](#)
B Notice of disqualification [↓](#)
C Objection [↓](#)

Disqualify Dog Owner

Record No: R/17/5/9863
File No. 300/15/5/9652
From: Stuart Fairbairn, Dog Control Officer
To: Bruce Halligan, Group Manager Environment and Community

Purpose

This memo recommends action in response to irresponsible dog ownership concerning Mr Scott Skilling.

Background

Mr Skilling had repeatedly allowed his dogs to wander, rush and bark and has not cooperated with Dog Control Officers over the years in their requests to take steps to encourage responsible ownership.

He has shown considerable irresponsibility in dog ownership which has been displayed through the valid complaints received and number of infringements issued.

Of the eight infringements he has received in that time six have gone to the courts with two still outstanding.

Mr Skilling owns an American Pitbull Terrier from which he breeds pups and the dog is not required to be neutered under the 2015 Policy, as she was registered prior to 2015. The other dog is a Mastiff.

Refer Schedule 1 for the RFS and infringement history.

Analysis

Options considered

Analysis of preferred options

Analysis of Options

Option 1 - No further action.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Nil. 	<ul style="list-style-type: none"> The public has an expectation of action with irresponsible dog owners.

Option 2 - Issue of warning letter.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Enables owner to comply without the need of formal enforcement. Encourages voluntary compliance. 	<ul style="list-style-type: none"> Mr Skilling has already received numerous verbal and written warnings.

Option 3 - Classify as a probationary owner.

Advantages <ul style="list-style-type: none"> • A valid sanction for this owner. • Enables monitoring to ensure compliance. 	Disadvantages <ul style="list-style-type: none"> • Irresponsible dog owner incidents may continue if the dog owner does not improve his dog ownership, and the public may be at risk.
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Option 4 - Classify as a disqualified owner.

Advantages <ul style="list-style-type: none"> • A valid sanction for this owner. • Enables monitoring to ensure compliance. • Significantly less likely that Mr Skilling's dogs cause a nuisance in the neighbourhood. 	Disadvantages <ul style="list-style-type: none"> • None identified.
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Analysis of preferred option

The preferred option is Option 4 - disqualification.

Disqualification prevents Mr Skilling from owning a dogs for a period, and during this period the local community will no longer be subject to nuisance or danger from his dogs.

The period of disqualification is considered on a case-by-case basis. One to three years would be expected for repeat offending such as for wandering dogs, four or five years for a history including aggression incidents. Due to level of nuisance that these dogs have caused staff recommend four years in this instance.

Recommended Option

That Mr Skilling is disqualified as a dog owner for four years. The disqualification applies from the date of the third infringement offence (23 January 2017), and Mr Skilling will be required to dispose of every dog owned by himself within 14 days of the date of this notice (by 2 June 2016).

Next Steps

If you accept the recommendation of this report, please sign the notice of disqualification attached.



Stuart Fairbairn
DOG CONTROL OFFICER

Attachment - Notice of Disqualification

Schedule 1 - RFS and Infringement History

Date	Dog	RFS #/type	Action taken
14/01/15	Ogga Booga	58163 Wandering dog	Notice to register
13/02/15	Ogga Booga	58873 Wandering dog	search warrant dogs seized
19/03/15	Ogga Booga	59772 Dog Rush/Threaten - (Nil bite)	Infringement issued
22/04/15	Ogga Booga	60478 Dog Rush/Threaten - (Nil bite)	Warning
24/03/17	Ogga Booga	75615 Wandering dog	Infringement issued
28/03/17	Ogga Booga	75674 Wandering dog	Phone call
24/04/17	Ogga Booga	76205 Wandering dog	Phone call
14/01/15	Pat	58163 Wandering dog	Notice to register
13/02/15	Pat	58873 Wandering dog	search warrant dogs seized
02/03/15	Pat	59302 Wandering dog	Infringement issued
22/04/15	Pat	60478 Dog Rush/Threaten - (Nil bite)	Warning
29/10/15	Pat	64799 Wandering dog	Warning
30/10/15	Pat	64814 Barking dog	Warning
17/11/15	Pat	65149 Barking dog	Warning
28/11/15	Pat	65371 Barking dog	Warning
11/12/15	Pat	65651 Barking dog	BAN Issued
04/01/16	Pat	65950 Dog Rush/Threaten - (Nil bite)	Infringement issued
28/04/16	Pat	68600 Barking dog	Warning
18/05/16	Pat	69023 Barking dog	Warning
31/05/16	Pat	69309 Dog Rush/Threaten - (Nil bite)	Warning
31/05/16	Pat	69314 Dog Rush/Threaten - (Nil bite)	Same as above
23/01/17	Pat	74066 Wandering dog	Infringement issued
22/02/17	Pat	74885 Wandering dog	Same as below
22/02/17	Pat	74886 Wandering dog	Infringement issued
27/03/17	Pat	75643 Wandering dog	Infringement issued
28/04/17	Pat	76343 Barking dog	Phone call

Item 7.1 Attachment A



Notice of disqualification from dog ownership

<http://www.legislation.govt.nz/pdflink.aspx?id=DLM374853> Section 25, Dog Control Act 1996

To: Scott Skilling

Address: 11 Ida Street Lumsden 9730

This is to notify you that you have been disqualified under Section 25 of the Dog Control Act 1996 from owning any dog.

This follows—

- 3 or more infringement offences (not relating to a single incident or occasion) having been committed by you, within a continuous period of 24 months.

The disqualification will apply from 23 January 2017 [being the date of the third infringement offence] until 22 January 2021.

A summary of the effect of the disqualification and your right to object is provided below.

Signature of officer
of Southland District
Council

Date: / /

Effect of disqualification

Section 28, Dog Control Act 1996

You are required to dispose of every dog owned by you within 14 days of the date of this notice. “Dispose” includes destruction or rehoming of the dog.

However, you may not dispose of a dog—

- to a person who resides at the same address as you; or
- in a way that constitutes an offence against the Dog Control Act 1996 or any other Act.

You must not become the owner, even on a temporary basis, of any dog while you are disqualified. You may have possession of a dog only for the purpose of—

- preventing it from causing injury, damage, or distress; or
- returning, within 72 hours, a lost dog to a territorial authority for the purpose of restoring the dog to its owner.

Form 3—*continued*

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you—

- fail to dispose of every dog owned by you within 14 days of this notice; or
- at any time while disqualified, become the owner of any dog; or
- dispose of a dog owned by you—
 - to a person who resides at the same address as you; or
 - in a manner that constitutes an offence against the Dog Control Act 1996 or any other Act.

If you are convicted of the first or second of these offences, your period of disqualification may be further extended.

You will also commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you dispose or give custody or possession of a dog to a person knowing that person to be disqualified from ownership under Section 25 of the Dog Control Act 1996.

Full details of the effect of disqualification are provided in the Dog Control Act 1996.

Right of objection to disqualification*Section 26, Dog Control Act 1996*

You may object to the disqualification by lodging a written objection with the Southland District Council setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard. No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until the Southland District Council has determined the objection.

There is a further right of appeal to a District Court if you are dissatisfied with the decision of the Southland District Council on your objection.

To whom it concerns

I Scott Skilling wish to appeal the notice to dispose of my much loved dogs Oga and Pat.

Yes I am aware that no matter what steps I have taken to date there have been occasions when they have made good an escape to visit the back of the butchers just two doors up.

Each time they have been quickly told and or escorted back home by either my Mum who works at the St John shop or the lovely lady at the chemist if not myself.

I have asked that the boys at the butcher don't feed them as this is an obvious temptation for them to go there.

My landlord has now given me the go ahead to make the fences higher and stronger and as now the boarder has gone, they won't have the chance to sneak out the same.

Please my dogs are my family and very much loved I would be so lost with out there love and the love I give them .

I am making arrangements for one or both to be fixed.

Please reconsider!!!

Scott Skilling

11 Ida Street

Lumsden

Southland District Council
Lumsden Office

29 MAY 2017

FILE No:



Proposed Amendment to the Dog Control Rules in Otautau

Record No: R/17/5/10914
Author: Robyn Rout, Policy Analyst
Approved by: Bruce Halligan, Group Manager Environmental Services

☐ Decision ☒ Recommendation ☐ Information

Purpose

- 1 This report proposes an amendment to the Dog Control Bylaw (the Bylaw) and the Dog Control Policy (the Policy), altering the dog control rules in Otautau.

Executive Summary

- 2 The dog access rules for the Southland District are outlined in the Policy and the Bylaw. These documents currently state that in the Alex McKenzie Memorial Arboretum (the Arboretum) in Otautau, dogs are required to be on a leash. The Otautau Community Board (the Board) has requested that a change be made to the dog access rules in the Arboretum, changing the west part of the Arboretum to a dog exercise area. Officers are recommending that the Regulatory and Consent Committee (the Committee) endorses both the draft Policy and Bylaw, and officers are seeking guidance from the Committee on the whether it would be more appropriate to notify the public that an amendment has been made, or consult with the public about this amendment.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Proposed Amendment to the Dog Control Rules in Otautau” dated 19 June 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines 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) Determines that the proposed Bylaw is the most appropriate way to address the perceived problem, and the most appropriate form of bylaw.
- e) Determines that the Bylaw only imposes reasonable limits on the rights and freedoms contained in the New Zealand Bill of Rights 1990, which can be reasonably justified in a free and democratic society.
- f) Endorses the draft Dog Control Bylaw and draft Dog Control Policy and EITHER:
 - a) Recommends to Council that the draft Bylaw and Policy be adopted (this would involve notifying members of the public in Otautau after the change has been made); OR
 - b) i) Releases the draft Bylaw and Policy for consultation; AND
 - ii) Endorses the Statement of Proposal that is included as Attachment A.

Content

Background

- 3 At a meeting in April 2015, the Board considered the dog access rules for Otautau as part of the previous review of the dog control rules. The Board agreed that in the Arboretum, dogs are required to be on a leash. The current dog access rule for Otautau, which are outlined in both the Dog Control Bylaw 2015 and Dog Control Policy 2015, are shown in Attachment B.
- 4 The Arboretum has a creek running through it, dividing the Arboretum into east and west sections. In the east part of the Arboretum, there is a designated freedom camping site, which is shown in Attachment C. The east part of the Arboretum is the side that is adjacent to the road.
- 5 At a Board meeting on 16 February this year, the Board reconsidered this issue and has requested a minor change to the Dog Control Bylaw 2015. In particular, the Board has requested that the west area across the bridge at the Arboretum be designated as a dog exercise area. The Board are keen for the east area beside the Highway to remain designated as on-leash. The delineation line between the two areas would follow the creek. There is no fencing near the creek, so the creek itself would be the only division between the proposed dog exercise area, and the on-leash area. There are two bridges across the creek, at the northern and southern ends of the Arboretum. The proposed amendment to the dog control rules is included as Attachment D.

Issues

Whether to amend the dog control rules in Otautau

- 6 The key issue is whether the Committee supports the change to the dog access rules in Otautau. This would involve changing both the Dog Control Policy 2015 and the Dog Control Bylaw 2015. The proposed change would allow dogs to be off leash in the west part of the Arboretum.
- 7 From previous discussions about dog control rules in Otautau, a number of points have been raised. One party has expressed concern about their ability to run around the Arboretum area without fear of dog attack. Neighbouring property owners have also expressed some concern regarding the potential threat to their stock from dogs.
- 8 Dog owners have also expressed concerns regarding lack of suitable dog exercise areas in the town. There are currently 264 dogs registered in Otautau. In the town, two dog exercise areas are currently designated, both of which are part of the railway reserve. Feedback has been received that these areas are not particularly suitable for exercising dogs as they are bordered by a railway line with irregular traffic, and there is also an adjacent busy road. A dog owner has also stated that the riverbank areas outside of the township are also unsafe to walk dogs at this time of year, due to duck shooting.
- 9 There are places in Otautau where people can avoid being around dogs. Holt Park and Centennial Park are designated as areas where dogs are prohibited. Other privately owned areas such as the school and the golf course are used by local residents as recreational areas, and the golf course does not permit dogs. A large majority of the town is also designated as an on-leash area, which does provide a level of assurance to members of the public.
- 10 Another issue to consider is that there is a designated freedom camping site at the front of the Arboretum. This designated area cannot be designated as a dog exercise area.

What form of community consultation to undertake?

- 11 Council obtained legal advice on the level of consultation required to change the dog access rules in the Arboretum. The advice states Council may lawfully change the status of areas in the Bylaw and Policy by giving public notice. Giving public notice would be satisfied by having an obvious and legible sign placed in or adjacent to the west area of the Arboretum.
- 12 As an alternative, the Committee may wish to put the draft amendment to the Bylaw and Policy out for consultation to obtain community feedback on the proposed change. People often hold strong views about dog control rules, and officers believe it may be prudent to further involve the community in this decision. Recently when dog access rules were changed in Tuatapere by public giving notice, there was some negative feedback from the community. If the draft Bylaw and Policy are released for public consultation, staff would only be seeking feedback on the change in the Arboretum, not on the documents as a whole.

Factors to Consider

Legal and Statutory Requirements

- 13 Under Section 10 of the Dog Control Act 1996 (DCA), Council is required to have a Dog Control Policy that includes the nature and application of its Dog Control Bylaws. Council is given the authority to make dog control bylaws under Section 20 of the DCA. Any bylaws that Council makes have to be consistent with its Dog Control Policy. On this basis, to change the dog control rules in Otatau, both Council's Dog Control Policy and Dog Control Bylaw have to be amended.
- 14 An objective of the DCA is to impose on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person. It is also an objective to ensure dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.
- 15 When adopting a dog control policy Council must have regard to:
 - the need to minimise danger, distress, and nuisance to the community generally; and
 - the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
 - the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
 - the exercise and recreational needs of dogs and their owners.
- 16 Under Section 155 of the Local Government Act (the Act), Council is required to determine whether the proposed Bylaw is the most appropriate way to address the perceived problem and the most appropriate form of Bylaw, before it makes it. Bylaws have been a traditional method of addressing issues associated with Dog Control to protect and enhance the safety of the public, while providing dogs and their owners with the ability to satisfy their recreational needs. The DCA states that any territorial authority may, in accordance with the Act, make bylaws for an extensive list of dog issues.
- 17 Council is also required to give rise to any implications under the New Zealand Bill of Rights Act 1990. The New Zealand Bill of Rights Act 1990 confers certain civil and political rights to people in New Zealand. Council needs to be satisfied that the proposed Bylaw will not be inconsistent with the Bill of Rights Act 1990, that is, it imposes reasonable limits that can be

reasonably justified in a free and democratic society. Case law suggests that permanent prohibition of certain activities that the community may wish to undertake may impose unreasonable limits, for example prohibiting dogs from all open spaces in the District. Being able to regulate allows Council to make rules which have the intention of preventing or reducing the harm to both animals and members of the public.

- 18 Normally to amend a bylaw in this way, Council would be required to notify people affected by or who have an interest in the decision or matter, and to encourage them to give their views. However, legal advice has stated that due to a particular clause in the Bylaw, Council may lawfully change the status of the Arboretum, by giving public notice (as it is defined in the Bylaw).

Similarly, amending a Dog Control Policy would typically require consultation in accordance with the special consultative procedure, but according to legal advice, a clause in the current Policy also enables Council to make a lawful change to the dog control rules in the Arboretum, by giving public notice.

Community Views

- 19 Staff are aware of some community views on the dog control rules in Otautau. These views have been outlined in the issues section of this report. The Board has also resolved on 22 March 2017, to amend the dog access rules for Otautau.
- 20 From previous engagement with the community on dog control rules, Council is aware that some people strongly oppose dogs being allowed in public places, while others strongly advocate for having access to suitable spaces to meet the exercise and recreational needs of dogs and their owners. Consequently, making an amendment to the Bylaw and Policy is likely to be met with support and opposition from local residents.

Costs and Funding

- 21 There will be some minor costs associated with amending the Bylaw and Policy. This will include staff time, and may include costs associated with consultation.

Policy Implications

- 22 The key implication of changing the dog access rules is that dogs would be allowed to exercise, without being on a leash, in the west part of the Otautau Arboretum.

Analysis

Options Considered

- 23 A number of options were considered in regards to the dog control rules in Otautau. These include:
- **Option 1 – Not amending the Bylaw or Policy** (the documents could be reviewed when they are legally required to be reviewed in 2025, or when another more substantial change is required).
 - **Option 2 – Endorsing the draft Bylaw and Policy and either:**
 - a) recommending that Council adopt the amendment to the Bylaw and Policy;
or
 - b) undertaking a consultation process on the proposed amendments.

- **Option 3 – Making a different change to the Bylaw** (a different change could be made to the dog access rules in Otautau, designating an alternative area where dog owners can exercise their dogs).

Analysis of Options

Option 1 – Not amending the Bylaw or Policy (the documents could be reviewed when it is legally required to be reviewed in 2025 or when another more substantial change is required).

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • The members of the public who prefer not to be around dogs or who fear dog attacks, would prefer this option. • The people who own property and have livestock adjacent to the Arboretum, would support not making the amendment. • There is less risk of dogs being a nuisance or injuring, endangering, or causing distress to people (including in relation to people who are in the east side of the Arboretum or in the freedom camping area) if the amendment is not made. • There is less risk of dogs injuring, endangering, or causing distress to livestock and other animals if the amendment is not made. • It is likely there would not be a review or consultation process before they are legally required. This would prevent Council incurring the costs associated with reviewing and consulting on the dog control rules at this time. 	<ul style="list-style-type: none"> • The Otautau Community Board has expressed a desire for the dog access rules to be changed in the Arboretum and this option would not be in accordance with their wishes. • Feedback has been received that dog owners in Otautau are not happy with the current dog control rules and this option would not address their concerns.

Option 2 – Endorsing the draft Bylaw and Policy and either: recommending that Council adopt the amendment to the Bylaw and Policy, or undertaking a consultation process on the proposed amendments

<i>Advantages</i>	<i>Disadvantages</i>
<p><u>Adopting amendment without consultation</u></p> <ul style="list-style-type: none"> • This would be a cheaper option as it would take up less staff time and there would not be as much advertising expense. <p><u>Consulting</u></p> <ul style="list-style-type: none"> • People in Otautau are likely to be happier 	<p><u>Adopting amendment without consultation</u></p> <ul style="list-style-type: none"> • It is likely that people in Otautau would prefer a consultation process, and there may be negative feedback if the change is made without consultation. • By not consulting on the proposed amendment, Council may not have sufficient information to fully understand

<p>with the process if Council consults.</p> <ul style="list-style-type: none"> • Council are likely to learn more about community views on this matter if it consults. <p><u>General</u></p> <ul style="list-style-type: none"> • This would help address the concerns of the dog owners in Otautau, by providing another area where people can exercise their dogs. • There seems to be a lack of safe and suitable dog exercise areas in Otautau, so the amendment would help fulfil the needs of dog owners and their dogs. • Changing the west part of the Arboretum to a dog exercise area (and not the east side), reduces the risk of dogs being a nuisance or injuring, endangering, or causing distress to any person (as this area of the Arboretum is not close to the main road or the freedom camping area). • Changing the west part of the Arboretum to a dog exercise area may bring more people into the park, promoting vibrant communities. • There are other areas in Otautau where people can avoid dogs. 	<p>community views.</p> <ul style="list-style-type: none"> • <u>Consulting</u> • Undertaking a consultation process takes up staff time and has costs associated with it. • If feedback is sought on this amendment to the dog control rules, submissions may relate to other parts of the rules. <p><u>General</u></p> <ul style="list-style-type: none"> • The members of the public who would prefer not to be around dogs or who fear dog attacks, would not support the amendment. • The people who own property and have livestock adjacent to the Arboretum, would not support the amendment. • There is an increased risk of dogs being a nuisance or injuring endangering, or causing distress to people (including in relation to people who are in the east side of the Arboretum or in the freedom camping area) if the amendment is made. • There is an increased risk of dogs injuring endangering, or causing distress to livestock and other animals if the amendment is made. • Creating a dog off-leash area may deter some people from visiting the Arboretum.
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Option 3 – Making a different change to the Bylaw (a different change could be made to the dog access rules in Otautau, designating an alternative area where dog owners can exercise their dogs).

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • This would help address the concerns of the dog owners in Otautau, by providing another area where people can exercise their dogs. • There seems to be a lack of safe and suitable dog exercise areas in Otautau, so an amendment would help fulfil the needs of dog owners. 	<ul style="list-style-type: none"> • Undertaking a consultation process takes up staff time and has costs associated with it. • If feedback is only sought on one part of the dog control rules, submissions may relate to other parts of the rules. • The Otautau Community Board has expressed a desire for the dog access rules to be changed in the Arboretum and this option would not be in accordance with their wishes.

	<ul style="list-style-type: none"> • Members of the public who prefer not to be around dogs or who fear dog attacks, may not support any proposed dog exercise area. • Members of the public who may have property with livestock near a proposed dog exercise area, are unlikely to support the proposed dog exercise area. • There is likely to be an increased risk of dogs injuring endangering, or causing distress to livestock and other animals if a new dog exercise area is designated. • There is likely to be an increased risk of dogs being a nuisance or injuring, endangering, or causing distress to people if a new dog exercise area is designated.
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Assessment of Significance

- 24 This matter has been assessed as having a lower level of significance in accordance with Council Significance and Engagement Policy, and the Act.

Recommended Option

- 25 It is recommended that the Committee proceed with Option 2. Option 2 involves designating the west side of the Otautau Arboretum to a dog exercise area, rather than it being an on-leash area. Staff are seeking guidance on whether a consultation process is undertaken or not.

Next Steps

- 26 The next steps will depend on the wishes of the Committee. If the Committee endorse the proposed amendments to the dog control rules in Otautau and recommend the draft Bylaw and Policy are adopted by Council, staff will present the documents to be adopted at a Council meeting. If the Committee is keen to get more information about community views on this matter, staff will undertake a consultation process with the community in accordance with the Statement of Proposal (see Attachment A).

Attachments

- A Statement of Proposal on amending the Dog Control Rules in Otautau [↓](#)
 B Current Dog Control Rules in Otautau [↓](#)
 C Freedom Camping site by Arboretum in Otautau [↓](#)
 D Proposed Amendment to the Dog Control Rules in Otautau [↓](#)

STATEMENT OF PROPOSAL – Amending the Dog Control Bylaw and Dog Control Policy in relation to the Alex McKenzie Arboretum in Otautau

Proposed Amendments

Council is proposing an amendment to both the Dog Control Policy 2015 and the Dog Control Bylaw 2015. The proposed amendment is that the west area across the bridge at the Alex McKenzie Memorial Arboretum be designated as a dog exercise area (instead of an on-leash area as it is currently). The east part of the Arboretum, beside the Highway, will remain designated as on-leash. The delineation line between the two areas would follow the creek. The current and proposed dog control rules in Otautau are outlined in Appendix A and B.

Council is considering making this amendment as the Otautau Community Board has requested that Council make the change. Feedback has been received that there are not enough suitable areas to exercise dogs in Otautau.

Making a Submission

Submissions are invited on the draft Dog Control Bylaw and Dog Control Policy from 1 July 2017, and submissions must be received by 8.00 pm on 1 August 2017. Submissions can be made:

- through the Council's website (<https://consult.southlanddc.govt.nz>)
- via post (Southland District Council, Submissions, PO Box 903, Invercargill 9840)
- in writing at your local Southland District Council office.

Written submissions must state that the submission relates to Otautau's dog control rules, and give the submitter's name and contact details.

Submitters who make a written submission can also elect to make an oral submission to the Regulatory and Consents Committee. This can be indicated through the online submission process, or by the submitter raising that they would like to make an oral submission, in their written submission. Oral submissions are likely to be heard on the morning of the 28th of September. Council staff will be in touch to confirm a time.

All submissions received by Southland District Council will be made available to the public.

Options

For this decision, Council has identified all reasonably practicable options to try and achieve the objective of dogs not causing a nuisance, injuring, endangering, or cause distress in Otautau, while still trying to meeting the needs of dog owners and their dogs. The options and analysis are presented below.

Option 1 – Not amending the Bylaw or Policy (the documents could be reviewed when they are legally required to be reviewed in 2025 or when another more substantial change is required).

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • The members of the public who prefer not to be around dogs or who fear dog attacks, would prefer this option. • The people who own property and have livestock adjacent to the Arboretum, would support not making the amendment. 	<ul style="list-style-type: none"> • The Otautau Community Board have expressed a desire for the dog access rules to be changed in the Arboretum and this option would not be in accordance with their wishes. • Feedback has been received that dog owners in Otautau are not happy with the current dog control

<ul style="list-style-type: none"> • There is less risk of dogs being a nuisance or injuring, endangering, or causing distress to people (including in relation to people who are in the east side of the Arboretum or in the freedom camping area) if the amendment is not made. • There is less risk of dogs injuring, endangering, or causing distress to livestock and other animals if the amendment is not made. • It is likely there would not be a review or consultation process before they are legally required. This would prevent Council incurring the costs associated with reviewing and consulting on the dog control rules at this time. 	<p>rules and this option would not address their concerns.</p>
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Option 2 – Endorsing the draft Bylaw and Policy and undertaking a consultation process on the proposed amendment

Advantages	Disadvantages
<p><u>Adopting amendment without consultation</u></p> <ul style="list-style-type: none"> • This would be a cheaper option as it would take up less staff time and there would not be as much advertising expense. <p><u>Consulting</u></p> <ul style="list-style-type: none"> • People in Otautau are likely to be happier with the process if Council consults. • Council are likely to learn more about community views on this matter if it consults. <p><u>General</u></p> <ul style="list-style-type: none"> • This would help address the concerns of the dog owners in Otautau, by providing another area where people can exercise their dogs. • There seems to be a lack of safe and suitable dog exercise areas in Otautau, so the amendment would help fulfil the needs of dog owners and their dogs. • Changing the west part of the Arboretum to a dog exercise area (and not the east side), reduces the risk of dogs being a nuisance or injuring, endangering, or causing distress to any person (as this area of the Arboretum is not close to the main road or the freedom camping area). • Changing the west part of the Arboretum to a dog exercise area may bring more people into the park, promoting vibrant communities. • There are other areas in Otautau where people can avoid dogs. 	<p><u>Adopting amendment without consultation</u></p> <ul style="list-style-type: none"> • It is likely that people in Otautau would prefer a consultation process, and there may be negative feedback if the change is made without consultation. • By not consulting on the proposed amendment, Council may not have sufficient information to fully understand community views. <p><u>Consulting</u></p> <ul style="list-style-type: none"> • Undertaking a consultation process takes up staff time and has costs associated with it. • If feedback is sought on this amendment to the dog control rules, submissions may relate to other parts of the rules. <p><u>General</u></p> <ul style="list-style-type: none"> • The members of the public who would prefer not to be around dogs or who fear dog attacks, would not support the amendment. • The people who own property and have livestock adjacent to the Arboretum, would not support the amendment. • There is an increased risk of dogs being a nuisance or injuring endangering, or causing distress to people (including in relation to people who are in the east side of the Arboretum or in the freedom camping area) if the amendment is made. • There is an increased risk of dogs injuring endangering, or causing distress to livestock and other animals if the amendment is made. • Creating a dog off-leash area may deter some people from visiting the Arboretum.

Option 3 – Making a different change to the Bylaw (a different change could be made to the dog access rules in Otautau, designating an alternative area where dog owners can exercise their dogs).

Advantages	Disadvantages
<ul style="list-style-type: none"> • This would help address the concerns of the dog owners in Otautau, by providing another area where people can exercise their dogs. • There seems to be a lack of safe and suitable dog exercise areas in Otautau, so an amendment would help fulfil the needs of dog owners. 	<ul style="list-style-type: none"> • Undertaking a consultation process takes up staff time and has costs associated with it. • If feedback is only sought on one part of the dog control rules, submissions may relate to other parts of the rules. • The Otautau Community Board have expressed a desire for the dog access rules to be changed in the Arboretum and this option would not be in accordance with their wishes. • Members of the public who prefer not to be around dogs or who fear dog attacks, may not support any proposed dog exercise area. • Members of the public who may have property with livestock near a proposed dog exercise area, are unlikely to support the proposed dog exercise area. • There is likely to be an increased risk of dogs injuring, endangering, or causing distress to livestock and other animals if a new dog exercise area is designated. • There is likely to be an increased risk of dogs being a nuisance or injuring, endangering, or causing distress to people if a new dog exercise area is designated.

Relevant Determinations

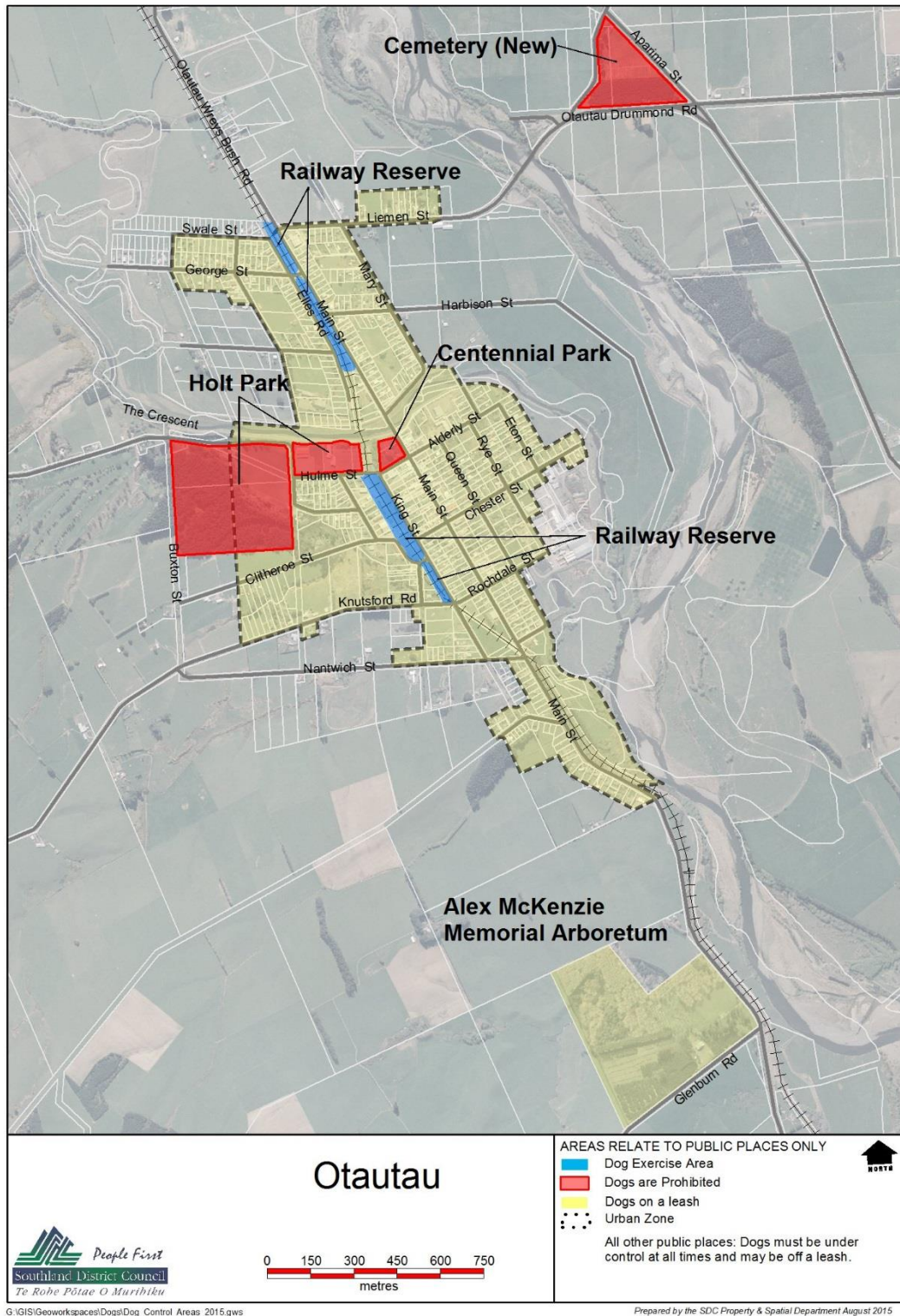
Under Section 155 of the Local Government Act, Council has determined that the proposed Bylaw is the most appropriate way to address the perceived problem and the most appropriate form of Bylaw. Bylaws have been a traditional method of addressing issues associated with Dog Control to protect and enhance the safety of the public, while providing dogs and their owners with the ability to satisfy their recreational needs. The Dog Control Act 1996 states that any territorial authority may, in accordance with the Local Government Act 2002, make bylaws for an extensive list of dog issues.

In relation to amending the Bylaw, Council has also considered any implications under the New Zealand Bill of Rights Act 1990. The New Zealand Bill of Rights Act 1990 confers certain civil and political rights to people in New Zealand. Council needs to be satisfied that the proposed Bylaw will not be inconsistent with the Act, that is, it imposes reasonable limits that can be reasonably justified in a free and democratic society. Case law suggests that permanent prohibition of certain activities that the community may wish to undertake may impose unreasonable limits, for example prohibiting dogs from all open spaces in the District. Being able to regulate allows Council to make rules which have the intention of preventing or reducing the harm to both animals and members of the public.

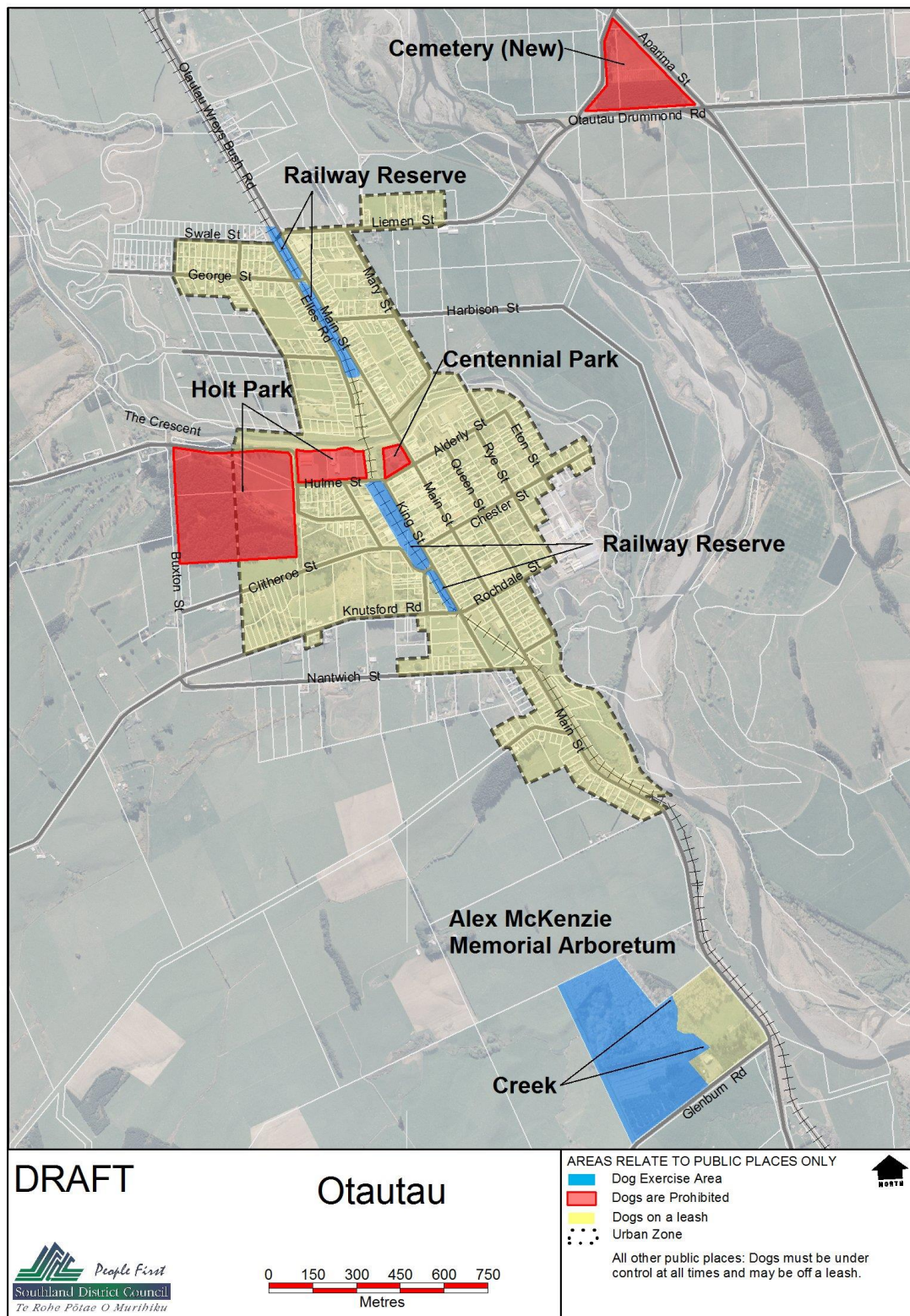
Appendices

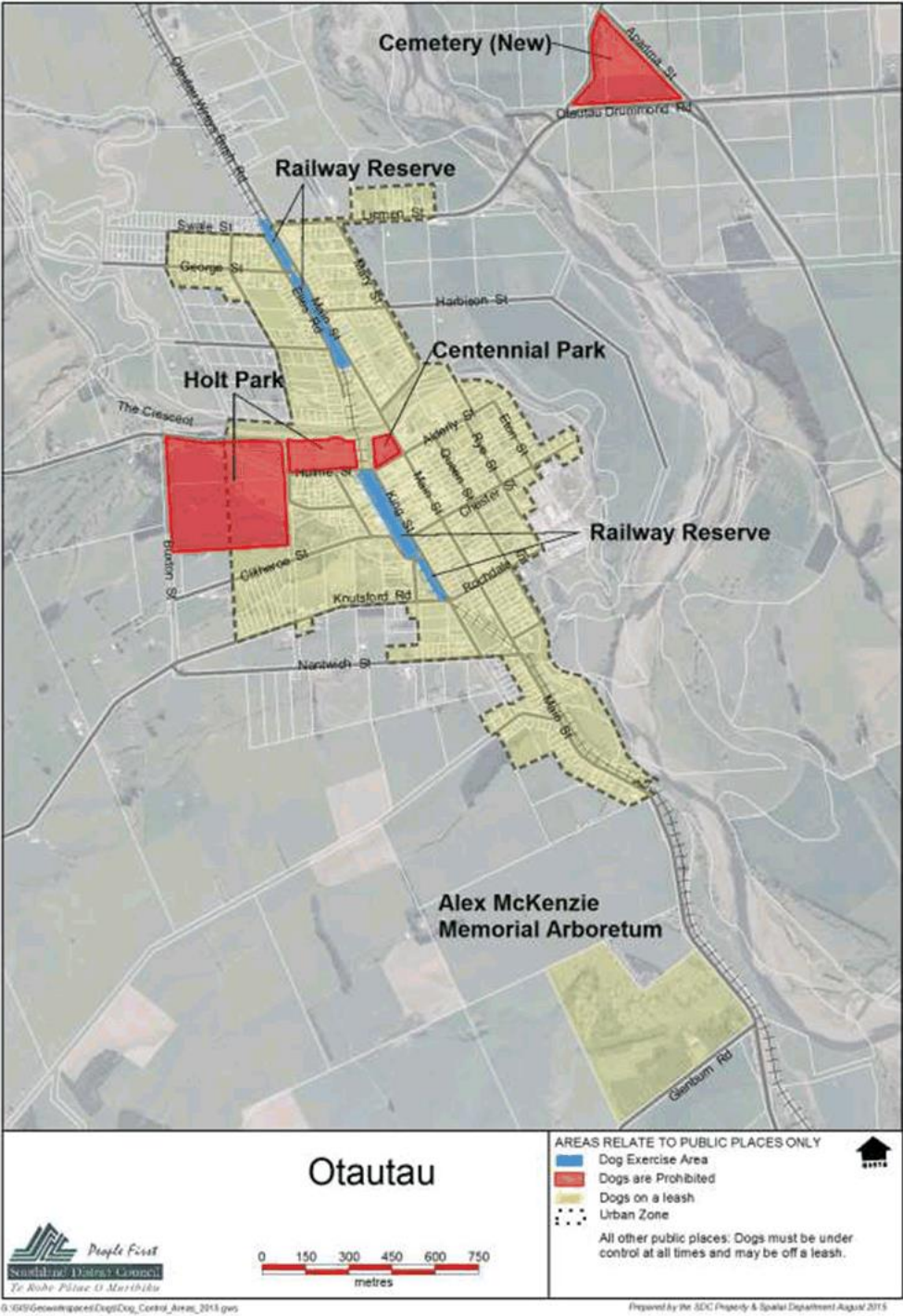
Appendix A – Current Dog Control Rules in Otautau

Item 7.2 Attachment A

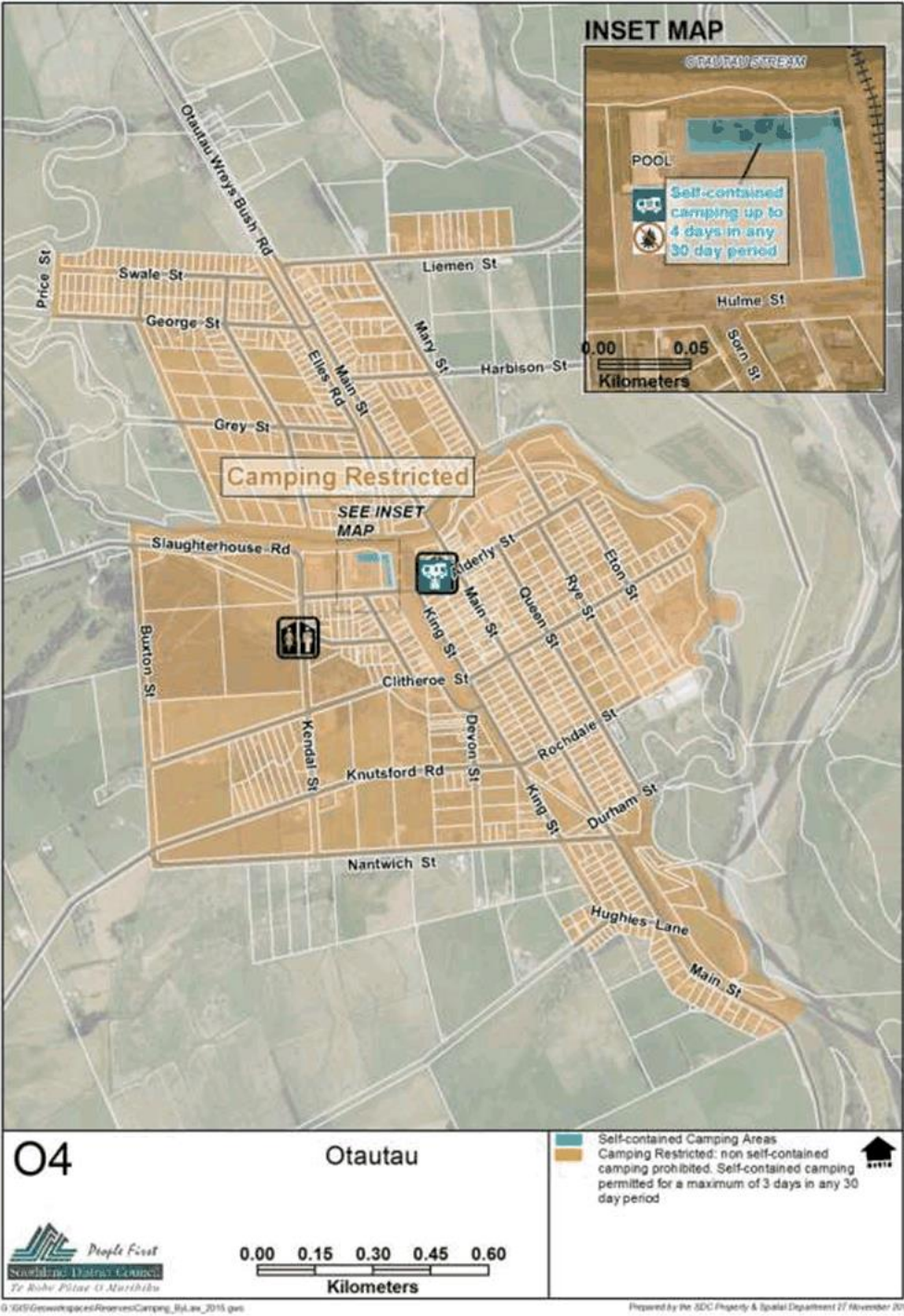


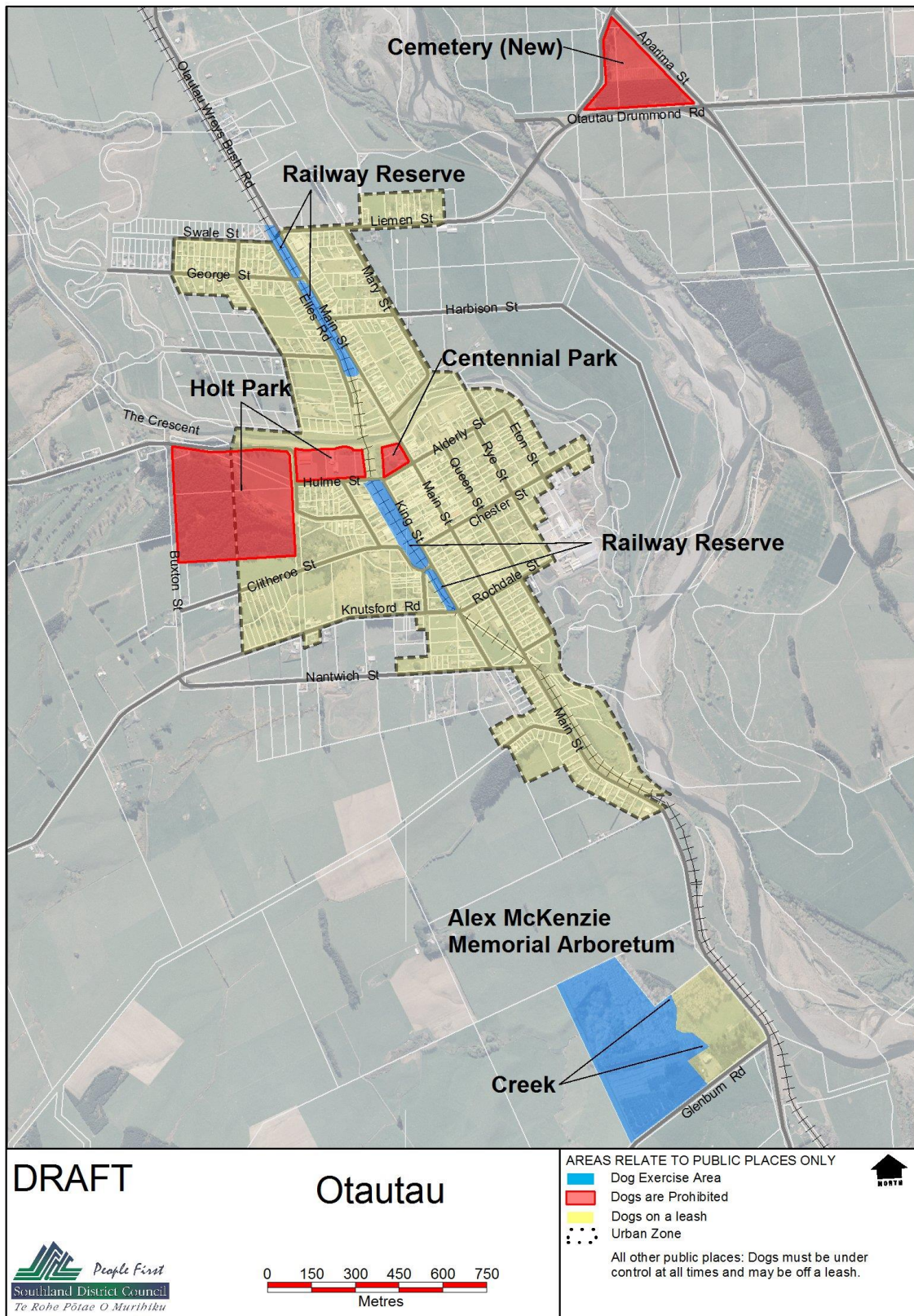
Appendix B – Proposed Amendment to the Dog Access Rules in Otautau











Proposed Amendments to the Freedom Camping Bylaw

Record No: R/17/6/12832
Author: Robyn Rout, Policy Analyst
Approved by: Bruce Halligan, Group Manager Environmental Services

☐ Decision ☒ Recommendation ☐ Information

Purpose

- 1 This report proposes an amendment to Freedom Camping Bylaw 2015 (the Bylaw), altering the freedom camping area in Lumsden.

Executive Summary

- 2 The Lumsden Community Development Area Subcommittee (CDA) is requesting that Council amend the Bylaw for Lumsden, in time for the next summer season. The proposed change would alter the freedom camping areas around the Lumsden railway station, providing more space for non-self-contained freedom campers, and designating a specific site for tents. Staff are recommending that the Regulatory and Consents Committee (the Committee) endorses the draft Bylaw and put it out for consultation in accordance with the special consultative procedure.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Proposed Amendments to the Freedom Camping Bylaw” dated 14 June 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines 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) Determines that the amendment to the Bylaw is necessary to protect the area, and to protect the health and safety of the people who may visit the area, and to protect access to the area.
- e) Determines that the amendment to the Bylaw is the most appropriate and proportionate way to address the perceived problem in relation to the area, and the most appropriate form of bylaw.
- f) Determines that the amendment to the Bylaw only imposes reasonable limits on the rights and freedoms contained in the New Zealand Bill of Rights 1990, which can be reasonably justified in a free and democratic society.
- g) Endorses the proposed amendment to the Freedom Camping Bylaw 2015.
- h) Endorses the Statement of Proposal that is included as Attachment A.
- i) Releases the proposed amendment for public consultation in accordance with Special Consultative Procedure.

Content

Background

- 3 Council adopted the Bylaw and it came into force on 12 December 2015. When creating the Bylaw, Council accepted the recommendations from the local Community Boards and Community Development Area Subcommittees.
- 4 In Lumsden, the current rules permit self-contained camping anywhere within the town boundary (on Council controlled land), for a maximum of three days in any 30 day period. In the Bylaw, a vehicle is classified as being 'self-contained' if has the capability of meeting the ablutionary and sanitary needs of its occupants. The current rules permit both self-contained and non-self-contained camping in two designated areas around the railway station. There is currently no differentiation between vehicles and tents. The current Bylaw for Lumsden is included as **Attachment B**. Staff have been informed that the Bylaw does not reflect current usage.
- 5 In 2016, the Lumsden Community Development Area Subcommittee (CDA) completed a freedom camping survey and received 46 responses. A total of 32 responses supported freedom camping, 10 were against and 4 were undecided.
- 6 In December 2016, the Lumsden CDA notified the public that the end of the trial of the freedom camping arrangements was approaching, and that Council wanted to ensure the Bylaw accurately reflects the community's wishes for the 2017/2018 summer season onwards. The Lumsden CDA held a workshop on freedom camping on 26 April 2017. Following this meeting the CDA advised Council staff that it wished to progress an amendment to the Bylaw, to reflect current practice.
- 7 On 25 May 2017, Council carried out a community conversation session at Lumsden. Freedom camping dominated the meeting with a small number of locals expressing concerns.
- 8 The Committee discussed the proposed amendments at an informal meeting on 31 May 2017. During the meeting the attendees agreed that the railway station area was tidier and safer as a result of the presence of freedom campers (due to the elimination of litter, vandalism, and intentional damage). The toilet facilities are now able to be open all the time due to this increased security. The attendees felt that the town was now safer than it was.
- 9 On 12 June the Lumsden CDA resolved to make a recommendation to Council to amend the Bylaw (in accordance with the amendment outlined in **Attachment C**) in time for the next summer season.

Issues

- 10 The key issue in this report is whether the Committee supports the change to the freedom camping rules in Lumsden.

Self-contained camping

- 11 The current rules permit self-contained camping anywhere within the town boundary (on Council controlled land), for a maximum of three days in any 30 day period.

- 12 The proposed Bylaw will continue to legally allow self-contained and non-self-contained freedom camping in the areas around the railway station that are marked in green on the proposed amendment. However, the CDA plans to encourage self-contained freedom campers to park in designated areas outside of the immediate railway station area, by guiding campers there through on-site signage. Moving the self-contained campers to nearby sites will allow more capacity (around the immediate railway station area) for non-self-contained campers around the toilet and wash facilities.

Tenting / expanding the area for vehicles

- 13 The current Lumsden rules permit both self-contained and non-self-contained camping, and they do not differentiate between vehicles and tents.
- 14 The amendment would create a defined new area for tents, and prohibit tents from other designated freedom camping areas. Council's Property Manager, advises of no objection to the proposed arrangements.
- 15 The current area for freedom camping is proposed to be increased in size to enable more vehicles to stay there. Furthermore, discouraging self-contained freedom campers from being in the green areas in the map in Attachment C, will also increase the number of non-self-contained who fit in the current site.

Camping rules

- 16 The Committee has suggested that the following rules are appropriate for non-contained freedom campers who visit the site:
1. No washing hung on trains, playground, fences or trees
 2. Tents only between hours of 5.00 pm and 10.00 am
 3. Clean teeth in bathroom
 4. Wash dishes at provided sink
 5. Vehicles off grassed areas
 6. Dogs must be on a leash.
- 17 Council's legal advisor recommends that these rules do not form part of the Bylaw, however they can still be informal rules displayed on signage.

Works to mitigate adverse effects of freedom camping

- 18 Subject to funding, the Lumsden CDA has resolved to complete works to mitigate any adverse effects from freedom camping. This work is:
- Installing bollards to prevent vehicles using the area proposed for tents
 - Installing visual screening at the area proposed for tents
 - Sealing of the vehicle parking area
 - Marking camp sites.

Factors to Consider

Legal and Statutory Requirements

The Freedom Camping Act 2011 permits freedom camping in New Zealand. Under that Act councils may make bylaws to both restrict and prohibit freedom camping in some locations. Section 12 of that Act provides "*A local authority may not make bylaws under Section 11 that have the effect of prohibiting freedom camping in all the local authority areas in its district.*"

Bylaw must be necessary

- 19 Under Section 11 of the Freedom Camping Act 2011 (FCA), a local authority may only make a bylaw if it is satisfied that the Bylaw is necessary to protect:
- the area,
 - the health and safety of people who may visit the area, or
 - access to the area.
- 20 Council will have to determine the restrictions in the amended map are necessary. Officers believe the amendments are necessary for the following purposes:
- To protect the area
 - To prevent damage to the playgrounds and picnic areas.
 - To prevent fires.
 - To protect the health and safety of people who may visit the area
 - The location of the freedom camping sites will help ensure human waste and rubbish does not become a problem.
 - Keeping the playground and particular car parks free of campers will help promote health and safety.
 - The fire safety rules help ensure safety.
 - To protect access to the area
 - Keeping particular car parks free of campers and not allowing camping on thoroughfares, will help protect access to the area.

Appropriate, Proportionate, and most appropriate form of Bylaw

- 21 Under Section 155 of the Local Government Act (the Act) and under Section 11 of the FCA, Council will also have to determine that it is satisfied the proposed amendment is the most appropriate and proportionate way to address the perceived problem in that area, and the most appropriate form of bylaw, before it makes the amendment. Bylaws have become the typical method of addressing issues associated with freedom camping. The FCA also states that any territorial authority may make bylaws defining the local authority areas in its district or region where freedom camping is restricted, and the restrictions that apply to freedom camping in those areas.
- 22 The proposed bylaw is considered to be the best available solution to the problems that have been identified. The local community has advised of their desire to be protected from the adverse effects of freedom camping. The community is generally supportive of self-contained camping but wish to confine it to the designated sites, so that adverse effects can be managed and mitigated. The Lumsden township will remain relatively permissive to freedom camping under the proposed amendments to the Bylaw.

Not inconsistent with Bill of Rights Act 1990

- 23 Section 155 of the Act also requires Council to give rise to any implications under the New Zealand Bill of Rights Act 1990 before it makes the Bylaw. The New Zealand Bill of Rights Act 1990 confers certain civil and political rights to people in New Zealand. Council needs to be satisfied that the proposed amendments will not be inconsistent with the Bill of

Rights Act 1990, that is, the amendments impose reasonable limits that can be reasonably justified in a free and democratic society.

- 24 In *New Zealand Motor Caravan Association Incorporated v Thames-Coromandel District Council* ([2014] NZHC 2016), managing the adverse effects of freedom camping was considered a sufficiently important purpose to justify a limitation on peoples' rights.

Consultation

- 25 Under Section 11(5), to amend a freedom camping bylaw, consultation must be undertaken in accordance with Special Consultative Procedure. The requirements include:
- that Council must adopt a statement of proposal;
 - that the statement of proposal is made widely available;
 - that those interested in the proposal are provided with a reasonable opportunity to present their views;
 - that the public must be able to provide feedback over a minimum of a one month period;
 - that people have the right to make an oral submission to Council.

Community Views

- 26 The results of the Lumsden CDA survey mentioned above, indicates there is overall support for freedom camping in the town, with a small number of people in opposition. Council's Property Manager also advises of no objection to the proposed tent site.
- 27 Should the Committee endorse the amended Bylaw and recommend it is released for public consultation, the local community will have opportunity to submit on the proposal and to be heard by Council.

Costs and Funding

- 28 Amending the Bylaw will result in some small cost to Council, including costs associated with staff time and advertising.
- 29 The popularity of the site for freedom camping has resulted in increased costs against the town budget, such as increase in sanitary supplies.

Policy Implications

- 30 If Council was to adopt the proposed amendment to the Bylaw, it would result in the Lumsden freedom camping site for non-self-contained camping being larger. Local feedback suggests that the amendments would better reflect current usage. The amendments would result in the site lawfully accommodating more visitors with non-self-contained vehicles, and more visitors who are staying in tents. The amendment also introduces a new tent area to the east of the Information Centre building.

Tourist destination work / tourism growth

- 31 Informal discussions are occurring within Council concerning a broader tourism strategy, which includes increasing tourism to certain destinations in the District. Freedom camping is a component of this work. Tourism is forecasted to grow over the next few years.
- 32 For these reasons, it may be necessary to make further changes to the freedom camping rules in Lumsden in future. For example the Lumsden CDA may wish to increase the

capacity for freedom campers, or to change rules to permit destination promotional site works.

Government work programme

- 33 The Minister of Local Government approved a programme of work to address some freedom camping issues identified and to enable a more coordinated response to freedom camping management. They can be summarised as work relating to infringements, information and infrastructure.
- 34 This programme of work includes establishing an online tool called the Freedom Camping Hub, which enables the co-development of freedom camping guidance material for local government.

Analysis

Options Considered

- 35 A number of options were considered in regards to the freedom camping rules in Lumsden. These include:
- **Option 1** - Not endorsing the draft Bylaw and continuing with the current freedom camping rules in Lumsden.
 - **Option 2** - Not endorsing the draft Bylaw, and instead endorsing a bylaw discontinuing, or placing restrictions on, non-self-contained freedom camping in Lumsden.
 - **Option 3** - Endorsing the proposed amendment to the Bylaw and releasing the draft Bylaw for public consultation.

Analysis of Options

Option 1 - Not endorsing the draft Bylaw and continuing with the current freedom camping rules in Lumsden

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Avoids the minor costs associated with amending the Bylaw (staff time, advertising etc). 	<ul style="list-style-type: none"> • This would not be in accordance with the wishes of the Lumsden CDA. • The current rules do not reflect current usage. • This would not take into account that tourism and freedom camping is expected to increase. • People may continue to freedom camp in areas where they are not legally permitted to do so. • If there is an increasing number of freedom campers visiting the site, they may park vehicles or put tents in undesirable locations, rather than the suitable places proposed in the amendment.

Option 2 - Not endorsing the draft Bylaw, and instead endorsing a bylaw discontinuing or, or placing restrictions on, non-self-contained freedom camping in Lumsden

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • This would decrease or largely eliminate the problems associated with freedom camping. • Some support from locals. 	<ul style="list-style-type: none"> • This may decreasing or largely eliminate the benefits associated with non-self-contained freedom campers. • Some locals would oppose this option. • Contrary to the direction decided upon by the Subcommittee during the making of the Freedom Camping Bylaw 2015, and lawfully made by Council with little opposition from locals at that time. • May be hard to administer.

Option 3 - Endorsing the proposed amendment to the Bylaw and releasing the draft Bylaw for public consultation

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Consistent with the wishes of the Lumsden CDA. • This amount of freedom camping may result in an optimal level of benefit for Lumsden. • Support from locals. • Takes into account the projected growth of the tourism sector and freedom campers. • This option is more in accordance with current usage. 	<ul style="list-style-type: none"> • Some locals would oppose this option. • An increase in the number of campers may increase problems from freedom campers, unless effective mitigation measures are put in place.

Assessment of Significance

- 36 This decision has been assessed as not being significant in relation to Council's Significance and Engagement Policy, and staff do not believe there will be significant impact on the public under Section 156 of the Act. Staff do not believe the decision is significant as freedom camping is already permitted in Lumsden, and the proposed amendments align the rules with how the site is currently being used.

Recommended Option

- 37 It is recommended that the Committee proceeds with Option 3, endorsing the proposed amendment to the Bylaw and releasing the draft Bylaw for public consultation.

Next Steps

- 38 If Council proceeds with Option 3, staff will release the draft Bylaw for public consultation in accordance with the special consultative procedure, from 1 July to 1 August. Staff will undertake a thorough consultation process regarding this draft amendment, ensuring that people interested or effected by this decision are informed and encouraged to give their feedback.

Attachments

- A Statement of Proposal [↓](#)
- B Current Freedom Camping Rules in Lumsden [↓](#)
- C Proposed Freedom Camping Rules in Lumsden [↓](#)

STATEMENT OF PROPOSAL – Amending the Freedom Camping Bylaw for Lumsden

The Current Freedom Camping Rules in Lumsden

The current Freedom Camping rules in Lumsden permit self-contained camping anywhere within the town boundary (on Council controlled land), for a maximum of three days in any 30 day period. The rules also permit both self-contained and non-self-contained camping in two designated areas around the Railway Station, and they do not differentiate between vehicles and tents.

Proposed Amendments

The proposed amendment to the Bylaw will continue to legally allow self-contained camping anywhere within the town boundary (on Council controlled land), for a maximum of three days in any 30 day period. Self-contained and non-self-contained freedom camping will also be lawful in the areas around the Railway Station that are marked in green on the proposed amendment. It is proposed that this area will be larger to enable more vehicles to stay there. The Lumsden Community Development Area Subcommittee plan to encourage self-contained freedom campers to park in designated areas further away from the Railway Station, by guiding campers there through on-site signage. Self-contained campers are going to be encouraged to move to different areas to allow more capacity (around the immediate railway station area) for non-self-contained campers in the areas around the toilet and wash facilities.

The proposed amendment would also create a defined new area for tents, and prohibit tents from other designated freedom camping areas.

Making a Submission

Submissions are invited on the draft amendment to the Freedom Camping Bylaw from 1 July 2017, and submissions must be received by 8.00 pm on 1 August 2017. Submissions can be made:

- through the Council's website (<https://consult.southlanddc.govt.nz>)
- via post (Southland District Council, Submissions, PO Box 903, Invercargill 9840)
- in writing at your local Southland District Council office.

Written submissions must state that the submission relates to the freedom camping rules in Lumsden, and give the submitter's name and contact details.

Submitters who make a written submission can also elect to make an oral submission to the Regulatory and Consents Committee. This can be indicated through the online submission process, or by the submitter raising that they would like to make an oral submission, in their written submission. Oral submissions are likely to be heard on the morning of the 28th of September. Council staff will be in touch to confirm a time.

All submissions received by Southland District Council will be made available to the public.

Options

For this decision, Council has identified all reasonably practicable options regarding Freedom Camping in Lumsden. The options and analysis are presented below.

Option 1 – Not endorsing the draft Bylaw and continuing with the current freedom camping rules in Lumsden.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Avoids the minor costs associated with amending the Bylaw (staff time, advertising etc). 	<ul style="list-style-type: none"> This would not be in accordance with the wishes of the Lumsden CDA. The current rules do not reflect current usage. This would not take into account that tourism and freedom camping is expected to increase. People may continue to freedom camp in areas where they are not legally permitted to do so. If there is an increasing number of freedom campers visiting the site, they may park vehicles or put tents in undesirable locations, rather than the suitable places proposed in the amendment.

Option 2 – Not endorsing the draft Bylaw, and instead endorsing a bylaw discontinuing or, or placing restrictions on, non-self-contained freedom camping in Lumsden.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> This would decrease or largely eliminate the challenges associated with freedom camping. Some support from locals. 	<ul style="list-style-type: none"> This may decrease or largely eliminate the benefits associated with non-self-contained freedom campers. Some locals would oppose this option. Contrary to the direction decided upon by the Subcommittee during the making of the Freedom Camping Bylaw 2015, and lawfully made by Council with little opposition from locals at that time. May be hard to administer.

Option 3 – Endorsing the proposed amendment to the bylaw and releasing the draft bylaw for public consultation

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Consistent with the wishes of the Lumsden CDA. This amount of freedom camping may result in an optimal level of benefit for Lumsden. Support from locals. Takes into account the projected growth of the tourism sector and freedom campers. This option is more in accordance with current usage. 	<ul style="list-style-type: none"> Some locals would oppose this option. An increase in the number of campers may increase problems from freedom campers, unless effective mitigation measures are put in place.

Relevant Determinations

Council has determined that the amendment to the Bylaw is necessary to protect the area, and to protect the health and safety of the people who may visit the area, and to protect access to the area. For example, Council believes the amendment will protect the health and safety of people who may visit the area, as the location of the freedom camping sites will help ensure that proper toilets are used, and that rubbish is placed in nearby receptacles.

Under Section 155 of the Local Government Act, Council has determined that the proposed Bylaw is the most appropriate way to address the perceived problem and the most appropriate form of Bylaw. Bylaws have become the typical method of addressing issues associated with freedom camping, and the Freedom Camping Act allows bylaws of this nature.

In relation to amending the Bylaw, Council has also considered any implications under the New Zealand Bill of Rights Act 1990. The New Zealand Bill of Rights Act 1990 confers certain civil and political rights to people in New Zealand. Council is satisfied that the proposed Bylaw will not be inconsistent with the Act, that is, it imposes reasonable limits that can be reasonably justified in a free and democratic society. Case law supports that managing the adverse effects of freedom camping is considered a sufficiently important purpose to justify a limitation to peoples' rights.

Appendices

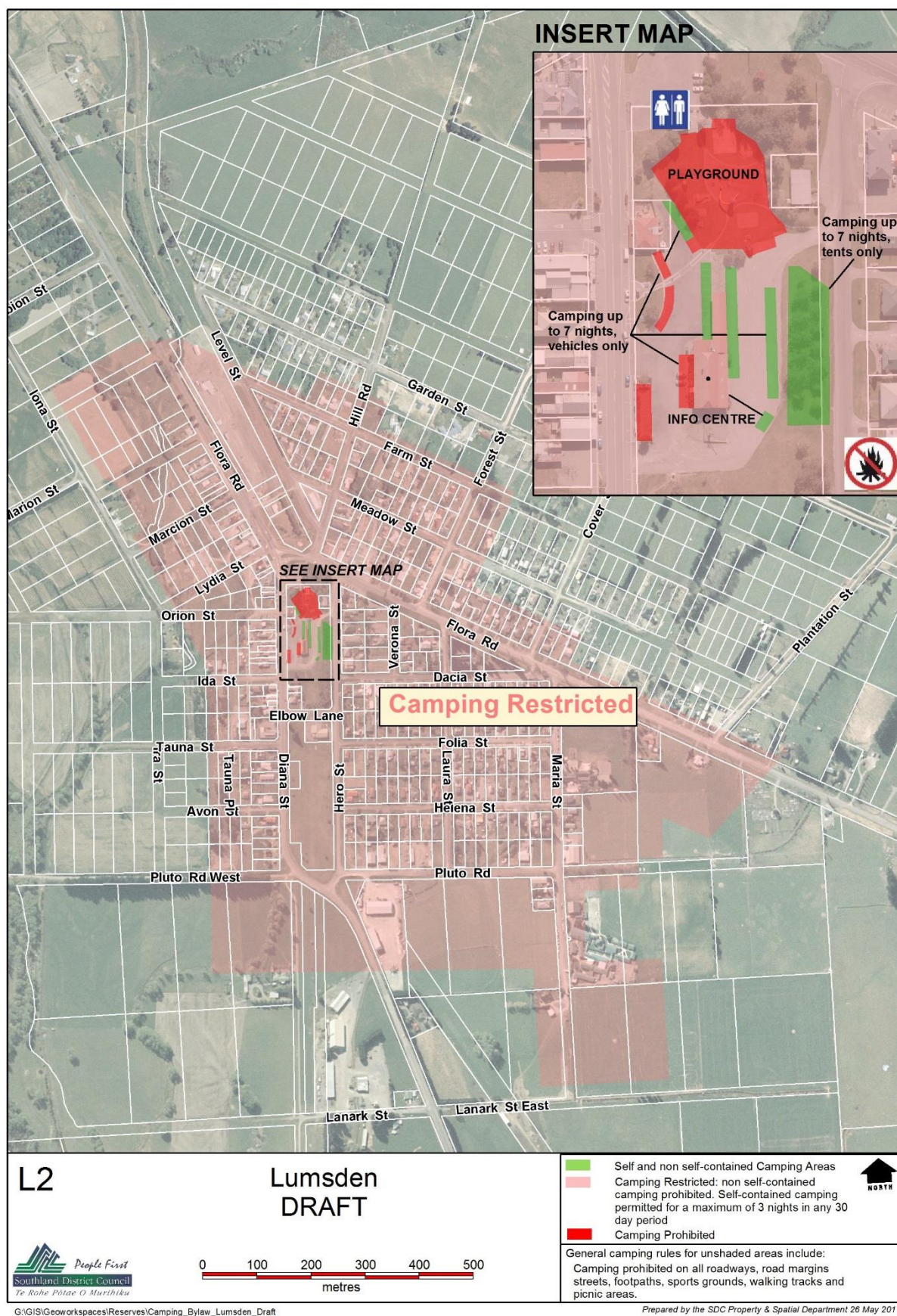
Appendix A – Current freedom camping Bylaw for Lumsden



Appendix B – Proposed amendment to Freedom Camping Bylaw for Lumsden







Alcohol renewal applications backlog

Record No: R/17/5/11477
Author: Michael Sarfaiti, Environmental Health Manager
Approved by: Bruce Halligan, Group Manager Environmental Services

☐ Decision ☐ Recommendation ☒ Information

Background and discussion

- 1 Concerns have been raised by licensees about the length of time for their alcohol renewal applications to be processed, and suggesting that more resources may be required for alcohol licensing.
- 2 Staff agreed with these concerns and a priority was been placed on processing the applications with Licensing Inspectors undertaking to clear the backlog by 30 June this year.
- 3 There are two main reasons for this backlog:
 - (a) Council is the one of a small number of councils that have discounted the national alcohol licensing fees (30% reduction in the annual fee) creating a lean business unit. This was welcomed by the industry, following previous Annual Plan submissions about concerns about the statutory increase in alcohol licensing fees in 2015. The consequence of this is a backlog of renewal applications; however it is to be emphasised that the backlog has no adverse effect on licensees, as under the Sale and Supply of Alcohol Act, they are able to continue to trade under their existing licence while their renewal is processed.
 - (b) The second reason is that there have been significant increases in the volume of alcohol licensing work from 2015 to 2016 - 36% increase in special licences, 43% increase in new licensees (mainly transfers), 65% increase in new managers applications.
- 4 The licensing team responded to industry concerns in 2016, renewing 69 premises renewal applications that year, compared to 15 in 2015.
- 5 Council noted the comment about delays with liquor licence renewal applications with no changes required to the Annual Plan budgets and agree with the officer's response about action being taken to clear the application backlog.

Long Term Plan

- 6 Staff are working on the draft Long Term Plan for 2018-2028. Some relevant draft content for the Committee is:
 - Increasing the current 0.8 FTE Environmental Health Officer role to full time.
 - Funding of 1.0 FTE position within the Customer Services Team.
 - Council will amend the Alcohol Licensing Fees Bylaw and remove the 30% annual fee discount when the alcohol licensing budget no longer has reserves.
 - Work towards a quality assurance framework.
 - All processes are recorded in Council's Promapp system, and working smarter solutions identified and adopted to optimise efficiency.

- Implement new IT improvements such as online lodgement and electronic processing, improved reporting tools, and mobile technology.

Current situation

- 7 A list of renewal applications as at 13 June 2017 is in **Attachment A**. An updated list will be circulated to the Committee on the day of the meeting.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Alcohol renewal applications backlog” dated 13 June 2017 as information.

Attachments

- A Renewal backlog as at 13 June 2017 [↓](#)

Renewal application received before 30 June 2017

Licence_Number	Licencee	Trading_Name	Major	Expiry_Date	Status	Initiated_Date	Officer	Issue
LIQ-2014/103	Merken (2014) Limited	Kepler Restaurant	ON	2/10/2015	OH	24-Nov-15	Sarah	Fire Evac
LIQ-2003/300	Routeburn Walk Limited	Lake McKenzie Lodge	ON	16/10/2015	P	02-May-17	Sarah	Fire Evac
LIQ-2008/183	W.K. & M.I. Cullen Limited	Fresh Choice Te Anau	OFF	4/12/2015	P	20-May-17	Sarah	SAA
LIQ-2004/117	Millennium & Copthorne Hotels New Zealand Limited	Kingsgate Hotel Te Anau	ON	26/04/2016	P	10-May-17	Sarah	Plan MC records
LIQ-2012/58	Fiordland Hotel and Motel Limited	Fiordland Hotel & Motel	ON	7/05/2016	P	10-May-17	Sarah	Plan
LIQ-2012/135	Edendale Bowling Club (Southland) Society Inc	Edendale Bowling Club (Southland) Society Inc	CLUB	28/06/2016	P	08-Jun-17	Michael	Hours
LIQ-2004/171	Milford Sound Lodge Limited	Milford Sound Lodge	ON	26/07/2016	P	10-Mar-17	Sarah	Plan & designatn
LIQ-2004/203	Waianiwa Community Club Incorporated	Waianiwa Community Club	CLUB	3/08/2016	P	11-Apr-17	Michael	Fire Evac
LIQ-2003/261	Crewsiders Limited	Ship To Shore	OFF	20/08/2016	P		Sarah	
LIQ-2012/204	Riversdale Bowling Club Incorporated	Riversdale Bowling Club	CLUB	7/11/2016	P	02-Mar-17	Sarah	Incorp
LIQ-2011/130	Real Journeys Limited	Meridian Energy Lodge	ON	8/11/2016	P	12-May-17	Sarah	Fire Evac
LIQ-2006/162	Franz Josef Klein and Maria Theresia Klein	Naturally Fiordland Cafe and Pizzeria	ON	6/12/2016	P	23-May-17	Sarah	Owners away
LIQ-2012/238	Waiau Star Rugby Club Incorporated	Waiau Star Rugby Club	CLUB	10/01/2017	P	08-Apr-17	Michael	Fire Evac
LIQ-2015/181	Balfour Tavern 2015 Limited	Balfour Tavern	ON & OFF	23/03/2017	P	17-May-17	Sarah	Fire Evac