

HAURAKI DISTRICT COUNCIL MEETING

MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY 25 MAY 2016 COMMENCING AT 9.00 AM

PRESENT

His Worship the Mayor Mr J P Tregidga (In the Chair), J M Bubb, B A Gordon, G A Harris, P H Keall, G R Leonard, M P McLean, P A Milner, H T Shepherd, D H Swales, J R Thorp and A A Tubman

IN ATTENDANCE

Messrs L D Cavers (Chief Executive), A de Laborde (Group Manager - Engineering Services), D Peddie (Group Manager - Corporate Services), P Thom (Group Manager - Planning & Environmental Services), S B Fabish (Group Manager - Community Services), M Buttimore (Strategic Planning Projects Manager), Ms C Mischewski (Policy Analyst), Ms T Nevin (Strategic Planner), G Thomsen (Roading Manager), M Charteris (Utilities Manager), I McLeod (Drainage Manager), Ms K Ingle (Corporate Planning Administrator), Ms K Quinn (Senior Strategic Planner) and Ms C Black (Council Secretary)

APOLOGIES

RESOLVED

THAT the apology of Cr D A Adams be received and sustained.

C16/130

Tregidga/Leonard

CARRIED

LATE ITEMS

Pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, the Chairperson called for late items to be accepted.

RESOLVED

THAT pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, the following late items be accepted for discussion.

- (In Committee) Appointment of Trustee to Hauraki Rail Trail Charitable Trust

The item was not on the agenda because the item was unavailable at the time of the agenda deadline.

Discussion on the item could not be delayed because the Council needed to appoint a replacement Trustee before the Trust meeting with the Ministry of Business, Innovation and Employment on the 23 June 2016.

C16/131

Tregidga/Bubb

CARRIED

DECLARATIONS OF INTERESTS

Cr Leonard declared a conflict of interest in the Haurakian Charitable Trust item.

Cr Tubman declared an interest in the Request for Development Contributions Waiver item.

CONFIRMATION OF MINUTES**ORDINARY MEETING HELD WEDNESDAY 27 APRIL 2016 (1521316)**

The Mayor presented the minutes.

RESOLVED

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday 27 April 2016 are confirmed and are a true and correct record.

C16/132

Gordon/Thorp

CARRIED**MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

CONSIDERATION AND RECEIPT OF COMMITTEE MEETING MINUTES**PLAINS WARD COMMITTEE (1536810) – Tuesday 10 May 2016**

Deputy Chairperson, Cr Harris presented the minutes.

RESOLVED

THAT the minutes of the Plains Ward Committee meeting held on Tuesday 10 May 2016 are received and the recommendations contained therein adopted.

C16/133

Harris/Swales

CARRIED**MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

PAEROA WARD COMMITTEE (1536930) – Tuesday 10 May 2016

Chairperson, Cr Bubb presented the minutes.

RESOLVED

THAT the minutes of the Paeroa Ward Committee meeting held on Tuesday 10 May 2016 are received and the recommendations contained therein adopted.

C16/134

Bubb/Milner

CARRIED**MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

WAIHI WARD COMMITTEE (1537100) – Tuesday 10 May 2016

Chairperson, Cr Shepherd presented the minutes.

RESOLVED

THAT the minutes of the Waihi Ward Committee meeting held on Tuesday 10 May 2016 are received and the recommendations contained therein adopted.

C16/135

Shepherd/Keall

CARRIED

MATTERS ARISING FROM THE MINUTES

There were no matters arising.

AUDIT & RISK COMMITTEE (1521528) – Friday 29 April 2016

Deputy Chairperson, Cr Gordon presented the minutes.

RESOLVED

THAT the minutes of the Audit & Risk Committee meeting held on Friday 29 April 2016 are received and the recommendations contained therein adopted.

C16/136

Gordon/Tubman

CARRIED

MATTERS ARISING FROM THE MINUTES

Rates in Arrears

A member requested that the meeting go into committee to receive an update on the status of rate arrears.

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

RESOLVED

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
	Rates in Arrears	Section 7(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

C16/137

Tregidga/Leonard

CARRIED

RESOLVED

THAT the public be readmitted to the meeting and that the business in committee discussed be confirmed.

C16/138

Shepherd/Bubb

CARRIED**JUDICIAL COMMITTEE (1499743) – Monday 29 February 2016**

Chairperson, Cr Leonard presented the minutes.

RESOLVED

THAT the minutes of Judicial Committee meeting held on Monday 29 February 2016 are received.

C16/139

Leonard/Bubb

CARRIED**MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

DECISION MAKING**ECONOMIC DEVELOPMENT****FIBRE TO KEREPEHI (1539629)**

The Information Services Manager and Economic Development Support Officer reported on the progress in delivering fibre to Hauraki Park, its industrial subdivision in Kerepehi, and requested that a sub-committee be formed with delegated authority to make a decision on Council investment in this project.

RESOLVED

THAT the report be received.

C16/140

McLean/Tubman

CARRIED**QUOTE FOR DELIVERY OF FIBRE TO HAURAKI PARK**

A report including quote from Chorus was pre-circulated and tabled by the Economic Development Support Officer.

RESOLVED

THAT the report be received, and

THAT Council approves option 1: to accept the quote provided by Chorus for delivery of fibre to Hauraki Park and charge it to the subdivision with cost recovery from future section sales.

C16/141

Leonard/Keall

CARRIED

COMMUNITY SERVICES

Cr Bubb declared an interest in the following item.

2016 JIADING INTERNATIONAL YOUTH FRIENDSHIP CAMP (1539228)

The Community Development Officer reported on a request for financial assistance towards the travel costs for a representative to attend the Jiading International Youth Friendship Camp in August 2016.

RESOLVED

THAT the report be received.

C16/142

Shepherd/McLean

CARRIED**RESOLVED**

THAT Council contribute a further \$1,500 towards the cost of air travel, insurance, visa and gifts for Council representative, Cr Julie Bubb to attend the 2016 Jiading International Friendship Camp from the Sister Cities budget.

C16/143

Shepherd/McLean

CARRIED**PATETONGA-KAIHERE COMMUNITY CENTRE SOCIETY LEASE PATETONGA DOMAIN – REPORT TO COUNCIL (1539576, 1539805, 1539606, 1539614)**

The Group Manager – Community Services reported on and sought approval for a lease agreement between Hauraki District Council (HDC) and the Patetonga-Kaihere Community Centre Society Incorporated.

RESOLVED

THAT the report be received.

C16/144

Tregidga/Harris

CARRIED**RESOLVED**

THAT the Council approves the Deed of Lease between the Patetonga-Kaihere Community Centre Society Incorporated and the Hauraki District Council for the lease of the Patetonga Domain land (Patetonga Recreation Reserve), where the building the Society owns is located, and

THAT Council staff will inform the local community of the changes to the use of this building using the local newspaper.

C16/145

Harris/Gordon

CARRIED

Cr Leonard declared an interest in the following item and took no part in the discussion.

LEASE AGREEMENT BETWEEN HAURAKI DISTRICT COUNCIL AND THE HAURAKIAN CHARITABLE TRUST (1539735, 201156, 1509667)

The Group Manager – Community Services reported on and sought Council approval that a lease agreement be established between Hauraki District Council and the Haurakian Charitable Trust for the use of Council land, known as Ngatea Southern Estate for farming purposes.

RESOLVED

THAT the report be received.

C16/146

Swales/Bubb

CARRIED

RESOLVED

THAT Council approves the Deed of Lease between The Haurakian Charitable Trust Inc. and the Hauraki District Council for the lease of the Ngatea Southern Estate (19.8 hectares) for the period 1 June 2016 to 31 May 2017.

C16/147

Gordon/Swales

CARRIED

ELECTED MEMBERS REMUNERATION SETTING FOR THE PERIOD 01-07-16 TO 30-06-17 (1540034)

SUPPLEMENTARY REPORT (1541726)

The Group Manager – Community Services provided a supplementary report updating on the elected members remuneration and allowance setting for the period 1st July 2016 to 30 June 2017 for Councils consideration and approval.

RESOLVED

THAT the report be received.

C16/148

Milner/Leonard

CARRIED

RESOLVED

THAT the Sensitive Expenditure Policy for Elected Members be adjusted to reflect changes to the mileage allowance and travel time allowance, and

THAT these new mileage rates be 74 cents per kilometre for the first 5000 kilometre and the rate for travel in excess of 5000 kilometres remains at 37 cents, and

THAT the 30 kilometre threshold will now apply only to visits to the Council office and for other travel by members, no threshold distance will apply, and

THAT the travel time allowance be set at \$37.50 per hour, and

THAT the amended Sensitive Expenditure Policy for Elected Members be sent to the Remuneration Authority by the 10th June 2016, and

THAT Council recommend to the Remuneration Authority that the Hauraki District Council's Councillor Position's of additional responsibility and salary be;

Deputy Mayor	\$30,176
Ward Chair	\$24,928
Deputy Ward Chair	\$22,304
Operations Committee Chair	\$24,928

C16/149

Gordon/Shepherd

CARRIED

NETWORK SERVICES**SOLID WASTE – DIVERSION FROM LANDFILL (1537924)**

The Utilities Manager advised that the purpose of the report was to provide a staff response to Council's request and resolution at the meeting of 27 April that the Eastern Waikato Solid Waste Joint Committee that was formed in 2012 be tasked to review options to minimise the solid waste to landfill.

As this Committee has now been disestablished, it was requested that resolution C16/98 made at the Council meeting in April be withdrawn and that in its place, a working group is formed to review options to minimise solid waste to landfill.

RESOLVED

THAT the report be received.

C16/150

Swales/McLean

CARRIED**RESOLVED**

THAT Council withdraw resolution C16/98 as there is no standing committee to carry out this work, and

THAT a working group consisting of Crs Swales, McLean, Thorp and Milner meet with staff to review options to minimise solid waste to landfill and that the outcome be reported back to Council.

C16/151

Gordon/Bubb

CARRIED**PLANNING AND ENVIRONMENTAL SERVICES****2016/17 SCHEDULE OF FEES AND CHARGES (1514691, 1539797)**

The Senior Strategic Planner presented the Council with the proposed 2016/17 Schedule of Fees and Charges for adoption.

RESOLVED

THAT the report be received.

C16/152

Leonard/Thorp

CARRIED

In view of the current increase in the use of council reserves for the purpose of overnight camping, it was proposed that Council review overnight camping when the Reserve Management Plan is out for public consultation.

It was agreed that the fees and charges for 2016-17 be adopted as presented.

RESOLVED

THAT Council adopt the Schedule of Fees and Charges for 2016/17 to be effective from 1st July 2016.

C16/153

Tubman/Swales

CARRIED

PROPOSED AMENDMENT TO DISTRICT PLAN – MARTHA MINERAL ZONE (1539014, 1539890)

The District Planner requested a Council resolution to change section 5.17 Martha Mineral Zone of the Operative District Plan, by the addition of a second note at the end of the Permitted Activity.

RESOLVED

THAT the report be received.

C16/154

McLean/Leonard

CARRIED

The District Plan Provisions

It has been drawn to Council's attention that making rules P1 and P2 of the District Plan Provisions (permitted activities), subject to the District Wide Performance Standards , will result in conflicting provisions applying to the Martha Mine – once P1 and P2 come into effect.

A detailed assessment has shown that this will be the case in relation to two (2) specific matters – vibration and lighting.

It was requested that Council approve to change section 5.17 Martha Mineral Zone of the Operative District Plan, by the addition of a second note at the end of the Permitted Activity Table to address the error.

RESOLVED

THAT pursuant to Clause 20A of the First Schedule to the Resource Management Act the Council resolves to change section 5.17 Martha Mineral Zone of the Operative District Plan, by the addition of a second note at the end of the Permitted Activity Table:

“Once Rules P1 and P2 come into effect after the dates specified, any activity conducted within the areas of the zone covered by, and within the terms and conditions of Mining Licence 32 2388 and/or Land Use Resource Consent 97/98-105 is not subject to the provisions of 8.2.5 and 8.3.2.”

C16/155

Gordon/Harris

CARRIED

The meeting adjourned for morning tea at 10.10am

The meeting reconvened at 10.30am.

CHIEF EXECUTIVE

CHIEF EXECUTIVE'S MONTHLY FOR MAY 2016 (1539415)

The Chief Executive presented his monthly report to May 2016.

RESOLVED

THAT the Chief Executive's monthly report for May 2016 be received.

C16/156

Tregidga/McLean

CARRIED

Staffing Update

An update was provided on recent staff changes within the organisation.

Risk Management and Section 17A Review Process – Workshop

Following a recommendation from the Audit & Risk Committee that a workshop be held of full Council specifically on risk management and corporate risks, the Chief Executive requested that a workshop be held in July in which to consider risk management and the Section 17A review process.

RESOLVED

THAT Council hold a workshop on Wednesday, 6 July 2016 in the Council Chambers starting at 9.00am for the purpose of a presentation on Risk Management and the Section 17A review process.

C16/157

Bubb/Harris

CARRIED**CORPORATE SERVICES**COUNCIL FINANCIAL REPORT FOR THE PERIOD TO 30 APRIL 2016 (1539015, 1539866)

The Group Manager – Corporate Services presented the results of Council's direct activities for the ten months to 30 April 2016 including detailed summaries together with explanations of significant variances.

RESOLVED

THAT the report be received.

C16/158

Swales/Tubman

CARRIED**PLANNING AND ENVIRONMENTAL SERVICES**PLANNING AND ENVIRONMENTAL SERVICES MANAGER'S MONTHLY MONITORING REPORT FOR THE MONTH OF APRIL 2016 (1538428)

The Planning and Environmental Services Manager and Strategic Planning Projects Manager reported on planning and regulatory matters for the month of April 2016.

RESOLVED

THAT the report be received.

C16/159

Harris/Milner

CARRIEDMINUTES OF THE WAIKATO PLAN JOINT COMMITTEE MEETING OF 18 APRIL FEBRUARY 2016 (1539773, 1539771)

For the information of the members, the Policy Analyst submitted a report and minutes from the Waikato Plan Joint Committee meeting held at Karapiro on 18 April 2016. The report informed the members of the decisions made by the Joint Committee and the progress of the Waikato Plan.

RESOLVED

THAT the report be received.

C16/160

Tregidga/Gordon

CARRIED

THIRD QUARTER NON FINANCIAL PERFORMANCE TARGET AND MANDATORY MEASURES RESULTS (1538749)

The Strategic Planner reported on the non financial performance target and mandatory measures results for the third quarter of the 2015/16 financial year.

RESOLVED

THAT the report be received.

C16/161

Bubb/Leonard

CARRIED

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

RESOLVED

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
1	Rating Sales	Section 7(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
2	Request for Waiver of Development Contributions	Section 7(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist
3	Road General Maintenance 2016 -2019 Contract No HDC 438	Section 7(2)(i) Prejudice to Commercial Position/Negotiations To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

<p>4</p>	<p>Ngatea Northern Estate Stage Two – Development Approval and Section Price Setting</p>	<p>Section 7(2)(i) Prejudice to Commercial Position/Negotiations To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations</p>	<p>Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>
<p>5</p>	<p><u>Late Item:</u> Appointment of Trustee to Hauraki Rail Trail Charitable Trust</p>	<p>Section 7(2)(i) Prejudice to Commercial Position/Negotiations To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations</p>	<p>Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

C16/162

Tregidga/Keall

CARRIED

RESOLVED

THAT the public be readmitted to the meeting and that the business in committee discussed be confirmed.

C16/174

Gordon/Thorp

CARRIED

The meeting adjourned for lunch at 12.30pm
The meeting reconvened at 1.00pm.

HEARING OF SUBMISSIONS TO THE DRAFT DOG CONTROL POLICY 2016 AND DRAFT DOG CONTROL BYLAW 2007**REPORT ON HEARING OF SUBMISSIONS FOR THE DRAFT DOG CONTROL POLICY 2016 AND DRAFT DOG CONTROL BYLAW 2007 (1537461, 1377419, 1418336)**

Staff summarised the topics on which submissions had been received and outlined the recommendations proposed to assist Council's deliberation on the submissions made. It was noted that the recommendations were subject to any further information raised by submitters at the hearing.

RESOLVED

THAT the report be received, and

THAT all submissions to the proposed Draft Dog Control Policy 2016 and Draft Dog Control Bylaw 2007 be received and all submitters be thanked for their participation in the process and advised of the Council's decision in relation to their submission, and

THAT the late submission received from Dawn Sinclair, which is included in the summary of submissions document, be received, and

THAT the Council receives the staff recommendations that follow to inform its deliberations on the submissions received, subject to information provided through the verbal presentation of submissions.

C16/175

Milner /Keall

CARRIED**RESOLVED**

THAT dogs be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round, and

THAT the matter of banning quad bikes from the southern end of Whiritoa Beach will be referred to the Waihi Ward Committee for consideration for when the Council next reviews Part 3: Public Safety of the Consolidated Bylaw, and

THAT dogs be prohibited from the historic pa/urupā site at the summit of Ngati Koi Domain, and Community Services liaise with the co-governance transitional body for Ngati Koi Domain to establish if there is a suitable location for a dog exercise area at the Domain, and

THAT Council staff approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted, and

THAT the development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and the Waihi Ward Committee for further discussion, and

THAT Council staff approach the Department of Conservation to confirm their policy stance on dogs being exercised off-leash at the Victoria Battery site in Waikino and report back to the June Council meeting, and

THAT staff report back to the June Council meeting on the budget implications for dog control signs, doggy-doo bins and bag dispensers, and

THAT Council staff provide an update of other changes that may be appropriate to the proposed Draft Dog Control Policy 2016 and Draft Dog Control Bylaw 2007 at the meeting of the Council in June 2016.

C16/176

McLean /Milner

CARRIED

The Mayor invited submitters to present their submissions.

DEPARTMENT OF CONSERVATION – SUBMISSION #33

(Summary of Submission document: 1539843, Page 4)

Mr Ken Brown, local Department of Conservation (DOC) ranger from Thames spoke to his submission and provided a powerpoint presentation regarding protection of the NZ Dotterel breeding sites located at the coastal areas of Whiritoa and Miranda/ Pūkoro to south of Kaiaua.

Key points raised by the Submitter:

- Supported the prohibition of dogs from the southern end of Whiritoa Beach all year round, and the rest of Whiritoa Beach from December 20 to March 1 between the hours of 9am to 7pm, as DOC recognises the area as a significant NZ dotterel breeding site since 1998.
- DOC's statics show that the northern NZ Dotterel is at risk and nationally vulnerable, which has had less than 10% increase over a ten year period. Since the NZ Dotterel watch programme was introduced in 1990 the number of dotterels has increased to over 450. Census is performed every 8 years. The protection program involves a lot of volunteers and community hours involving public education especially around having dogs on beaches near breeding site.
- The December to March period covers the incubation and fledging time for the breeding season. DOC ranger, Frouk Miller, monitors the Whiritoa beach and recorded seven pairs of nesting dotterel at Whiritoa Beach, with five of those pairs being at the southern end – seven chicks were fledged and 14 chicks were lost. The ranger noticed during her inspections that a lot of dogs were running loose on the beach. Under criteria of DOC's Taxon Dotterel Plan the Whiritoa area is a significant breeding site.
- Mr Brown raised awareness on the habits of nesting dotterels, their breeding patterns, how the presence of dogs and people can disrupt a nesting pair and place a vulnerable nesting site and the eggs or chicks at risk. Creating awareness and sharing of the beach so the public may become aware of the importance of the dotterel and their nest.
- DOC supports the continuation of prohibition of dogs from the Miranda area. The Ramsar treaty recognises six significant sites in New Zealand for recognised international important wetlands. Miranda, including the Firth of Thames, is one of the

wetland areas that has approximately 40,000 birds from 74 species, many of which are rare or uncommon, including endemic species and arctic breeding overwintering birds.

- Brought to Councils attention that under the Wildlife Act 1983 stricter penalties can be applied where a dog may attack a protected species. Mr Brown requested that Council's dog rangers notify DOC immediately if they become aware of any infringements involving dog attacks on any rare or endemic bird.

In response to questions:

- At the southern end of Whiritoa Beach DOC will provide permanent signage indicating prohibited areas for the dotterel nesting sites, and will erect a temporary fence (standards and tape) around identified breeding sites. Rangers may relocate the nest site to a higher location if they believe it is threatened by the tide.
- DOC believes that the dotterel breeding site will eventually progress northwards along Whiritoa beach and support the continuation of the prohibition of dogs from Whiritoa beach, including the lagoon, from December 20 to March 1, including public holiday between the hours of 9am and 7pm.

RESOLVED

#33.1 Prohibited Areas for Dogs – Whiritoa Beach southern end

THAT the submitter's support and feedback is noted and Council thanks the Department of Conservation for the input and time that they have contributed to the policy and bylaw review process. Dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

#33.2 Prohibited Areas for Dogs – Whiritoa Beach

THAT dogs will be prohibited from Whiritoa Beach, including the lagoon from December 20 to March 1 the following year and including public holiday weekends between the hours of 9am to 7pm the same day.

#33.3 Prohibited Areas for Dogs – Miranda/Pūkoro to south of Kaiua

THAT Dogs will be prohibited from the beach area (land east of East Coast Road, including the beach) from the District boundary at Miranda/Pūkoro to the southern boundary of Kaiua township as identified by the 50km/hr sign.

C16/177

McLean /Milner

CARRIED

#33.4 Dog attacks on protected species

That the Group Manager Planning and Environmental Services, the Regulatory Services Manager and Council's dog control officers will notify the Department of Conservation if the Council becomes aware of any dog attack on a NZ dotterel, or any other protected bird species, and this sharing of information will be undertaken as part of the Council's operating procedures.

C16/178

Leonard / Sheppard

CARRIED

PETER THOMAS HUDSON – SUBMISSION #18

(Summary of Submission document: 1539843, Page 7)

Mr Peter Hudson spoke on behalf of his submission.

Key points raised by the Submitter:

- Mr Hudson showed concern about animal welfare especially where dogs are mistreated and their needs are not fully provided for. He proposes the best approach is

for Council to enforce a compulsory system where people have to apply for and obtain a Responsible Owners Licence before they can own a dog. He has mentioned the idea to approximately 20 people who have all agreed with his proposal.

In response to questions:

- Would like to see all dogs kept in properly fenced properties as per the criteria of a Responsible Owners Licence, and for dogs to be fed and exercised.
- If a child owns a dog then the onus of the responsible dog owner should fall to the parent of that child.
- The Submitter holds a Responsible Dog Owners licence.

RESOLVED

#18.1 Responsible Owner Licence

THAT the Council notes the submitter's comments. In New Zealand people do not need a licence/training to own a dog. However if a person is convicted of a dog related offence under specific legislation, or if a person commits three or more infringement offences within a continuous 24 month period against the Dog Control Act 1996 or the Council's Bylaw, then the Council may classify that person as a probationary dog owner for a 24 month period. A person may also be disqualified from owning a dog in certain other circumstances. The Council's Responsible Owner Licence scheme will remain as a voluntary program to promote responsible dog ownership.

C16/179

Swales / McLean

CARRIED

TRACEY WAKEFIELD - SUBMISSION #36

(Summary of Submission document: 1539843, Page 9)

Ms Tracey Wakefield spoke to her submission.

Key points raised by the Submitter:

- Ms Wakefield owns two dogs classed as a menacing breed and currently holds a Responsible Owners Licence. Ms Wakefield seeks to receive the same full advantages that other ROL dog owners have including the discount on dog registration fee.

RESOLVED

#36.1 Responsible Owner Licence – menacing dogs

THAT the Submitter's support and comments are noted. The Council's Responsible Owner Licence (R.O.L.) scheme will remain as a voluntary program to promote responsible dog ownership. Owners of dogs classified as menacing (due to the breed of the dog), may apply to undertake the scheme but shall not benefit from the R.O.L. reduced annual dog registration fee.

C16/180

Milner / Bubb

CARRIED

DENNIS AND PAULINE MOLLER - SUBMISSION #15

(Summary of Submission document: 1539843, Page 13)

Mr and Mrs Moller spoke to their submission.

Key points raised by the Submitter:

- Mr Moller and his wife reside at Waikino and for the last 13 years they have exercised their dogs at the Victoria Battery on a regular basis between the hours of 7.30am to 8.30am when there are no walkers or cyclists present at the site.
- Mr Moller acknowledged the community meeting that was held earlier in the year at Waikino regarding installing an off-leash dog exercise area near the Domain and believed the area would be too small, bland and not interesting enough for dog and that a car park and facilities would need to be provided at a cost to the ratepayer.
- Mr Moller announced that at 12 noon today his wife contacted a DOC ranger, Desmond Brownlee, responsible for the maintenance at Victoria Battery. Mr Moller advised that Mr Brownlee was sympathetic to their concerns with regards to DOC's dogs on lead policy at the Battery and is willing to hold a meeting at the Waikino Hall, possibly after June 15, alongside Council members, as Mr Brownlee is in favour of relaxing the dog restriction policy at this site. Mr Moller also said Mr Brownlee was grateful to those members of the community that contributed towards maintaining and cleaning the site, and that Mr Brownlee thinks it ridiculous to put in a new dog exercise area near the Waikino Domain when there is already a suitable site to use at the Victoria Battery site.

In response to questions:

- Mr Moller advised that Mr Brownlee said he would be contacting his superiors in DOC to discuss the situation before putting the matter in the public arena.

RESOLVED

15.1 Dog Exercise Area – Waikino Victoria Battery

THAT the Council staff are to approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino, and the development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party for discussion.

C16/181

McLean / Milner

CARRIED

15.2 Dog Control - Complaints

THAT the Council's dog control officers undertake patrols of the District at various times and are aware that people are allowing their dogs off-leash at the Victoria Battery site and off-leash on road reserve in the Waikino and wider Karangahake Gorge area. This has also been confirmed by submitters to this submission process. In the past year there has been one incident at the Victoria Battery site where the Council's dog control officers attended a 'dog attacks dog' incident. One dog was on-leash and the other was off-leash. The off-leash dog attacked the dog that was on-leash. Prior to this there were several complaints about a dog roaming free at the site.

C16/182

Thorpe / McLean

CARRIED

DEREK HARDY - SUBMISSION #25

(Summary of Submission document: 1539843, Page 19)

Mr Derek Hardy spoke to his submission.

Key points raised by the Submitter:

- Mr Hardy explained that his submission comes in two parts. One being that Council's interpretation of being in control of a dog is perhaps unduly conservative and that dogs off-leash and under control should be allowable in places where it's not going to cause a problem. Mr Hardy referred to his submission where the Western Bay of Plenty,

Matamata-Piako and Tauranga have a more flexible policy and suggested that the effect could minimise and probably reduce the canine carnage and confusion. He believes that a lot of dogs are currently exercised off-lead in suitable places by responsible owners. Mr Hardy suggested that the dog ranger only has to have due reasonable cause to feel that an infringement has been committed.

- Second point – off-lead dog exercise areas in the District. Felt that the Waikino site is too small and unlikely to be used as it would not suit the purpose for an owner wishing to exercise a dog. The Waihi South Reserve dog exercise area on Consols street offers limited possibilities to exercise a dog besides throwing a stick. Mr Hardy has never seen this site used by dog owners and suggested the grass is too long, the turf soft and notices that it is used as a carpark when there is a tangi being held at the Marae. He suggested that signage should be installed at the Reserve to indicate that it is a dog exercise area. The Morgan Park dog exercise area is bigger with a bit more interest, but it is built on an old rubbish dump presumably with a clay capping, and when it rains the ground becomes soggy underfoot. Mr Hardy believes an occupant of a house adjoining the area had befriended wild rabbits and complains when dogs chase the tamed rabbits into their property. Mr Hardy suggested that the Victoria Battery site is how a dog exercise area should be.
- Mr Hardy regards the summary of his submission by Council staff was not fully correct nor his submission properly interpreted and had a lot of transpositions.

In response to questions:

- Mr Hardy suggested that there are some areas that would be suitable as dog exercise areas but the land is not owned by Council. He suggested there are some suitable areas out the Waihi east end, where there use to be houses, around the pit rim walkway, and areas not used for grazing. He also suggested possibly Mill Stream walkway. He understands that Council is in a difficult position, but believes if the policy was altered that it may make it easier.
- Mr Hardy acknowledged that his dog was attacked once, but it was an exceptional circumstance where one person was walking four dogs on ropes. His own dog, a Jack Russell is kept on-leash if Mr Hardy believes he may become a nuisance to others. The benefit on having an off-lead allowance takes the pressure off the dog ranger in looking for people that are walking their dogs off-leash and under control and can focus on those dog handlers that are obviously not in control of their dog. Mr Hardy was a certified Responsible Owners Licence once, but has not reapplied since moving properties, but still regards himself as a responsible owner.
- Mr Hardy made several suggestions for improvements to the Waihi South Reserve dog exercise area would be including trees and bushes for interest, possibly fencing where several dogs could socialise together, having a coffee-cart for the dog owners.

RESOLVED

25.1 Dog control in public places

THAT the submitter's comments are noted. The dog on-leash in all public places policy (unless the site is a dog exercise area) has been in place since the Council first developed a dog control policy in 1997. It is seen as the safest way to ensure dogs are under control in the community and cannot cause public harm or nuisance in places such as town centres, residential areas and reserves where children and families often frequent.

C16/183

McLean / Swales

CARRIED

25.2 Dog Exercise Areas – Waihi and Waikino

THAT the Council staff are to approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino, and the development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward committee for discussion. THAT staff report back to the June Council meeting on the budget implications for dog control signs, doggy-doo bins and bag dispensers.

C16/184

McLean / Milner

CARRIED***BRIAN HABBERFIELD – SUBMISSION #26***

(Summary of Submission document: 1539843, Page 23)

Mr Brian Habberfield phoned in an apology and was unable to speak to his submission.

Key points raised by the Submitter:

- Mr Habberfield lives opposite the Waikino Recreation Reserve and chairs the Waikino Domain Board. He helps look after the reserve, knows that it's grazed by stock and that an annual cricket match is held at the reserve. He has been trying to get the front of the Domain upgraded. Personally he like dogs and would like to see the reserve used more, and encourages people to use the area for walking their dogs. He is aware that the grazier has issues with dogs being exercised in the reserve due to diseases that dogs may carry which could affect the stock.
- Mr Habberfield believes the proposed dog exercise area near the domain is a small yet attractive area. From his observations and talking to others it seems that the exercise area would not get used when dog owners prefer to exercise their dogs in the 5 acres at the Victoria Battery site.

In response to questions:

- Mr Habberfield believes if the proposed off-leash dog exercise area at the recreation reserve is created people will still not use it much, but acknowledges that Council would have fulfilled their statutory obligation by providing an area for dogs. Even if the area was widened to include all of the Waikino Reserve, dog owners will still prefer to use the Victoria Battery site for exercising dogs.
- Suggested Council, DOC and the tramway society should work together to access the use of the Victoria Battery site as an off-leash area for dogs and that the funds for the proposed Waikino dog exercise area be used for this purpose.
- Council administers the Dog Control Act on public places and beaches within the Hauraki District. Council needs a formal agreement with the Department of Conservation to administer the dog control act on their land.

RESOLVED26.1 Dog Exercise Areas - Waikino

THAT the Council thank Mr Habberfield for all the input he has provided on the dog exercise area proposal to date in his role as the Chair of the Waikino Domain Board. The Council staff are to approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino, and the development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward committee for discussion.

C16/185

McLean / Milner

CARRIED

INGRID BROEKHALS – SUBMISSION #3

(Summary of Submission document: 1539843, Page 13)

Ms Ingrid Broekhals spoke to her submission.

Key points raised by the Submitter:

- Ms Broekhals referred to her submission suggesting the idea of using recycled plastic bags, eg. supermarket bags in dispensers situated near dog exercise areas for dog owners to use in picking up dog faeces. Perhaps the supermarkets could help with providing grocery bags. Tapakuna beach has this type of dispenser using recycled bags - Thames Coromandel District Council provides specifically designed bag dispensers.
- Ms Broekhals brought to Council's attention the small dog exercise area by the Paeroa Criterion bridge and requested that Council consider having the same type of facilities provided by Hamilton Council for dog exercise areas, which has perimeter fencing and dog agility type facilities for the public to use.

In response to questions:

- Council advised Ms Broekhals that there are two designated dog exercise areas in Paeroa; Brenan Field (excluding skate park and sports fields) and along the stop bank land between Criterion bridge and William Street.

RESOLVED**#3.1 Dog Exercise Areas**

THAT the submitter's comments are noted. There are two dog exercise areas in Paeroa; the stop bank land in Paeroa between the Criterion bridge and William Street and Brenan Field, but excluding the skate park and the sports fields. This means a dog owner may walk their dog off-leash behind McDonalds and also further along the stop bank. Dogs are not permitted off-leash on the Hauraki Rail Trail (with the exception of the off-leash exercise area in Paeroa on the stopbank) but may be walked on leash at certain locations. The prohibition of dogs on rural sections of the Hauraki Rail Trail is in place because of farmers concerns about dogs on the Trail and is also a condition of the resource consent granted to build the Hauraki Rail Trail. THAT staff report back to the June Council meeting on the budget implications for dog control signs, doggy-doo bins and bag dispensers.

C16/186

McLean / Milner

CARRIED

WRITTEN SUBMISSION RECEIVED ON THE DRAFT DOG CONTROL POLICY 2016 AND DRAFT DOG CONTROL BYLAW 2007 (SUBMITTERS THAT DID NOT ATTEND THE HEARING TO SPEAK IN SUPPORT OF THEIR SUBMISSION)

Consideration of written submissions not verbally presented.

GARY DAVIDSON – SUBMISSION #1

(Summary of Submission document: 1539843, Page 27)

RESOLVED**#1.1 Dog Exercise Areas – Whiritoa Beach southern end**

THAT the Department of Conservation has requested that dogs are banned from the southern end of Whiritoa beach to better protect dotterels for two main reasons:

- There have been direct dog attacks on dotterels and eggs in the past.
- It is an issue if dogs are in too close proximity to nests because the dotterel parents will undertake distraction displays to lead intruders (dogs) away from the eggs/chicks. This means if there are constant 'threats' to the birds they might be off their nests for long periods of time which can lead the eggs to

overheat/cool depending on the weather conditions, making the eggs unviable. If the parents have chicks they will get them to run into the dunes and hide. Prolonged amounts of time hiding can cause the chicks to feed less and grow slower, meaning more time on the ground before they can fly, where they are more susceptible to predators. While dogs being on a leash might stop direct dog attacks on dotterels and their eggs it is unlikely to stop dotterels undertaking distraction displays.

The proposal to prohibit dogs from the southern end of Whiritoa beach is supported by Maori land owners who own private land at the southern end of the beach in a Trust. The Trust does not support dogs being permitted at the southern end of the beach whether on a leash or not.

The Council has resolved that dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round,

C16/187

McLean / Milner

CARRIED***LYNN GREEN – SUBMISSION #2***

(Summary of Submission document: 1539843, Page 29)

RESOLVED**#2.1 Prohibited Areas for Dogs – Whiritoa Beach southern end**

THAT in 1995 the Department of Conservation established a dotterel monitoring and breeding programme for the Coromandel Peninsula and since the season of 1998/1999 Whiritoa beach has been recognised as a breeding site.

Dotterel numbers have been recovering across the Coromandel since the breeding programme was established. Whiritoa beach now has six resident pairs of dotterels (there are sometimes seven recorded) which return to the same location to nest every year. Five of these pairs regularly nest at the southern end of Whiritoa Beach while one other resident pair usually nests 200m either side of the surf club. Another pair sometimes nests at the northern end of the beach.

The Secretary of the Whangamata Trust, which owns a large part of the foreshore at the southern end of the beach as private land, does not support dogs being permitted at the southern end of the beach whether on a leash or not.

Council has resolved that dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

C16/188

McLean / Milner

CARRIED***BARRY AND JANICE CHRISTIANSEN – SUBMISSION #4***

(Summary of Submission document: 1539843, Page 31)

RESOLVED**#4.1 Prohibited Areas for Dogs – Whiritoa Beach**

THAT the submitter's support and recommendations are noted. The Secretary of the Whangamata Trust, which owns a large part of the foreshore at the southern end of Whiritoa beach as private land, does not support dogs being permitted at the southern end of the beach whether on a leash or not.

The Council has resolved that dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

The matter of banning quad bikes from the southern end of Whiritoa Beach will be referred to the Waihi Ward Committee for consideration for when the Council next reviews Part 3: Public Safety of the Consolidated Bylaw.

The Department of Conservation is in charge of monitoring the dotterel nests and will continue to advise the public of the location of the nests.

C16/189

McLean / Milner

CARRIED***KATHLEEN DIGGINS - SUBMISSION #5***

(Summary of Submission document: 1539843, Page 33)

RESOLVED**#5.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaihua**

THAT the submitter's comments are noted. It was resolved that Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaihua for the purpose of freedom camping where dogs will also be permitted.

C16/190

McLean / Milner

CARRIED***KAREN HART - SUBMISSION #6***

(Summary of Submission document: 1539843, Page 35)

RESOLVED**#6.1 Seizing menacing and dangerous dogs**

THAT the submitter's support is noted and that Council has resolved to adopted sections 8.5 and 9.3 in the Dog Control Policy where dog control officers may seize menacing and dangerous dogs from their owners if they have not complied with the Dog Control Act.

C16/191

Leonard / Milner

CARRIED***CORALIE JOYCE - SUBMISSION #7***

(Summary of Submission document: 1539843, Page 37)

RESOLVED**#7.1 Prohibited Areas for Dogs - Whiritoa Beach southern end**

THAT the Department of Conservation has requested that dogs are banned from the southern end of Whiritoa beach to better protect dotterels for two main reasons:

- There have been direct dog attacks on dotterels and eggs in the past.
- It is an issue if dogs are in too close a proximity to nests because the dotterel parents will undertake distraction displays to lead intruders (dogs) away from the eggs/chicks. This means if there are constant 'threats' to the birds they might be off their nests for long periods of time which can lead the eggs to overheat/cool depending on the weather conditions, making the eggs unviable. If the parents have chicks they will get them to run into the dunes and hide. Prolonged amounts of time hiding can cause the chicks to feed less and grow slower, meaning more time on the ground before they can fly, where they are more susceptible to predators.

While dogs being on a leash might stop direct dog attacks on dotterels and their eggs it is unlikely to stop dotterels undertaking distraction displays.

The Department of Conservation is in charge of monitoring the dotterel nests and will continue to advise the public of the location of the nests.

The Secretary of the Whangamata Trust, which owns a large part of the foreshore at the southern end of Whiritoa beach as private land, does not support dogs being permitted at the southern end of the beach whether on a leash or not.

The Council has resolved that dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

C16/192

McLean / Milner

CARRIED***PAMELA MCLEAN - SUBMISSION #8***

(Summary of Submission document: 1539843, Page 39)

RESOLVED**#8.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaiaua**

THAT the submitter's comments are noted. It was resolved Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted.

C16/193

McLean / Milner

CARRIED***JOHN MUNRO - SUBMISSION #9***

(Summary of Submission document: 1539843, Page 41)

RESOLVED**#9.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaiaua**

THAT the submitter's comments are noted. Currently dogs are permitted off-leash on all public land between the northern boundary of the District at Waharau (north of Kaiaua) and the southern boundary of the Wharekawa Recreation Reserve, which is defined by the Waihopuhopu Bridge.

It was resolved that Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted. .

C16/194

McLean / Milner

CARRIED***DIANNA STALLINGER - SUBMISSION 10***

(Summary of Submission document: 1539843, Page 43)

RESOLVED**#10.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaiaua**

THAT the submitter's comments are noted. It was resolved that Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be

exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted..

C16/195

McLean / Milner

CARRIED***MONICA VAN OOSTROM – SUBMISSION 11***

(Summary of Submission document: 1539843, Page 45)

RESOLVED**#11.1 Prohibited Areas for Dogs – Various location in Hauraki District**

THAT the submitter's comments are noted. While dogs being on a leash might stop direct dog attacks on dotterels and their eggs it is unlikely to stop dotterels undertaking distraction displays where the adults and chicks hide in the dunes compromising the eggs or chicks viability.

Council resolved that dogs be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round, and the historic pa/urupā site at the summit of Ngati Koi Domain, and Community Services are to liaise with the co-governance transitional body for Ngati Koi Domain to establish if there is a suitable location for a dog exercise area at the Domain.

Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted.

C16/196

McLean / Milner

CARRIED***ANDREW WESTGATE – SUBMISSION 12***

(Summary of Submission document: 1539843, Page 47)

RESOLVED**#12.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaiaua**

THAT the submitter's comments are noted. Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted.

C16/197

McLean / Milner

CARRIED***KAREN SALES – SUBMISSION 13***

(Summary of Submission document: 1539843, Page 49)

RESOLVED**#13.1 Prohibited Areas for Dogs – Tauwhare Koiora (Swing Bridge) Reserve, Kaiaua**

THAT the submitter's comments are noted. Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted.

C16/198

McLean / Milner

CARRIED

ALISON ROOT – SUBMISSION 14

(Summary of Submission document: 1539843, Page 51)

RESOLVED**#14.1 Dog Exercise Area - Waihi**

THAT the submitter's comments are noted. The Council has never provided fully fenced dog exercise areas in the District because it believes it is the responsibility of the dog owner to ensure that their dog is under control at all times in public places, even if the dog is off-leash. All dogs that are in a public place that is not designated as a dog exercise area must be on a leash. People can be fined if they are not complying with the Council's Dog Control Bylaw if they have their dog off-leash where it is not permitted.

THAT staff report back to the June Council meeting on the budget implications for dog control signs, doggy-doo bins and bag dispensers.

#14.2 Seizing menacing and dangerous dogs

THAT the submitter's comments are noted. All dogs that are in a public place that is not designated as a dog exercise area must be on a leash. People can be fined if they are not complying with the Council's Dog Control Bylaw and have their dog off-leash where it is not permitted.

Menacing dogs are not released from the pound until they are compliant with the requirements of the Dog Control Act and the Council's bylaw. If a dog is classified as a menacing dog and abandoned it will not be re-homed.

C16/199

Harris / Bubb

CARRIED**KRYSTAL GLEN – SUBMISSION 16**

(Summary of Submission document: 1539843, Page 53)

RESOLVED**#16.1 Dog Exercise Area – Waikino – Victoria Battery and Waikino Domain**

THAT the submitter's support and comments for a dog exercise area in Waikino is noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/200

McLean / Milner

CARRIED**MIKE BALSOM – SUBMISSION 17**

(Summary of Submission document: 1539843, Page 55)

RESOLVED**#17.1 Dog control on private properties**

THAT the submitter's comments are noted. Currently dogs deemed as dangerous dogs must be kept in a fully fenced secure area of the property that people do not have to enter to gain access to an entrance of the dwelling. This is also a requirement to gain responsible dog owner status with the Council. This fencing requirement does not extend to owners of dogs that have not undergone the responsible owner licence training.

Council's Regulatory staff advise that it would be unjustified to make all urban dog owners keep their dogs securely fenced on private property so people did not have to come into contact with the dog in order to enter the dwelling.

C16/201

Keall / McLean

CARRIED***MATT GLEN - SUBMISSION 19***

(Summary of Submission document: 1539843, Page 57)

RESOLVED**#19.1 Dog control on private properties**

THAT the submitter's support and comments for a dog exercise area in Waikino is noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/202

McLean / Milner

CARRIED***LIANNE POTTER - SUBMISSION 20***

(Summary of Submission document: 1539843, Page 59)

RESOLVED**#20.1 Dog Exercise Areas - Waikino**

THAT the submitter's support for a dog exercise area in Waikino is noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/203

McLean / Milner

CARRIED***BRETT POTTER - SUBMISSION 21***

(Summary of Submission document: 1539843, Page 62)

RESOLVED**#21.1 Dog Exercise Areas - Waikino**

THAT the submitter's support for a dog exercise area in Waikino is noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/204

McLean / Milner

CARRIED

MELISSA PILKINTON – SUBMISSION 22

(Summary of Submission document: 1539843, Page 64)

RESOLVED**#22.1 Dog Exercise Areas - Waikino**

THAT the submitter's support for a dog exercise area in Waikino is noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/205

McLean / Milner

CARRIED**JOHN COATES – SUBMISSION #23**

(Summary of Submission document: 1539843, Page 11)

Mr John Coates phoned in an apology that he was unable to attend the Hearing due to another engagement.

RESOLVED**#23.1 Prohibited Areas for Dogs – Waihi and Kaiāua**

THAT the submitter's comments are noted. As there is a historic pa/urupā site located at the summit of Ngati Koi Domain, the Council has decided that dogs will be prohibited from this area. The Council's Community Services staff will liaise with the co-governance transitional body for Ngati Koi Domain to establish if there is a suitable location for a dog exercise area at the Domain. Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiāua for the purpose of freedom camping where dogs will also be permitted.

C16/206

McLean / Milner

CARRIED**HEATHER PRINCE – SUBMISSION 27**

(Summary of Submission document: 1539843, Page 66)

RESOLVED**#27.1 Dog Exercise Areas - Waikino**

THAT the submitter's comments are noted. Council staff liaised directly with the Chair of the Waikino Domain Board and the Chair of the Waikino Liaison Committee about this proposal. The proposal was discussed at the most recent meeting of the Domain Board which was attended by the Council's Parks and Reserves Manager and Councillor Tubman. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/207

McLean / Milner

CARRIED

JANE BARLOW - SUBMISSION 28

(Summary of Submission document: 1539843, Page 69)

RESOLVED**#28.1 Dog Control - General**

THAT the submitter's support and comments are noted. The penalty for breaches of the Council's dog control bylaw are established by the Dog Control Act 1996 and therefore the Council does not have the power to increase the amount dog owners must pay if they commit an infringement offence. However, the Council has indicated that it will seize menacing and dangerous dogs, rather than issue several infringements, if the owners are not complying with the Act or Council's dog control bylaw.

C16/208

Thorp / Milner

CARRIED**WENDY MERRICK - SUBMISSION 29**

(Summary of Submission document: 1539843, Page 71)

RESOLVED**#29.1 Dog Exercise Areas - Waikino**

THAT the submitter's comments are noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

Council staff will approach the Department of Conservation to confirm their policy stance on dogs being exercised at the Victoria Battery site in Waikino.

C16/209

McLean / Milner

CARRIED

The Mayor left the meeting at 2.50pm. The meeting was chaired by the Deputy Mayor, Councillor Bruce Gordon.

WENDY JOY BAKER - SUBMISSION 30

(Summary of Submission document: 1539843, Page 73)

RESOLVED**#30.1 Dog Exercise Areas – Gilmour Reserve, Waihi**

THAT the submitter's comments are noted. The Council's dog control officers do undertake regular patrols of the District when they are not attending to reported incidences. The Council has a 24 hour, 7 day a week answering service (Phone 0800 734 834) for the public to immediately report any observation of offences so the matter may be attended to as quickly as possible.

C16/210

McLean / Swales

CARRIED**Extension of Council Meeting Duration**

The Deputy Mayor requested that it be resolved that the meeting goes beyond six hours.

RESOLVED

THAT pursuant to Standing Order 3.3.7 the meeting be extended beyond six hours.

C16/211

Leonard / Swales

CARRIED

MICHAEL LOUIS VINE – SUBMISSION #31

(Summary of Submission document: 1539843, Page 76)

RESOLVED**#31.1 Prohibited Areas for Dogs – Whiritoa Beach southern end**

THAT the submitter's comments are noted. The Department of Conservation has requested that dogs are banned from the southern end of Whiritoa beach to better protect dotterels for two main reasons:

- There have been direct dog attacks on dotterels and eggs in the past.
- It is an issue if dogs are in too close a proximity to nests because the dotterel parents will undertake distraction displays to lead intruders (dogs) away from the eggs/chicks. This means if there are constant 'threats' to the birds they might be off their nests for long periods of time which can lead the eggs to overheat/cool depending on the weather conditions, making the eggs unviable. If the parents have chicks they will get them to run into the dunes and hide. Prolonged amounts of time hiding can cause the chicks to feed less and grow slower, meaning more time on the ground before they can fly, where they are more susceptible to predators. While dogs being on a leash might stop direct dog attacks on dotterels and their eggs it is unlikely to stop dotterels undertaking distraction displays.

The Secretary of the Whangamata Trust, which owns a large part of the foreshore at the southern end of the beach as private land in that Trust, does not support dogs being permitted at the southern end of the beach whether on a leash or not.

The Council has resolved that:

- Dogs will be prohibited from Whiritoa Beach, including the lagoon from December 20 to March 1 the following year and including public holiday weekends between the hours of 9am to 7pm the same day, and
- Dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

C16/212

McLean / Milner

CARRIED**SUSAN BARBARA VINE – SUBMISSION #32**

(Summary of Submission document: 1539843, Page 78)

RESOLVED**#32.1 Prohibited Areas for Dogs – Whiritoa Beach southern end**

The submitter's comments are noted.

The Department of Conservation has requested that dogs are banned from the southern end of Whiritoa beach to better protect dotterels for two main reasons:

- There have been direct dog attacks on dotterels and eggs in the past.
- It is an issue if dogs are in too close a proximity to nests because the dotterel parents will undertake distraction displays to lead intruders (dogs) away from the eggs/chicks. This means if there are constant 'threats' to the birds they might be off their nests for long periods of time which can lead the eggs to overheat/cool depending on the weather conditions, making the eggs unviable. If the parents have chicks they will get them to run into the dunes and hide. Prolonged amounts of time hiding can cause the chicks to feed less and grow slower, meaning more time on the ground before they can fly, where they are more susceptible to predators. While dogs being on a leash might stop direct dog attacks on dotterels and their eggs it is unlikely to stop dotterels undertaking distraction displays.

The Secretary of the Whangamata Trust, which owns a large part of the foreshore at the southern end of the beach as private land in that Trust, does not support dogs being permitted at the southern end of the beach whether on a leash or not.

The Council has resolved that:

- Dogs will be prohibited from Whiritoa Beach, including the lagoon from December 20 to March 1 the following year and including public holiday weekends between the hours of 9am to 7pm the same day, and
- Dogs will be prohibited from the southern end of Whiritoa Beach; defined as that part of the beach south of the beach access off Moray Place, all year round.

C16/213

McLean / Milner

CARRIED

FRANK GAUSDEN – SUBMISSION #34

(Summary of Submission document: 1539843, Page 19)

Mr Frank Gausden phoned in an apology and was unable to speak to his submission.

RESOLVED

34.1 Prohibited Areas for Dog – Tauwhare Koira (Swing Bridge) Reserve, Kaiaua

THAT the submitter's request for further information is noted. The Kaiaua boat ramp area is significant to Ngāti Paoa as it contains an urupā (burial ground). The location of the urupā was confirmed in July 2014 by an archaeological geomagnetic survey. The koiwi (human bones) burial pits are located at the main entrance to the site within the Council-owned unformed legal road.

As part of the Treaty Settlement process this area will be vested in Ngāti Paoa, gazetted as reserve land and administered by a single joint management body consisting of councillors of the Hauraki District Council and representatives from Ngāti Paoa.

Council staff will approach the Tauwhare Koira co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koira, until further investigation is undertaken to locate another suitable area near Kaiaua for the purpose of freedom camping where dogs will also be permitted.

C16/214

McLean / Milner

CARRIED

SHERYL HELLYER – SUBMISSION #35

(Summary of Submission document: 1539843, Page 80)

RESOLVED

#35.1 Prohibited Areas for Dogs

THAT the submitter's comments are noted. It is not appropriate to have a blanket policy allowing dogs on a leash in all public places. The Council has prohibited dogs from specific sites for specific reasons, for example, dogs are prohibited from children's playgrounds to provide for the better protection of children.

C16/215

Leonard / McLean

CARRIED

BERNARD DUNCKER & RAEWYN ADAMS - SUBMISSION #37

(Summary of Submission document: 1539843, Page 82)

RESOLVED**#37.1 Dog Exercise Areas - Waikino**

THAT the submitter's comments are noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

C16/216

McLean /Milner

CARRIED***MARY ELIZABETH BEVAN - SUBMISSION #38***

(Summary of Submission document: 1539843, Page 85)

RESOLVED**#38.1 Dog Exercise Areas - Waikino**

The submitter's support for a dog exercise area in Waikino is noted. Her suggestions for the area are also noted. The main gate to the Waikino Domain is currently locked because members of the public have left the gate open in the past and the stock that graze on the Domain escaped onto the road. Council staff do not recommend that the gate be left unlocked as the land is leased for the purposes of grazing and it is therefore inappropriate for people to enter and remain on the Domain (unless it is for the yearly cricket match). Staff are currently in discussion with the leasee about public access to the swimming hole.

The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward committee for further discussion.

C16/217

McLean /Milner

CARRIED***TESSA KOSTYRKA - SUBMISSION #39***

(Summary of Submission document: 1539843, Page 88)

RESOLVED**#39.1 Dog Exercise Areas - Waikino**

THAT the submitter's comments are noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

C16/218

McLean /Milner

CARRIED***DAWN SINCLAIR - SUBMISSION #40***

(Summary of Submission document: 1539843, Page 91)

RESOLVED**#40.1 Prohibited Areas for Dogs – Kaiaua and Waihi**

THAT the submitter's comments are noted. The Council has resolved that: Dogs will be prohibited from the historic pa/urupā site at the summit of Ngati Koi Domain, and Community Services will liaise with the co-governance transitional body for Ngati Koi Domain to establish if there is a suitable location for a dog exercise area at the Domain, and

Council staff will approach the Tauwhare Koiora co-governance transitional body to discuss the allowance of the continuation of the current arrangement which allows dogs to be exercised on-leash at the Tauwhare Koiora, until further investigation is undertaken to locate another suitable area near Kaiua for the purpose of freedom camping where dogs will also be permitted.

#40.2 Dog Exercise Areas - Waikino

THAT the submitter's comments are noted. The development of a suitably sized dog exercise area in Waikino will be taken back to the Dog Control Policy Review Working Party and Waihi Ward Committee for further discussion.

C16/219

McLean /Milner

CARRIED

The meeting closed at 3.10pm.

CONFIRMED

J P Tregidga
Mayor

29 June 2016