

**MINUTES OF FAR NORTH DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE
ON TUESDAY, 27 NOVEMBER 2018 AT 10.00 AM**

- PRESENT:** Mayor John Carter (HWTM), Cr Tania McInnes (Deputy Mayor), Cr Ann Court, Cr Felicity Foy, Cr Dave Hookway, Cr Colin (Toss) Kitchen, Cr Sally Macauley, Cr Mate Radich, Cr John Vujcich, Cr Kelly Stratford,
- IN ATTENDANCE:** Adele Gardner – Chairperson Te Hiku Community Board, Terry Greening – Chairperson – Bay of Islands-Whangaroa Community Board
- STAFF PRESENT:** Shaun Clarke (Chief Executive Officer), Darren Edwards (Acting General Manager - District Services), Darrell Sargent (General Manager – Strategic Planning and Policy), Sheryl Gavin (Manager – Corporate Planning and Engagement), Roger Ackers (Manager – Strategy Development), Richard Edmondson (Manager – Communications), George Swanepoel (In-House Counsel), Kate Barnes (Governance Support Team Leader), Carla Ditchfield-Hunia (Legal Services Officer), Emma Pilkington (Senior Policy Advisor), Laura Atiga-Denham (Research Analyst), Siân Smith (Strategy and Policy Specialist), Kim Hammond (Meetings Administrator)

1 PRAYER

2 APOLOGIES AND DECLARATIONS OF INTEREST

Cr Tania McInnes noted an interest in relation to item 5.1, due to being a Northland Conservation Board Member.

3 DEPUTATION

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

4.1 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 2018/41

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

That Council confirm the minutes of the meeting held on 15 November 2018 are a true and correct record subject to the following amendment:

i) Member Terry Greening did not attend the Deliberations for the Dog Management Policy and Bylaw meeting on 15 November 2018

CARRIED

ADDITIONAL INFORMATION

RESOLUTION 2018/42

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Council notes the additional information tabled at the meeting:

- 1. Questions and answers – 6 November Discussion**
- 2. Maps – Off Leash Areas only**
- 3. Maps of each Off Leash Areas/Designated Dog Exercise Areas**
- 4. Overview Map of District of Limitation on Number of Dogs**
- 5. Additional Information for Deliberations – 27 November 2018**
- 6. Maps – Off Lease Areas Only – Proposed Rules for Beaches**

CARRIED

5 STRATEGIC PLANNING AND POLICY GROUP

5.1 DOG MANAGEMENT POLICY AND BYLAW 2018 DELIBERATIONS

RESOLUTION 2018/43

Moved: Mayor John Carter

Seconded: Cr Dave Hookway

The motion from the 15 November 2018:

That the Council agree to amend the proposed Dog Management Policy and Bylaw as follows:

Deliberation Topic 1: Off-leash and Exercise Areas

- 1a) Remove the following from off-leash areas (district wide access rules would apply instead):

Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12
 Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)
 Kerikeri – 391 Wiroa Road (behind crematorium)

- 1b) Add the following as off-leash areas:

Waitotara Reserve, Kerikeri
 Sammaree Place, Kerikeri

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Mayor John Carter

That Council designates as off-leash areas the sites in Table 1.1: Proposed Off-Leash Areas in Attachment 2 “Topics, Options and Recommendations – Dog Management Policy and Bylaw Deliberations”.

CARRIED

- 1c) Investigate the following areas as potential off-leash or designated dog exercise areas:

Section of playground off Matthews Ave, Kaitaia
 Undeveloped land behind netball courts, Kerikeri
 Fenced area on Council land near sportsgrounds, Russell

Taupo Bay – reserve area near the cul-de-sac at the end of Marlin Drive

Land near Opononi Refuse Centre / Opononi Bowling Club

Reserves at Watea in Haruru Falls

- 1d) And that the Council agree to initiate a future work programme to investigate appropriate off-leash or potential designated dog exercise areas.

Deliberation Topic 2: District-wide access to public places (excludes beaches)

- 2a) Add a new district-wide access rule that requires Council to consider off-leash and/or dog exercise provisions when developing reserve management plans.

Deliberation Topic 3: Dog access on Beaches

- 3a) Change the default district-wide access rule for beaches from the proposed on-leash from 1 December to 31 March from 9am to 6pm to off-leash all year unless otherwise specified in the policy.

- 3b) Principle agreement that dogs be prohibited all year from beaches identified as Special Character because of their cultural value.

- 3c) Principle agreement that dogs be prohibited all year from beaches identified as Special Character because of their high conservation value.

- 3d) Principle agreement that beaches identified as a shorebird nesting sites be designated on-leash between 1 October and 31 March.

- 3e) Principle agreement that beaches identified as popular destinations be designated as prohibited for a time range on each day during a summer date range and including all public holidays. Deliberations on the specific date and time ranges are the subject of Deliberation Topic 4

Deliberation Topic 4: Summer Date and Time Rule for Dog Access on Beaches

- 4a) The summer date and time range be specified as 15 December to 28 February (including public holidays), 10am to 5pm.

Deliberation Topic 5: Limitations on Number of Dogs

- 5a) The limitation on the number of dogs per premise be removed, and the Dog Control Act and other Bylaw provisions used to achieve the objectives of the Dog Management Policy as outlined.

Deliberation Topic 6: Responsible Dog Ownership

- 6a) Include a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw.

Deliberation Topic 7: Resourcing Implementation

- 7a) That Council consider the allocation of budget and the setting of fees to support the implementation of the Policy and Bylaw as part of the annual planning process for 2019/20 and following years.”

be uplifted from the table.

CARRIED

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Dave Hookway

That Council amend the Proposed Dog Management Policy to identify the old landfill area at Lindvart Park, Kaikohe as an off-leash area.

CARRIED

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Dave Hookway

That the Council amend the Proposed Dog Management Policy to identify the Opuia-Paihia coastal walkway as off-leash before 10 am and after 5 pm.

CARRIED

AMENDMENT

Moved: Cr Dave Hookway

Seconded: Cr Kelly Stratford

That the Council amend the Proposed Dog Management Policy to identify Waipapa Domain as an off-leash area, when not being used for sport or recreation purpose.

CARRIED

Cr Court requested her vote against this motion be recorded

Noted that discussion with administering body will be required.

Deliberation Topic 2: District-wide access to public places (excludes beaches)

2a) Add a new district-wide access rule that requires Council to consider off-leash and/or dog exercise provisions when developing reserve management plans

AMENDMENT

Moved: Cr Ann Court

Seconded: Cr Kelly Stratford

2b) Dogs are allowed off leash on district sportsgrounds subject to agreement with the administering body.

CARRIED

AMENDMENT

Moved: Cr Felicity Foy

Seconded: Cr Dave Hookway

That community boards, in consultation with their communities, investigate the options for fencing playgrounds in order to enable parks to be off leash areas.

CARRIED

Deliberation Topic 3: Dog access on beaches

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Dave Hookway

That the issue of dog restrictions for the following beaches, that were not in the original consultation document, lie on the table pending further consultation.

- Butterfly Bay
- Donkey Bay
- Long Beach
- Matauri Bay
- Pipiroa Bay
- Purerua Peninsula
- Skudders Beach and Wetlands
- Taipa Beach
- Tapuaetahi Beach

- Tokerau Beach

CARRIED

That the district wide default rule applies at all beaches, except the following:

AMENDMENT

Moved: Cr Felicity Foy
Seconded: Cr Tania McInnes

Ahipara – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm.

CARRIED

AMENDMENT

Moved: Cr Felicity Foy
Seconded: Cr Tania McInnes

Cable Bay and Coopers Beach – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm.

CARRIED

AMENDMENT

Moved: Cr Dave Hookway
Seconded: Cr Colin (Toss) Kitchen

Hihi Beach – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm..

CARRIED

AMENDMENT

Moved: Cr Tania McInnes
Seconded: Cr Dave Hookway

Mahinepua – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

CARRIED

AMENDMENT

Moved: Cr Tania McInnes
Seconded: Cr Kelly Stratford

Paihia Beach – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

CARRIED

AMENDMENT

Moved: Cr Tania McInnes
Seconded: Cr Dave Hookway

Russell Beach – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

CARRIED

AMENDMENT

Moved: Cr Tania McInnes

Seconded: Cr Kelly Stratford

Tapeka Point Beach – public space to the south of the stream dogs must be on leash between 15 December – 31 January between 10 am – 5 pm..

CARRIED

AMENDMENT

Moved: Cr Ann Court

Seconded: Cr Dave Hookway

Taupo Bay – dogs are prohibited from the southern Marlin Drive beach entrance to the bluff all year round, and may be of leash from north of the Marlin Drive beach entrance towards the boat ramp, except from 15 December – 31 January between 10 am – 5 pm, when dogs must be on leash.

CARRIED

AMENDMENT

Moved: Cr Dave Hookway

Seconded: Cr Sally Macauley

Tauranga Bay - dogs are prohibited east of tractor access point towards the sandspit, and west of the tractor access towards the campground is off leash except for 15 December – 31 January between 10 am – 5 pm when dogs must be on leash.

CARRIED

AMENDMENT

Moved: Cr Tania McInnes

Seconded: Cr Sally Macauley

Te Haumi – dogs are prohibited from the public toilets to the bridge, but the rest of the beach is off leash except for 15 December – 31 January between 10 am – 5 pm when dogs must be on leash .

CARRIED

AMENDMENT

Moved: Cr Tania McInnes

Seconded: Cr Kelly Stratford

Te Tii Beach – area from the roundabout to the bluff to be off leash other than from 15 December – 31 January between 10 am – 5 pm, when dogs must be on leash..

CARRIED

AMENDMENT

Moved: Cr Dave Hookway

Seconded: Cr Sally Macauley

Te Tii Beach – area from roundabout towards Waitangi and along the beach behind Te Tii Marae to be on leash all year round.

In Favour: Crs Felicity Foy, Dave Hookway and Sally Macauley

Against: Crs John Carter, Tania McInnes, Ann Court, Colin (Toss) Kitchen, Mate Radich, John Vujcich, Kelly Stratford

LOST 3/7

AMENDMENT

Moved: Mayor John Carter

Seconded: Cr John Vujcich

That Waitangi Beach – retain the proposed all year prohibition..

CARRIED

Deliberation Topic 4: Summer Date and Time Rule for Dog Access on Beaches

AMENDMENT

Moved: Cr Felicity Foy

Seconded: Cr Kelly Stratford

4a) The summer date and time range be 15 December to 31 January (including public holidays), 10am to 5pm.

CARRIED

Deliberation Topic 5: Limitations on Number of Dogs

Moved: Mayor John Carter

Seconded: Cr Colin (Toss) Kitchen

5a) Remove the limitation on the number of dogs per premise, and the Dog Control Act and other Bylaw provisions used to achieve the objectives of the Dog Management Policy as outlined.

CARRIED

At 11:57 a.m., Cr Kelly Stratford left the meeting. At 11:59 a.m., Cr Kelly Stratford returned to the meeting.

Deliberation Topic 6: Responsible Dog Ownership

Moved: Mayor John Carter

Seconded: Cr Kelly Stratford

6a) Add a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw.

CARRIED

Deliberation Topic 7: Resourcing Implementation

Moved: Mayor John Carter

Seconded: Cr Dave Hookway

7a) That Council consider the allocation of budget and the setting of fees to support the implementation of the Policy and Bylaw as part of the annual planning process for 2019/20 and following years.

CARRIED

Moved: Mayor John Carter

Seconded: Cr Ann Court

That all parks in the district are deemed off leash areas unless otherwise specified;

And that all public footpaths and roads are deemed on leash areas.

CARRIED

Moved: Cr Ann Court

Seconded: Cr Colin (Toss) Kitchen

AMENDMENT

The area at Tauranga Bay proposed for all year prohibition instead be designated on leash all

year, except between 15 December – 31 January between 10 am – 5 pm are prohibited.

CARRIED

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Felicity Foy

That Opuia-Paihia Coastal Walkway to be off leash at all times.

In Favour: Crs John Carter, Felicity Foy, Dave Hookway, Colin (Toss) Kitchen, Sally Macauley, Mate Radich, John Vujcich, Kelly Stratford

Against: Crs Tania McInnes and Ann Court

CARRIED

The substantive motion was put by the Mayor:

That the Council agree to amend the proposed Dog Management Policy and Bylaw as follows:

1a) Remove the following from off-leash areas (district wide access rules would apply instead):

Kaikohe – Next to Kaikohe Cemetery (eastern side), 5414 State Highway 12

Kaitaia – 38 Empire Street, (at the end of Empire Street next to Awanui River)

Kerikeri – 391 Wiroa Road (behind crematorium)

1b) Add the following as off-leash areas:

Waitotara Reserve, Kerikeri

Sammaree Place, Kerikeri

That Council designates as off-leash areas the sites in Table 1.1: Proposed Off-Leash Areas in Attachment 2 “Topics, Options and Recommendations – Dog Management Policy and Bylaw Deliberations”.

1c) Investigate the following areas as potential off-leash or designated dog exercise areas:

Section of playground off Matthews Ave, Kaitaia

Undeveloped land behind netball courts, Kerikeri

Fenced area on Council land near sportsgrounds, Russell

Taupo Bay – reserve area near the cul-de-sac at the end of Marlin Drive

Land near Opononi Refuse Centre / Opononi Bowling Club

Reserves at Watea in Haruru Falls

1d) And that the Council agree to initiate a future work programme to investigate appropriate off-leash or potential designated dog exercise areas.

Deliberation Topic 2: District-wide access to public places (excludes beaches)

2a) Add a new district-wide access rule that requires Council to consider off-leash and/or dog exercise provisions when developing reserve management plans.

2b) Dogs are allowed off leash on district sportsgrounds subject to agreement with the administering body.

That Council amend the Proposed Dog Management Policy to identify the old landfill area at Lindvart Park, Kaikohe as an off-leash area.

That the Council amend the Proposed Dog Management Policy to identify the Opuia-Paihia coastal walkway as off-leash at all times.

That the Council amend the Proposed Dog Management Policy to identify Waipapa Domain as an off-leash area, when not being used for sport or recreation purpose.

That community boards, in consultation with their communities, investigate the options for fencing playgrounds in order to enable parks to be off-leash areas.

Deliberation Topic 3: Dog access on Beaches

That the issue of dog restrictions for the following beaches, that were not in the original consultation document, lie on the table pending further consultation.

- Butterfly Bay
- Donkey Bay
- Long Beach
- Matauri Bay
- Pipiroa Bay
- Purerua Peninsula
- Skudders Beach and Wetlands
- Taipa Beach
- Tapuaetahi Beach
- Tokerau Beach

That the district wide default rule applies at all beaches, except the following:

Ahipara – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm.

Cable Bay and Coopers Beach – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm.

Hihi Beach – until further consultation with the community on conservation protection, dogs must be on leash during 15 December – 31 January between 10 am – 5 pm..

Mahinepua – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

Paihia Beach – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

Russell Beach – dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

Tapuka Point Beach – public space to the south of the stream dogs must be on leash between 15 December – 31 January between 10 am – 5 pm.

Taupo Bay – dogs are prohibited from the southern Marlin Drive beach entrance to the bluff all year round, and may be off-leash from north of the Marlin Drive beach entrance towards the boat ramp, except from 15 December – 31 January between 10 am – 5 pm, when dogs must be on leash.

Tauranga Bay - east of tractor access point towards the sandspit be designated on-leash all year, except between 15 December – 31 January between 10 am – 5 pm are prohibited; and west of the tractor access towards the campground is off-leash except for 15 December – 31 January between 10 am – 5 pm when dogs must be on-leash.

Te Tii Beach – area from the roundabout to the bluff to be off-leash other than from 15 December – 31 January between 10 am – 5 pm, when dogs must be on-leash.

Te Haumi – dogs are prohibited from the public toilets to the bridge, but the rest of the beach is off-leash except for 15 December – 31 January between 10 am – 5 pm when dogs must be on-leash .

Waitangi Beach retain the proposed all year prohibition.

Deliberation Topic 4: Summer Date and Time Rule for Dog Access on Beaches

4a) The summer date and time range be 15 December to 31 January (including public holidays), 10am to 5pm.

Deliberation Topic 5: Limitations on Number of Dogs

5a) Remove the limitation on the number of dogs per premise, and the Dog Control Act and other Bylaw provisions used to achieve the objectives of the Dog Management Policy as outlined.

Deliberation Topic 6: Responsible Dog Ownership

6a) Add a policy statement that Council will promote responsible dog ownership as part of the implementation of the Dog Management Policy and Bylaw.

Deliberation Topic 7: Resourcing Implementation

7a) That Council consider the allocation of budget and the setting of fees to support the implementation of the Policy and Bylaw as part of the annual planning process for 2019/20 and following years.

That all parks in the district are deemed off leash areas unless otherwise specified;

And that all public footpaths and roads are deemed on leash areas.

CARRIED

5.2 ALCOHOL CONTROL BYLAW 2018 DELIBERATIONS

Cr Dave Hookway declared in a previous role for the District Health Board and work around alcohol and drugs.

Councillors Kitchen and Macauley noted their mebership of the Northland District Health Board.

RESOLUTION 2018/44

Moved: Mayor John Carter

Seconded: Cr Mate Radich

That the Council:

- a) Receives the Police Report in Attachment 1 and public submissions in Attachment 2.
- b) Agrees to continue the process of adopting the Proposed Alcohol Control Bylaw to replace the expiring Public Places Liquor Control Bylaw.
- c) Approves all proposed individual alcohol control areas as contained in Attachment 3 for a final resolution at the December Council meeting, including to:
 - i) Amend the alcohol control areas at Lily Pond and Tokerau Beach to apply 24 hours, seven days a week between 1 December and 31 January, and
 - ii) Amend the alcohol control area at Pukenui to include the wharf and amend the control time to apply 24 hours, seven days a week all year round.

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr John Vujcich

That retain the existing bylaw map for Moerewa in the Public Places Liquor Control Bylaw 2003

CARRIED

d) Confirms that the Proposed Alcohol Control Bylaw contained in Attachment 3 be presented to Council for a final resolution at the 13 December 2018 Council meeting.

Note: That staff investigate options for alcohol restrictions around Cable Bay park and foreshore and report back at the Ordinary Council meeting on 13 December 2018

The substantive motion was put by the Mayor:

That the Council:

- a) receives the Police Report in Attachment 1 and public submissions in Attachment 2.
- b) agrees to continue the process of adopting the Proposed Alcohol Control Bylaw to replace the expiring Public Places Liquor Control Bylaw.
- c) approves all proposed individual alcohol control areas as contained in Attachment 3 for a final resolution at the December Council meeting, including to:
 - i) Amend the alcohol control areas at Lily Pond and Tokerau Beach to apply 24 hours, seven days a week between 1 December and 31 January, and
 - ii) Amend the alcohol control area at Pukenui to include the wharf and amend the control time to apply 24 hours, seven days a week all year round.

retain the existing bylaw map for Moerewa in the Public Places Liquor Control Bylaw 2003;

d) confirms that the Proposed Alcohol Control Bylaw contained in Attachment 3 be presented to Council for a final resolution at the 13 December 2018 Council meeting.

CARRIED

At 1:16 p.m., Cr Ann Court left the meeting.

6 MEETING CLOSE

The meeting closed at 1.22 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 December 2018.

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CHAIRPERSON