

HUTT CITY COUNCIL**POLICY, FINANCE AND STRATEGY COMMITTEE**

Minutes of a meeting held via Zoom on
Tuesday 5 May 2020 commencing at 2.00pm

PRESENT: (via audiovisual link)

Cr S Edwards (Chair)	Mayor C Barry
Cr D Bassett	Cr J Briggs
Cr K Brown (Deputy Chair)	Cr B Dyer
Cr D Hislop	Deputy Mayor T Lewis
Cr C Milne	Cr A Mitchell
Cr S Rasheed	Cr N Shaw
Cr L Sutton	

APOLOGIES: There were no apologies.

IN ATTENDANCE:
 (via audiovisual link)

Ms J Miller, Chief Executive
 Mr L Allott, Chief Information Officer
 Ms A Blackshaw, Director Strategy and Engagement
 Ms H Oram, Director Environmental and Sustainability
 Mr J Scherzer, Manager, Sustainability and Resilience
 Ms J Livschitz, Chief Financial Officer
 Mr D Newth, Financial Accounting Manager
 Mr G Craig, Head of City Growth
 Mr G Stuart, Head of Regulatory Services and Emergency Management
 Ms W Moore, Head of Strategy and Planning (part meeting)
 Mr G Sewell, Principal Policy Advisor
 Mr A Kok, Health, Safety and Wellbeing Manager
 Mr J Griffiths, Head of Mayor's Office
 Ms K Stannard, Head of Democratic Services
 Ms T Lealofi, Committee Advisor

PUBLIC BUSINESS**1. APOLOGIES**

There were no apologies.

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

3. CONFLICT OF INTEREST DECLARATIONS

Cr Mitchell declared an interest in item 4i). He advised that he was the local branch Chair of Forest and Bird. He also advised that he had sought legal advice from officers and did not believe the interest excluded him from being able to participate in discussion or voting on the matter.

Cr Sutton and Cr Rasheed declared conflicts of interest relating to the Hutt Valley Chamber of Commerce and did not participate in discussion or voting.

4. RECOMMENDATIONS TO COUNCIL - 26 May 2020

i) Management of Cats in Lower Hutt (20/21)

Speaking under public comment, **Mr P Jones representing Mainland Island Restoration Operation (MIRO)** spoke about the work of MIRO. He recommended that Council strongly establish a bylaw to protect the dotterels and micro-chipping and de-sexing cats for better control.

Speaking under public comment, **Ms A Howard representing Mainland Island Restoration Operation (MIRO)** spoke about the responsibilities of the MIRO. She suggested that a bylaw should be established to keep cats away and off the beach. She spoke about the NZ Coastal Policy Statement and how the Council can support the legislation to ensure the protection of the dotterels and cats. A Bylaw should be in place to keep the cats indoor at night.

Speaking under public comment, **Mr G Hobson representing Mainland Island Restoration Operation (MIRO)** raised concern with birds being attacked by cats. He suggested that a bylaw should be established that required cats being kept inside overnight and mandatory micro-chipping.

Speaking under public comment, **Ms K Hamilton and Ms Stephanie Holland representing The Outpawed Rescue Trust** elaborated on the abandoned cat issue.

Cr Bassett left the meeting at 2.28pm and rejoined the meeting at 3.31pm.

Speaking under public comment, **Mr F Vickers** expressed concern with cats killing dotterels on the Eastbourne beach. He strongly recommended a Cat Curfew Bylaw.

Speaking under Public Comment, **Ms A Geary representing Royal Forest and Bird Protection Society of NZ** elaborated on the Society's perspective. She supported a bylaw as this would ensure better cat management and protection of wildlife in the future across the city.

Speaking under public comment, **Ms S Bain representing Mainland Island Restoration Operation** spoke against the officer's recommendations due to the inadequacies of the data contained in the officer's report.

The Director Environmental and Sustainability advised that officers had received new information and suggested that the matter lie on the table to allow officers the opportunity to consider the information.

In response to question from members, the Director Environmental and Sustainability advised that officers do not have the right to put down cats but do have the right to put down dogs. She reiterated her comments that officers needed more time to review the new evidence and information. She elaborated on the campaigns undertaken by officers with micro-chipping and de-sexing animals including cats.

In response to questions from members, the Chief Executive advised that

campaigns/information around the dotterels could happen straight away, along with working with the Eastbourne Community Board. She highlighted that if it was one or two known cats disturbing the dotterels, then officers could visit the area. She advised that using local media and social media for the campaigns was feasible.

The Director Environmental and Sustainability advised that advice from Dr Geoff Chambers from VUW School of Biological Science stated that he was confident that the majority of cat owners living in the adjacent houses would be willing to keep their animals in at night. She stated that a simple mail drop around should be sufficient to achieve a high compliance rate.

The Chair advised that with the new information and evidence produced at the meeting he would be withdrawing his Chair's recommendation.

MOVED: (Cr Edwards/Cr Hislop)

"That the Committee recommends that Council:

- (i) notes the results of the public survey seeking feedback on five options around the management of cats attached as Appendix 1 to the report;
- (ii) notes the options outlined by officers for Council to consider in response to the information presented in the report;
- (iii) in recognition that there is a serious problem with domestic, stray and feral cats killing native birds and invertebrates, asks officers to come back to the next meeting of the Policy, Finance and Strategy Committee with additional information including:
 - (a) comments from Forest and Bird, Greater Wellington Regional Council pest control and MIRO not included in today's report;
 - (b) the practicality and worth of designating cat 'no go' zones in sensitive biodiversity areas, such as beaches where dotterels nest; and
 - (c) input from community groups already active on cat control measures and how Council might effectively work with them; and
- (iv) as a priority engages in communication with residents aimed at raising awareness of the cat predation issue in the city, in particular the value of keeping cats indoors at night and with particular focus on this year's dotterel nesting season."

The Chair highlighted that with the new evidence and information produced at the meeting, he believed members were not in a position to make any decisions. He noted the importance of addressing the dotterel issue.

Cr Milne suggested that officers report back with a focus on the regulatory options and controls that could be placed over cats.

Cr Mitchell spoke against the motion. He considered that Council should proceed with a bylaw now and ask the officers to prepare the draft bylaw.

AMENDMENT MOVED: (Cr Mitchell/Cr Milne)

- (iii) That Council pursues a bylaw requiring the compulsory desexing, microchipping and registration of cats and limiting the number of cats over the age of three months kept on any premises to three (except by registered exemption for breeding or rescue purposes). That officers investigate options for how a bylaw can most effectively protect banded dotterel nesting sites in Eastbourne and other particularly vulnerable wildlife population from cats.

Cr Milne spoke in support of the amendment. He elaborated on the New Zealand Predator Free Strategy and the work being undertaken on biodiversity. He stated that cats were having a major impact on biodiversity.

Mayor Barry expressed concern with the financial implications of a proposed bylaw in the current environment. He said he would prefer to wait for the officers to report back to the next meeting on the information before deciding on whether Council should pursue a bylaw.

In response to a question from a member, the Chief Executive advised all information including the financial implications would need to be reported back to members. She highlighted that the costs of registering cats would fall back on cat owners.

Cr Hislop spoke against the amendment. She advised that a proposed bylaw should be looked at further down the track. She added that the priority was the dotterels.

The Chair spoke against the amendment. He expressed concern with the financial implications of a proposed bylaw. He stated he would prefer to have the full range of information at the next meeting before making a decision on the compulsory desexing, microchipping and registration of cats.

Cr Bassett spoke against the amendment. He expressed support for the comments made by the Chair and Cr Hislop.

Cr Briggs spoke against the amendment. He stated that there was a need for long term education programmes to create a cultural community change with cat ownership across the city.

Cr Rasheed spoke against the amendment. She advised that additional

work and financial costings were required before making a decision on the matter.

Cr Brown spoke against the amendment. She elaborated on the two emerging issues with the dotterels and cat management across the city. She advised that she would be basing her decision on all the information when officers reported back to the next meeting.

Mayor Barry spoke against the amendment. He stated that he was not confident in making a decision on the matter until further information was provided by officers at the next meeting. He advised that in the current environment, he was uncertain how the community would react to a proposed bylaw.

Cr Mitchell shared the concern of members about being ill-informed about the issue and the options. He stated that there was a substantial problem. He advised that the Minister of Conservation declared a biodiversity crisis in 2018.

The amendment was LOST on the show of hands with 2 for and 11 against.

Cr Mitchell suggested that officers sought comments from other animal welfare organisations such as SPCA, HUHA, Kitten Inn and The Outpawed Rescue Trust with regard to the number of feral cats.

Cr Milne also suggested officers sought comments from a scientist from Kaikoura.

With the agreement from the mover and the seconder part (iii) was amended.

Cr Milne considered there was a blind spot in the officer's report relating to biodiversity. He suggested that the Chief Executive investigate what had happened that led to members pushing out the matter for another eight weeks.

RESOLVED: (Cr Edwards/Cr Hislop)

Minute No. PFSC 20301

"That the Committee:

- (i) notes the results of the public survey seeking feedback on five options around the management of cats attached as Appendix 1 to the report;*
- (ii) notes the options outlined by officers for Council to consider in response to the information presented in the report;*
- (iii) in recognition that there is a serious problem with domestic, stray and feral cats killing native birds and invertebrates, asks officers to come back to the next meeting of the Policy, Finance and Strategy committee with additional information and regulatory options, including:*
 - (a) comments from Forest and Bird, Greater Wellington Regional Council pest*

control, MIRO and relevant experts;

(b) the practicality and worth of designating cat 'no go' zones in sensitive biodiversity areas, such as beaches where dotterels nest;

(c) input from community groups already active on cat control measures and how Council might effectively work with them; and

(iv) as a priority engages in communication with residents aimed at raising awareness of the cat predation issue in the city, in particular the value of keeping cats indoors at night and with particular focus on this year's dotterel nesting season."

ii) Proposed Solid Waste Management and Minimisation Bylaw 2020
(20/357)

The Principal Policy Advisor elaborated on the report.

The Manager, Sustainability and Resilience noted an amendment to the public consultation deadline from 2 July to 4 August to align with other Councils.

In response to question from members, the Manager, Sustainability and Resilience elaborated on the enabling provisions contained in the proposed bylaw. He advised that these provisions would still need to be followed up with controls. He also advised that a regional bylaw template was developed and used by each officer to recommend the draft bylaw to their Councils.

In response to a question from a member, the Principal Policy Advisor advised that each Council would run its own public consultation process.

In response to a question from a member, the Director Environmental and Sustainability advised that public consultation on the proposed bylaw and rubbish and recycling was separate. She noted that officers would look at any overlapping synergies.

Cr Briggs spoke in support of the motion.

RESOLVED: (Cr Edwards/Cr Brown)

Minute No. PFSC 20302

"That the Committee:

- (i) notes that the Local Government Act 2002 ('LGA 2002') requires Council to review its bylaws to ensure that they comply with the matters set out in sections 155 and 159 of the Act;*
- (ii) notes that the Refuse Collection and Disposal Bylaw 2008 has been reviewed in accordance with section 155 of the LGA 2002; and*
- (iii) notes the outcome of the section 155 review of the Refuse Collection and Disposal Bylaw is to propose amendments to the bylaw, as more particularly detailed in the*

Statement of Proposal (a draft of which is attached as Appendix 2 to the report)."

RECOMMENDED: (Cr Edwards/Cr Brown)

Minute No. PFSC 20303

"That the Committee recommends that Council:

- (i) agrees to consult on the Summary of Information, Statement of Proposal, and Proposed Bylaw (draft copies of which are attached as Appendices 1-3 to the report) in accordance with the requirements of the LGA 2002 by means of a special consultative procedure;*
- (ii) agrees to establish a Hearing Subcommittee to:*
 - (a) hear submissions on the proposed amendments to the Refuse Collection and Disposal Bylaw; and*
 - (b) recommend the appropriate action to Council for consideration and approval;*
- (iii) notes the Summary of Information, Statement of Proposal and Proposed Bylaw (subject to any changes requested by the Committee), will be included on the agenda for Council's consideration at its meeting on 26 May 2020, together with the Committee's recommendation; and*
- (iv) agrees the Chair and Deputy Chair of the Policy Finance and Strategy Committee be authorised to approve any other changes to the Summary of Information, Statement of Proposal and Proposed Bylaw if required prior to the special consultative procedure commencing."*

For the reason that it is necessary to report to Council the background information associated with the s155 review of the Refuse Collection and Disposal Bylaw 2008.

The meeting adjourned at 4.28pm and reconvened at 4.37pm.

ii) 7A Waiu Street Fenced Dog Park (20/358)

The Director Environmental and Sustainability elaborated on the report.

In response to question from members, the Director Environmental and Sustainability agreed to send out communications to the community with the new timeline. She also agreed to report back on the physical works and ongoing costs to the relevant committee.

The Chair foreshadowed an additional recommendation “asks officers to liaise with Greater Wellington Regional Council over the potential for the former Waimarie Croquet Club north of Melling Bridge to be used as a fenced, off-leash dog exercise area.”

In response to a question from a member, the Director Environmental and Sustainability advised that officers would talk to Greater Wellington Regional Council regarding a fenced, off-leash dog exercise area and report back to members.

The motion was taken in parts. Parts (i)-(iii) were CARRIED on the voices.

RECOMMENDED: (Cr Edwards/Cr Dyer)

Minute No. PFSC 20304

“That the Committee recommends that Council:

- (i) notes the guidelines in the Hutt City Dog Control Bylaw 2015 for Fenced Dog Exercise Areas;*
- (ii) agrees, having considered the guidelines, to proceed with the process to develop a fenced dog park at 7A Waiu Street for the reason that before making a resolution concerning a proposed Fenced Dog Exercise Area, Council must take into account the Fenced Dog Exercise Area Guidelines criteria; and*
- (iii) asks officers to liaise with Greater Wellington Regional Council over the potential for the former Waimarie Croquet Club north of Melling Bridge to be used as a fenced, off-leash dog exercise area.”*

For the reasons that before making a resolution concerning a proposed Fenced Dog Exercise Area, Council must take into account the Fenced Dog Exercise Area Guidelines criteria.

5. **HUTT VALLEY CHAMBER OF COMMERCE SIX MONTHLY REPORT TO 31 DECEMBER 2019** (20/91)

Report No. PFSC2020/3/88 by the Head of City Growth

Cr Sutton and Cr Rasheed declared conflicts of interest and did not participate in discussion or voting on the matter.

The Head of City Growth introduced the Chief Executive of Hutt Valley Chamber of Commerce (HVCC) and elaborated on the report.

The Chief Executive of HVCC thanked members for their ongoing support. She also thanked Council for its special support for the local businesses community in response to COVID-19.

RESOLVED: (Cr Edwards/Cr Brown)

Minute No. PFSC 20305

"That the Committee notes and receives the report."

For the reason the Hutt Valley Chamber of Commerce is required to report six monthly to the Committee on performance against agreed performance measures.

6. **REVIEW OF DRAFT 2020/21 STATEMENT OF INTENT FOR THE NEW ZEALAND LOCAL GOVERNMENT FUNDING AGENCY** (19/134)

Report No. FPC2019/2/81 by the Financial Accounting Manager

The Financial Accounting Manager elaborated on the report.

RESOLVED: (Cr Edwards/Cr Dyer)

Minute No. PFSC 20306

"That the Committee:

- (i) notes and receives the contents of the Local Government Funding Agency (LGFA) draft 2020/21 Statement of Intent attached as Appendix 1 to the report; and*
- (ii) notes that officers have not asked the LGFA board to consider any changes to the draft LGFA 2020/21 Statement of Intent."*

7. **NEW ZEALAND LOCAL GOVERNMENT FUNDING AGENCY SIX MONTH REPORT TO 31 DECEMBER 2019** (19/135)

Report No. FPC2019/2/82 by the Financial Accounting Manager

The Financial Accounting Manager elaborated on the report.

RESOLVED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. PFSC 20307

"That the Committee notes and receives the Local Government Funding Agency (LGFA) Six Month Report to 31 December 2019, attached as Appendix 1 to the report."

8. **HEALTH AND SAFETY UPDATE** (20/339)

Report No. PFSC2020/3/89 by the Health, Safety and Wellbeing Manager

The Health, Safety and Wellbeing Manager elaborated on the report.

RESOLVED: (Cr Edwards/Cr Bassett)

Minute No. PFSC 20308

"That the Committee notes and receives this report."

9. **INFORMATION ITEMS**

a) Management of Bees (20/36)

Memorandum dated 4 March 2020 by the Principal Policy Advisor

The Principal Policy Advisor elaborated on the memorandum.

RESOLVED: (Cr Edwards/Cr Mitchell)

Minute No. PFSC 20309

"That the Committee:

- (i) notes that officers have evaluated the effectiveness of the Control of Animals Bylaw 2018 for managing complaints about bees and found that the current controls are adequate to manage these complaints;*
- (ii) notes that officers will continue to monitor the number of complaints about bees; and*
- (iii) agrees no further action is required at this time."*

- b) Policy, Finance and Strategy Committee Work Programme 2020 (20/363)

Report No. PFSC2020/3/36 by the Committee Advisor

RESOLVED: (Cr Edwards/Cr Briggs)

Minute No. PFSC 20310

"That the programme be noted and received."

10. QUESTIONS

There were no questions.

There being no further business the Chair declared the meeting closed at 5.08pm.

Cr S Edwards
CHAIR

CONFIRMED as a true and correct record
Dated this 26th day of May 2020