

HUTT CITY COUNCILPOLICY, FINANCE AND STRATEGY COMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Tuesday 7 July 2020 commencing at 2.00pm

PRESENT:

Cr S Edwards (Chair)	Mayor C Barry (until 5.11pm)
Cr K Brown (Deputy Chair)	Cr J Briggs
Cr D Bassett	Deputy Mayor T Lewis
Cr D Hislop (until 3.30pm)	Cr B Dyer
Cr C Milne	Cr A Mitchell
Cr L Sutton	

APOLOGIES:

Cr Rasheed and Cr Shaw.

IN ATTENDANCE:

Ms A Blackshaw, Director Strategy and Engagement
 Ms H Oram, Director Environmental and Sustainability
 Ms A Welanyk, Director Transformation and Resources
 Mr K Puketapu-Dentice, Director Economy and Development
 Ms J Livschitz, Chief Financial Officer (part meeting)
 Mr J Pritchard, Principal Policy (part meeting)
 Mr G Stuart, Head of Regulatory Services and Emergency
 Management (part meeting)
 Ms H Stringer, Financial Transaction Services Manager (part
 meeting)
 Mr G Sewell, Principal Policy Advisor (part meeting)
 Mr H Wesley, Head of District Plan Policy (part meeting)
 Ms W Moore, Head of Strategy and Planning (part meeting)
 Ms K Stannard, Head of Democratic Services (part meeting)
 Ms T Lealofi, Committee Advisor
 Ms H Clegg, Minute Taker

PUBLIC BUSINESS1. APOLOGIES

RESOLVED: (Cr Edwards/Cr Briggs)

Minute No. PFSC 20401

"That the apologies received from Cr Rasheed and Cr Shaw be accepted and leave of absence granted and the apologies from Mayor Barry and Cr Hislop for early departure be accepted."

2. **PUBLIC COMMENT**

Comments are recorded under the item to which they relate.

RESOLVED: (Cr Edwards/Cr Milne)

Minute No. PFSC 20402

"That Standing Order 15.2 be temporarily suspended to allow public comment to be extended beyond 30 minutes."

3. **CONFLICT OF INTEREST DECLARATIONS**

Cr Mitchell declared an interest in item 4i) Management of Cats in Lower Hutt. He advised that he was the local branch Chair of Forest and Bird.

4. **RECOMMENDATIONS TO COUNCIL- 28 July 2020**

i) Management of Cats in Lower Hutt (20/584)

Speaking under public comment, **Mr Parker Jones representing Mainland Island Restoration Operation (MIRO)** advised the impact one cat could have on native species. He requested all cats be microchipped and neutered and all feral cats be trapped and euthanised immediately. Mr Jones also advised the volunteer organisations, which look after the native reserves and animals, wanted cats managed.

In response to questions from members, Mr Parker suggested the Eastbourne Herald be more widely utilised to educate cat owners and that pictures of offending cats be published. He believed the process of instigating a Cat Management Bylaw should commence and that in the meantime, volunteers would continue with their education and trapping programmes. He cited the Palmerston North City Council Cat Control Bylaw as a good example.

Speaking under public comment (via Skype) **Ms Ailsa Howard** advised of the profound negative effect domestic cats were having on the Dotterel populations in Kaikoura and Banks Peninsula. She urged Council to enact a Cat Management Bylaw immediately to provide legal enforcement to any education efforts. She clarified the three measures which would have an immediate positive effect on wildlife species at risk from cat predation. These measures were cat de-sexing, micro-chipping and limiting the number of cats per property.

Speaking under public comment, Mr Frank Vickers representing the Eastbourne Community Board believed removal of the words "*other than domestic cats*" from the existing Animal Control Bylaw would enable cats to be managed more effectively throughout the city. He cited a recent example of a home where Animal Control officers found 100 cats and they were powerless to do anything. He questioned why Greater Wellington Regional Council and Council's cat management regimes were different. He noted the Linklater report strongly recommended bylaw action to control cats rather than solely education measures.

In response to questions from member, Mr Vickers advised he was requesting a Cat Management Bylaw which required de-sexing and micro-chipping of cats and limiting the number of cats per property to three.

Speaking under public comment, **Ms Sally Bain representing MIRO** explained she conducted regular trapping of cats in Eastbourne as a means to try to control the exponential problem of predatory cats. She believed a Cat Management Bylaw was essential. She added compulsory micro-chipping also assisted in reuniting cats with their owners and that the recent survey undertaken showed public support for a new bylaw.

Speaking under public comment, **Councillor Lorna Johnson from Palmerston North City Council** explained she was instrumental in promoting the 2018 Cat Control Bylaw in Palmerston North. She explained the process undertaken including public consultation and support from the Veterinary Association,

which resulted in the bylaw being enacted. She noted it required de-sexing and micro-chipping of cats and a limit of three per property from mid-2019. She added that officers continually educated the public on the issue.

In response to questions from members, Cr Johnson reported there were no on-going issues with the bylaw. She added the bylaw did not require cats to be kept indoors at night and that Palmerston North had no documented conservation issues which required control of cats. She believed that micro-chipping could assist with reuniting trapped cats and their owners and that de-sexing assisted in reducing cat predatory behaviours. She added that it would be a mistake to introduce a highly restrictive bylaw initially and that as time progressed, the bylaw could be amended if required.

Speaking under public comment, **Mr Quentin Duthie** reported that bringing all parties together at a recent community meeting in Belmont to discuss the issues and find solutions was a constructive non-polarising exercise. He stressed involving the community in the process would be key to the success of a bylaw. He highlighted the acute Dotterel issue and spoke about the small native species in the bush areas being under constant threat from cats.

Speaking under public comment, **Ms Susan McNair representing Kitten Inn** explained that Kitten Inn had 156 volunteers and that on average it spent \$250,000 per annum de-sexing, vaccinating and micro-chipping up to 1800 cats at a cost of \$160 per cat. She added that the money was raised through various fundraising ventures each year and Kitten Inn did not receive funding from Council.

Cr Brown left the meeting at 2.50pm and rejoined the meeting at 2.55pm.

In response to questions from a member, Ms McNair believed using education only would not solve the problem as many cat owners and people, who fed stray or feral cats, would continue to do so if there were no consequences for their actions. She clarified that Kitten Inn would qualify for an exemption of the three cats per property rule.

The Chair read out a statement from **Professor Yolanda van Heezik** from Otago University. The statement is attached as page 14 to the minutes.

Cr Bassett and Cr Sutton left the meeting at 3.21pm and rejoined the meeting at 3.24pm.

The Director Environmental and Sustainability elaborated on the report. She clarified that under the current rules, officers could shoot and trap feral cats. She added that it was only domestic cats which officers had no control over.

In response to a question from a member, the Director Environmental and Sustainability advised feral cats behaved in a different manner to domestic cats and were able to be identified in that way. She acknowledged the difficulties in identification when humans fed stray or feral cats. She reminded members that, in order for the process of

enactment of a bylaw to be commenced, the actual problem the bylaw was to solve had to be identified.

In response to a question from a member, the Head of Strategy and Planning advised it would take approximately six months for data to be collected from the community. She added the actual problem had not yet been identified and data on what the issue was, was required prior to a bylaw process commencing.

Cr Hislop and Cr Sutton left the meeting at 3.30pm.

The Head of Strategy and Planning noted that MIRO was assisting officers and that with education, communities would learn about the predatory nature of cats. She added that micro-chipping was beneficial in reuniting lost cats with their owners.

Deputy Mayor Lewis left the meeting at 3.34pm.

Cr Sutton rejoined the meeting at 3.34pm.

The Director Environmental and Sustainability advised that discussions had been held with officers from Wellington City and Palmerston North City Councils and that a bylaw might cost approximately \$150,000 per annum to enforce. She added that enforcement had to be weighed up against practicalities. She cited the example of the cost of an unregistered dog being \$350 whereas the cost to microchip them was \$35. She added that people who were unlikely to microchip their cats were those who were unable to afford to do it.

In response to a question from a member, the Director Environmental and Sustainability clarified that the \$150,000 per annum cost of enforcement included officer time and overheads.

Deputy Mayor Lewis rejoined the meeting at 3.38pm.

The Head of Strategy and Planning advised that Palmerston North City Council officers had informed officers that each complaint received concerning a cat took approximately three hours to deal with. She further advised that the Biosecurity Act was under review and a new National Policy Statement (NPS) was being developed. She highlighted that it would be prudent to wait for the new legislation to be enacted prior to enacting a Cat Management Bylaw. This was to ensure the bylaw complied with the new legislation.

The Director Environmental and Sustainability advised Palmerston North City Council had received 24 cat related complaints in one year. She deemed that number of cats to be sufficient evidence of a problem.

In response to a question from a member, the Head of Strategy and Planning advised cat management education in the Eastbourne community was already underway using community groups.

In response to a question from a member, the Head of Regulatory Services and Emergency Management explained that removing the words “*other than domestic cats*” from the current Animal Control Bylaw could be ultra vires. The Head of Strategy and Planning agreed to report back with a legal opinion on the matter.

In response to a question from a member regarding details of an education programme, the Head of Regulatory Services and Emergency Management advised that a pamphlet would be developed and distributed in the Eastbourne area, a survey would be undertaken and a pest control caravan could be utilised. He added an approximate \$30,000 budget for marketing and promotional works would be used and that existing community groups and volunteers would also be utilised. He clarified that the Animal Control Bylaw controlled areas for dogs to be on and off leash and prohibited areas for dogs.

In response to a question from a member, the Director Environmental and Sustainability advised that officers also worked closely with the Eastbourne Community Board, MIRO and Council’s Biosecurity officer concerning the Dotterels.

The meeting adjourned at 4.05pm and reconvened at 4.17pm.

MOVED: (Cr Edwards/Mayor Barry)

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) agrees that Council takes steps to develop a strategy for the management of cats in Lower Hutt based on an education and awareness approach on cat issues including de-sexing, microchipping and keeping cats indoors at night;
- (iii) notes the work being progressed to assist the community campaign to “Save the Dotterels” and this will provide evidence to inform the development of the strategy for the management of cats in Lower Hutt; and
- (iv) notes a later review of the success of this approach will be used to inform any future decision on other options.

AMENDMENT MOVED: (Cr Mitchell/Cr Milne)

Replace part (ii) above to read:

- (ii) That Council develops a bylaw requiring the compulsory de-sexing, micro-chipping and registration of cats, and limiting the number of cats (except by registered exemption for breeding or rescue purposes). The bylaw should also define prohibited areas including the beaches of Eastbourne, Key Native Ecosystems as identified by Greater Wellington Regional Council and other areas of high biodiversity value; and

A new part (v) to read:

- (v) That clause 2.3 of the Control of Animals Bylaw 2018 be amended to remove the exemption of domestic cats from the sentence “All domestic animals, other than domestic cats, found at large and not within their owner's property may be seized and impounded by an authorised officer.”

Cr Mitchell requested immediate action to introduce a Cat Management Bylaw in order to protect not only the Dotterels, but also the many other animals which were killed by cats. He advised many conservation and animal welfare organisations had already highlighted the many problems caused by unmanaged cats in the city (predation of native and other species, disease, interbreeding, fighting and other nuisances) and that de-sexing, micro-chipping and limiting the numbers of cats would greatly improve the chances of many native species.

Cr Mitchell reminded members of the concerns raised by the public speakers and the concerns raised at a previous meeting. He believed there was no shortage of data to prove there was a problem and that whilst education was important, it was not enough to protect the city's biodiversity from cats.

Cr Milne expressed support for the amendment believing that there was sufficient data to identify that cats posed a predatory problem to many species.

Cr Edwards expressed support for the amendment believing a bylaw, which required compulsory micro-chipping and de-sexing of cats and limiting the numbers on one site, would help to save the city's biodiversity.

Cr Briggs expressed support for the amendment adding that education was also required to shift the cultural mindset.

Cr Dyer expressed support for the amendment and queried how cat-prohibited areas would operate in practice.

Deputy Mayor Lewis expressed support for the amendment. She added that if Council was educating the public on an issue it was advantageous to have a law to enforce the issue.

With the agreement of the mover and the seconder, Mayor Barry suggested an additional part to the amendment to read:

“Asks officers for a clear breakdown of actual costs of the proposed bylaw process and implementation especially if Council has prohibited areas for Council to consider at its meeting to be held on 28 July 2020.”

The amendment was declared CARRIED on the voices.

RECOMMENDED: (Cr Mitchell/Cr Milne)

Minute No. PFSC 20403

"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) develops a bylaw requiring the compulsory de-sexing, microchipping and registration of cats, and limiting the number of cats (except by registered exemption for breeding or rescue purposes). The bylaw should also define prohibited areas including the beaches of Eastbourne, Key Native Ecosystems as identified by Greater Wellington Regional Council and other areas of high biodiversity value;*
- (iii) notes the work being progressed to assist the community campaign to "Save the Dotterels";*
- (iv) amends clause 2.3 of the Control of Animals Bylaw 2018 to remove the exemption of domestic cats from the sentence "All domestic animals, other than domestic cats, found at large and not within their owner's property may be seized and impounded by an authorised officer; and*
- (v) asks officers for a clear breakdown of actual costs of the proposed bylaw process and implementation especially if Council has prohibited areas for Council to consider at its meeting to be held on 28 July 2020."*

ii) District Plan Review Subcommittee (20/648)

The Head of District Plan Policy elaborated on the report. He highlighted to members an amendment to the draft Terms of Reference. He advised the word 'must' needed to be removed from the first paragraph under the Note heading. Members noted the amendment.

In response to questions from members, the Head of District Plan Policy advised the proposed District Plan Subcommittee would oversee the District Plan review process. He highlighted that outside community representatives would be used at engagement level rather than at governance level.

In response to further questions from members regarding continuity of the membership especially if Councillors did not get re-elected, the Head of District Plan Policy advised the District Plan review process was aligned to the triennium. He acknowledged the risk of an incoming Council formalising an Operative District Plan when a previous Council had undertaken the review. He reassured members that it was normal practice for a panel consisting of independent commissioners, along with Councillors, to hear submissions on a District Plan review.

The Director Environmental and Sustainability added that the role of the proposed subcommittee was for the elected members to provide direction and that consultants would be contracted for specific technical expertise.

Mayor Barry expressed support for the motion. He advised that the matter was recommended to Council.

Mayor Barry left the meeting at 5.11pm.

RECOMMENDED: (Cr Edwards/Cr Briggs)

Minute No. PFSC 20404

"That the Committee recommends that Council:

- (i) establishes a District Plan Review Subcommittee; and*
- (ii) adopts the Terms of Reference for the District Plan Review Subcommittee, attached as Appendix 1 to the report."*

For the reasons that a dedicated subcommittee provides an efficient and focused governance arrangement for the full review of the District Plan.

- iii) Delegations for deciding remission of rates and economic development grants for economic development (20/655)

The Principal Policy Advisor elaborated on the report.

RECOMMENDED: (Cr Edwards/Cr Bassett)	Minute No. PFSC 20405
<i>“That the Committee recommends that Council:</i>	
<p>(i) <i>agrees that the rates remission policy for rates remission and economic development grants 2017 is included in the overall Council Rates Remission Policy; and</i></p> <p>(ii) <i>agrees that applications for remission of rates and economic development grants for economic development will be considered by the Policy, Finance and Strategy Committee, acting under delegated authority from Council.”</i></p>	
<p>For the reason that the economic development remissions policy (part 5) is currently separate to the full Rates Remission Policy. This delegation enables the Policy, Finance and Strategy Committee to provide consideration of decisions regarding the award of economic development grants and rates remissions.</p>	

5. **VOGEL HOUSE RATES REMISSION REQUEST** (20/61)

Report No. PFSC2020/4/144 by the Principal Policy Advisor.

The Principal Policy Advisor elaborated on the report.

Speaking under public comment, **Mr Tim Vogel** spoke on behalf of the Vogel family. He explained the family had acquired Vogel House from Government in November 2019. The family was spending money upgrading items such as the roof, guttering, driveway and deck areas.

In response to questions from a member, Mr Vogel clarified that family members currently lived permanently at the house. He advised the family would be receptive to members of the public requesting the use of the house and/or grounds for private functions.

In response to a question from a member regarding the future plans for Vogel House, Mr Vogel advised the family wished to renovate and completely restore the house, including heating, insulation and painting. He invited Council to hold a meeting in the residence.

In response to a query from a member regarding Council funding sources for heritage buildings, the Director Environmental and Sustainability elaborated on the Built Heritage Incentive Fund and the Rates Remission Policy. She added the former source was designed to assist with the cost of consultancy work rather than the actual building work which may be required.

In response to a question from a member regarding the time taken so far in processing this application, the Principal Policy Advisor advised that a heavy workload had resulted

in the time delay.

In response to a question from a member, the Chief Financial Officer agreed applications to the Built Heritage Incentive Fund could be dealt with on an annual basis and that this could be considered as part of the Long Term Plan review process.

Cr Mitchell expressed support for the motion and looked forward to both the Heritage Policy and the Conservation Policy reviews.

RESOLVED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. PFSC 20406

"That the Committee:

- (i) notes the information provided in the report in relation to the historical and architectural significance of Vogel House;*
- (ii) notes that the Heritage Policy is being reviewed and that there may be amendments to the Rates Remission Policy as a result of this work;*
- (iii) notes that decisions about rates remissions are made on a case by case basis and that, therefore, this decision does not set precedent for future decisions of this nature;*
- (iv) approves Option 1 – a rates remission of 50 per cent of the Hutt City Council General Rates for the 2020/21 year, being approximately \$6,250, and the condition that the applicant will need to demonstrate that the property is being renovated. The applicant will need to agree to the condition in writing; and*
- (v) agrees that the funding of this rates remission will be from the Built Heritage Incentive Fund, which will be reduced by an equivalent amount of the remission;*
 - (a) The property complies with objectives and criteria of Council's Rate Remission Policy Part 4; and*
 - (b) Vogel House is classed as a Heritage Place Category 1 by Heritage New Zealand, and is listed in Council's District Plan."*

6. **REGIONAL AMENITIES FUND- WITHDRAWAL FROM JOINT COMMITTEE**
(20/633)

Report No. PFSC2020/4/154 by the Head of Strategy and Planning

The Head of Strategy and Planning elaborated on the report. She advised that Kapiti Coast District Council and Porirua City Council had already withdrawn from Wellington Regional Amenities Fund (WRAF) and that Upper Hutt City Council was considering doing the same.

In response to a question from a member, the Head of Strategy and Planning agreed with the reasoning that some Councils may be looking to divert funds into Covid-19 response funding.

Cr Bassett expressed concern with the motion. He believed WRAF was one mechanism which got the region working together for the benefit of all. He was aware of criticism of the WRAF concerning no value for money and urged members to consider the wider picture.

Cr Briggs reminded members that the issue had been debated for the past three years. He stated that post Covid-19, it was important each Council supported local incentives and ventures. He cited there were many other ways the region was working together including in water management and waste minimisation.

The Chair believed there needed to be a mechanism for supporting regional events as well as local arts and events.

RESOLVED: (Cr Edwards/Cr Mitchell) (BY DIVISION) **Minute No. PFSC 20407**

"That the Committee agrees to withdraw from the Wellington Regional Amenities Fund Joint Committee."

For the reason that this follows on from Council's decision on 18 June 2020 to withdraw funding from WRAF.

The motion was declared CARRIED by division with the voting as follows:

For

Deputy Mayor Lewis
Cr Briggs
Cr Brown
Cr Dyer
Cr Edwards
Cr Milne
Cr Mitchell

Total: 7

Against

Cr Bassett
Cr Sutton

Total: 2

7. INFORMATION ITEM

Policy, Finance and Strategy Work Programme 2020 (20/613)

Report No. PFSC2020/4/59 by the Committee Advisor

Cr Bassett advised that with the upcoming major national reforms into the management of Three Waters, there would be additional requests for information from officers concerning such things as the value of water assets, depreciation and renewal programmes. He requested a regular balance sheet be reported to the meeting.

The Chief Financial Officer confirmed there would be information reported to the meeting in September concerning the revaluation of water assets. She agreed that in the future, regular reporting on the items raised by the member would occur.

In response to a question from a member, the Director Environmental and Sustainability agreed to investigate the status of the Events Policy/Strategy review and to report back to the meeting.

RESOLVED: (Cr Edwards/Cr Briggs)

Minute No. PFSC 20408

"That the work programme be noted and received."

8. QUESTIONS

There were no questions.

There being no further business the Chair declared the meeting closed at 5.42 pm.

Cr S Edwards
CHAIR

CONFIRMED as a true and correct record
Dated this 28th day of July 2020

Dear members of the committee,

I would like to make the following submission regarding implementing a bylaw to facilitate the management of cats. I am a wildlife ecologist and conservation biologist at the University of Otago who has led a number of studies in NZ investigating pet cats' impacts on wildlife.

There is absolutely no doubt about the negative impacts that pet cats, stray cats and feral cats are having on our native wildlife. As well as predation, cats spread toxoplasma, a disease that kills native birds and mammals (dolphins) and has negative impacts on human behaviour that are only just starting to be understood. It is unfortunate that no national legislation exists that facilitates the process for councils to create bylaws. However bylaws have been successfully implemented by WCC and New Plymouth CC, both with favourable outcomes. In the absence of national legislation, councils have a very important role to play in showing leadership in this issue, and through their actions (i.e. the creation of bylaws) fostering an environment that makes national legislation more likely.

I believe the Linklater et al. paper has been used to justify a "promote and educate" approach only. As an author on that paper, I should point out that this study shows clearly that registration, microchipping, limiting numbers of cats per household, and de-sexing all had high buy-in from the cat owners we surveyed; however, because they scored lower on their 'conservation score', in that they did not directly reduce predation on wildlife, they were not prioritised in this study. However, microchippings, registration, de-sexing and limiting numbers were all essential to the ultimate goal of managing cats.

Your own survey results, which were based on a much larger sample of the public than in the Linklater study, already show high likelihood of adoption of measures such as micro-chipping, etc; therefore I strongly recommend that you create a bylaw that enables you to implement these measures.

I'd also like to point out that the survey results presented in the report represent only cat owners. Councils should remember that cat owners are the minority in the general population (usually <40%), and that non-cat owners are much more supportive of measures to manage cats. Many members of the public are frustrated in their attempts to protect native wildlife on their own properties, or as part of community conservation initiatives, by the ubiquitous presence of free roaming cats, which exist at densities of around 225 per square kilometre throughout most medium density suburbs. Stray and feral cats add to this total. Councillors should be representing the views and needs of their entire electorate, the majority of whom are non-cat owners.

While promoting and educating is certainly essential, adoption of some measures that people clearly already support will only serve to speed our progress towards socially-accepted cat management measures that actually significantly reduce the negative impacts of cats on our native wildlife.

Prof. Yolanda van Heezik