

## **Council Briefing Meeting Minutes**

**Date:** Tuesday, 10 August, 2021  
**Time:** 10:30 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**In Attendance**

Her Worship the Mayor Sheryl Mai  
(Chairperson)  
Cr Gavin Benney  
Cr Vince Cocurullo  
Cr Nicholas Connop  
Cr Tricia Cutforth  
Cr Phil Halse  
Cr Greg Innes  
Cr Greg Martin  
Cr Anna Murphy  
Cr Carol Peters  
Cr Simon Reid

**Not in Attendance**

Cr Ken Couper  
Cr Shelley Deeming  
Cr Jayne Golightly

**Scribe**

Danielle Garner (Trainee Democracy Adviser)

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### **1. Apologies**

Apologies were received from Cr's Deeming and Golightly (absence) and Cr Peters (late arrival). Cr Couper was absent.

Vita Strohush (Strategic Planner – Bylaws) said the purpose of today's briefing is to seek direction on a preferred option for the Statement of Proposal for the review of the Animals Bylaw.

Vita Strohush commenced a presentation which covered a review timeline, Overview of the Animals Bylaw 2017, perceived problems, bylaw validity, appropriateness, options, and recommendations. Staff will bring a draft Statement of Proposal to Elected Members between September and October 2021.

## 2. Reports

### 2.1 Review of the Animals Bylaw – section 155 LGA assessment

#### Questions and feedback from Elected Members included:

- In response to a question, Vita Strohush said bylaws must provide certainty and the issue with mandatory microchipping is that a non-microchipped cat may still be owned and not feral.
- In regard to the present bylaw, an Elected Member felt the definition of “urban” and the type of animal that is considered “stock” are not defined clearly enough, possibly rendering them unenforceable in court. Vita Strohush said Section 6 of the bylaw is constructed in a way to cover all manner of animals.
- Vita Strohush said there are currently provisions in the district plan related to some subdivisions with their rules, but those are enforced separately to the bylaw. While it is difficult to impose rules on existing places through the District Plan, the RMA is very effective at implementing policies in new subdivisions.
- *Some councils have bylaws for cats, is that possible for WDC?* Vita Strohush said those councils were investigated and their reasoning for having such bylaws came down to their individual interpretations of Section 146 and while they have not been tested in court, a legal risk exists for them.
- Vita Strohush clarified that although options 1 to 5 are listed separately in the presentation, they can be combined to form the desired Statement of Proposal.
- Elected Members supported an educational approach around the responsibility of cat ownership.
- Her Worship said Elected Members need to be aware of a significant increase in costs depending on what Council decides.

Cr Peters arrived at 11:10am.

- An Elected Member felt that the education provided for within the Long Term Plan (LTP) would be the best tool for cat management.
- There have been no prosecutions under the bylaw related to nuisance issues in the last four years.
- Elected Members noted the number of submissions received on the LTP, both from the general public and professionals, requesting funding and further regulation for cats. Vita Strohush said while pest control and animal welfare concerns are valid and acknowledged, these purposes are outside Council’s bylaw-making powers under the Local Government Act (LGA). Educational measures and funding can be provided outside of the bylaws process.
- Her Worship noted that Council has no control of cat intrusion on neighbouring properties.

- Vita Strohush said Council should be very clear in their Statement of Proposal that they are open to considering all options in all areas of the bylaw. Specific questions can be raised, and comments welcomed on what is included.
- 1,019 people made submissions to the LTP regarding cats.
- Vita Strohush confirmed there is flexibility in the review process timeline to avoid a December consultation date.
- It was generally felt that option five was the most preferred amongst Elected Members. Vita Strohush said option 5 would still require a consultation process but can go to public with a recommendation outlined.
- Vita Strohush summarised Elected Members had a desire to make a Statement of Proposal based on option five, to lay out specific questions for comments on other available options and an inclusion of non-regulatory measures being taken. LTP funding will also be included. Her Worship requested that options presented around microchipping include costs so that feedback is informed.

### **3. Closure of Meeting**

The meeting concluded at 11:35am.