

# AGENDA



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MEMBERSHIP: Andy Cranston (Chair), Meredith Akuhata-Brown, Bill Burdett, Shannon Dowsing, Sandra Faulkner, Debbie Gregory, Larry Foster, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake, Josh Wharehinga, Kerry Worsnop and Her Worship the Mayor Rehette Stoltz

## OPERATIONS Committee

DATE: Thursday 9 June 2022

TIME: 9:00AM

AT: Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne

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# Operations

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<b>Reports to:</b>	Council
<b>Chairperson:</b>	Alternating Cr Larry Foster and Cr Andy Cranston
<b>Deputy Chairperson:</b>	Alternating Cr Andy Cranston and Cr Larry Foster
<b>Membership:</b>	Mayor and all Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Six weekly (or as required).

## Functions

- To provide governance oversight of Council's operational programmes, services, activities and projects (including major projects) related to environmental operations, community development and infrastructural assets.
- To enable the progress of the Council's operational activities, projects and services.
- Its scope includes:

### Environment Services and Protection

- Building Services
- Enforcement
- Environmental Health
- Pests and Plant management
- Biodiversity
- Integrated catchments
- Land management
- Animal control
- Harbour management

### Infrastructure Services

- Urban Stormwater
- Wastewater
- Water Supply
- Land, Rivers and Coastal
- Local Roding Network – including associated structures, bridges and retaining walls, walkways, footpaths and road reserve, landscaping and ancillary services and facilities, street lighting and traffic management control
- Solid Waste – including landfill and transfer stations, recycling and waste minimisation

### Communities

- Cultural Activities including Theatres, Museum and Public Art, Library and Tairawhiti Navigations
- Recreation and Amenity – including open spaces, parks and gardens, cemeteries, community property and the Olympic Pool complex

### Planning and Development

- Customer Engagement
- Support Services

## Terms of Reference

### Operational oversight

- Provide governance direction for the Council's operational activities as outlined in the general purposes and scope section.
- Review and adjust relevant working programme priorities within agreed budgets, activity management plans and levels of service as per the Council's Long Term Plan.
- Receive updates on programmes, major projects/projects and activities.
- To have input into, and make decisions on, operational proposals, options and cost of projects/major projects.
- Contribute to the development of short term plans for community services and community facilities.
- Consider the strategic regulatory and compliance issues.
- Prepare submissions on any matter that is within its rationale and terms of reference for Council approval and submit on behalf of Council when timelines do not allow Council prior approval.

### Asset management

- Oversee the management of all Council's physical assets – including land, buildings and roads.
- Make decisions on infrastructure and assets becoming Council's and on infrastructure and community assets on behalf of Council.
- Progress the sale of properties as approved in the Long Term Plan and Annual Plan.
- Contribute to the development of and oversee delivery of economic development projects.
- Consider proposals to change the status or revoke the status of a reserve as defined in the Reserves Act 1977 (including the hearing of submissions).

## Power to Act

To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members and/or Tangata Whenua representatives to assist the Committee.

## Power to Recommend

To Council and/or any standing committee as it deems appropriate.

### 3.1. Confirmation of non-confidential Minutes 13 April 2022

# MINUTES

## Draft & Unconfirmed



P O Box 747, Gisborne, Ph 867 2049 Fax 867 8076  
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## MINUTES of the OPERATIONS Committee

**Held in Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne on Wednesday 13 April 2022 at 9:00AM.**

### PRESENT:

Larry Foster (Chair), Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

### IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines David Wilson, Acting Director Liveable Communities De-Arne Sutherland, Director Environmental Services & Protection Helen Montgomery, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Governance Advisor Jill Simpson and Committee Secretary Penny Lilburn.

**Secretarial Note:** Director of Environmental Services & Protection Helen Montgomery attended via audio visual link.

The meeting commenced with a karakia.

### 1. Apologies

MOVED by Cr Stoltz, seconded by Cr Wharehinga

That the apologies from Cr Akuhata-Brown, Cr Worsnop be sustained.

**CARRIED**

### 2. Declarations of Interest

There were no interests declared.

### **3. Confirmation of non-confidential Minutes 17 February 2022**

#### **3.1 Confirmation of non-confidential Minutes 17 February 2022**

MOVED by Cr Stoltz, seconded by Cr Hughes

That the Minutes of 17 February 2022 be accepted.

**CARRIED**

**Item 10.1** Cr Burdett noted there is no partnership between Te Runananui o Ngati Porou and the Council regarding the Ruatoria Water Supply Update and that instead it is a Memorandum of understanding.

#### **3.2. Action Sheet**

**Item 13.2** – A report on the Recovery Centre will be presented at a future Operations Committee meeting.

### **4. Leave of Absence**

There were no leaves of absence.

### **5. Acknowledgements and Tributes**

There were no acknowledgements or tributes.

### **6. Public Input and Petitions**

There were no public input or petitions

### **7. Extraordinary Business**

There was no extraordinary business.

### **8. Notices of Motion**

There were no notices of motion.

### **9. Adjourned Business**

There was no adjourned business.

### **10. Reports of the Chief Executive and Staff**

#### **10.1 INFORMATION Reports Infrastructure Services**

##### **10.1.1 22-72 June 2020 Weather Event**

Discussions Included:

- Around \$4-5 million funding from Waka Kotahi may not be delivered in this financial year due to two other significant weather events and other external factors such as COVID-19, particularly within roading and contracting staff. As of 30 June 2022, funding will be lost from 88% to 68% as the 68% funding of the \$10M spent must be spent before the full 88% can be given.

- An updated report to be presented to a future Operations Committee's on the emergency repair work still required in each of the catchments.
- The assessment for a weather event has a six-week timeframe for assessing damage and to have a reasonable assumption on what the costs will be. Engineers need sufficient time to check the culverts rather than driving past and estimating the costs. This is to ensure all lodgings are correct as there is no negotiating with Waka Kotahi once the assessments have been handed in.
- Roading is still in response mode. There are numerous sites across the network where there is only one-lane and bulldozers are still clearing roads for people who are waiting for access into their homes.
- Three significant weather events have occurred in Tairāwhiti during the last three years. Discussions with Waka Kotahi are underway for a separate care package for the East Coast. This will run for multiple years and will be continuously adjusted as a result of climate change. A letter is being drafted to Waka Kotahi and Mayor Stoltz has had meetings with both the Minister of Transport and Waka Kotahi as the current system is not fit for purpose. While Waka Kotahi is aware of the problem, Council will have to push significantly for this.
- Acknowledgment to the Director of Lifelines and his team for the huge amount of work that is going into all regions from these momentous events.
- Clarification that there can be no pay model made between private users who are clearing roads and slips and Council as they are not registered on the Council's network. It becomes a health and safety issue for the Council if people are doing these tasks and are not accounted for on the network.
- Climate change initiatives for roading are often at a national level and do not always translate to what is good for Tairāwhiti. Normally, the quarterly meeting with contractors would have occurred to find examples of what is beneficial for climate change. However, without it the issue is the reporting mechanisms from contractors and ensuring that they are providing details on the ground and not at the high level.
- When considering weightings for jobs, maintenance contracts have more weightings for climate change. This requires a balancing act depending on the type of job, longevity, and the kind of impact it will have environmentally, economically, and socially.
- At peak, there are around 200 staff with a lot more support staff behind the scenes working on these weather projects.

MOVED by Cr Faulkner, seconded by Cr Seymour

That the Operations Committee:

1. Notes the contents of this report.

**CARRIED**

### 10.1.2 22-21 Gisborne District Council Future Recycling and Rubbish Collection Services

Chloe Howard-Lloyd from the Solid Waste Team presented to the report on The Future of Recycling and Refuse in Tairāwhiti.

Discussions Included:

- The current Solid Waste contract expires in June 2022 with potential to be pushed out for one more year to 2023. This option will be discussed with the Waste Management team and Waste Management company.
- There is 38% of green waste that is going into the current landfill and separating the waste is best done by the wheelie bin implementation. However, this needs to be done with due diligence in the community as there is a fine balance between speed and meaningful engagement.
- It would be beneficial to look at smaller communities with similar demographic populations who also use wheelie bin systems and the sizes that they are using.
- The Waste Management Team have looked across the country at all the curbside collections which will feed into the information on what size bins should be used going forward.
- The \$200,00 budget for communications will be used to educate communities on how to use the system when it is implemented.
- Eighty eight percent of the organisation's overall carbon emission comes from waste. Community education could include green-waste, worm farms and composting to help reduce the emissions.
- Council does currently subsidise composting workshops at the Tairāwhiti Waste Centre free of charge.
- The expected lifespan of a wheelie bin is 10 years and afterwards are usually taken back for replaceable parts. These further details will need to be worked out as the plan comes more into focus.

MOVED by Cr Wharehinga, seconded by Cr Gregory

That the Operations Committee:

1. Notes the contents of this report.

**CARRIED**

## 10.2 INFORMATION Reports Communities

### 10.2.1 22-81 Waingake Transformation Programme Update

Discussions Included:

- The wilding pine are the biggest risk to the overall programme and having a system in place to keep on top of the growth is going to be critical moving forward.
- Regarding point 10 of the report, the Emissions Trading Scheme (ETS) obligations differ for each class of land, whether it is pre '99 or post '89 and further information will be provided in the workshop following the meeting.
- The potential cost to control the wilding pine population is budgeted at \$1100 per hectare per round of control and estimated that each area is going to need at least three hits, but this may drop off in future years.
- The current wilding pine areas have been mapped out to 2026 and a procurement process is being set up to determine how much this will cost until 2026. That information will be presented to Council potentially in the next quarterly update but looking at around several million dollars' worth of wilding pine control.
- The approach to spraying is generally not to use a helicopter which is why costs are high, however in some places that will not be the reasonable approach due to the high growth of pines.
- The pines are currently ranging from a few millimetres to a couple of metres high.
- To turn such a large area of land back into Native land was always going to be a huge task and acknowledgement to the Waignake team on the huge amount of work they are putting into the project.

MOVED by Cr Dowsing, seconded by Cr Wharehinga

That the Operations Committee:

1. Notes the contents of this report.

**CARRIED**

## 11. Close of Meeting

There being no further business, the meeting concluded at 10:03 am.

Larry Foster

**CHAIR**



### 3.2. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
16/09/21	10 8.1	21-197 Uawa - Hikuwai Catchment Scientific Bore Drilling	Completed	<ol style="list-style-type: none"> <li>1. Circulate to Councillors the Memorandum of Understanding, establishing relationships and pathways for future projects in the Uawa Catchment.</li> <li>2. Provide a report to the Operations Committee on the second tranche.</li> </ol>	Joshua Hovell, Tom Porter	<p><b>04/04/2022 Joshua Hovell</b></p> <p>The new action to book into the Operations Committee to be held 9th June 2022 has been completed. Bay Geological will be providing us with a draft investigation report in mid-April 2022</p> <p>Hauiti Mana Kaitiaki Collective will also review the draft report and will potentially add a mihi to the report.</p> <p>The due date for the final report for Bay Geological is May 17th 2022.</p>	17/05/22
11/11/21	13.2	Additional Action Item	In progress	<p><b>Report 21-245 Quarterly Activity Reporting - Quarter 1 Financial Year 2021-2022</b></p> <p><b>Solid Waste:</b></p> <ol style="list-style-type: none"> <li>1. Report to the Operations Committee in 2022 on the following: <ul style="list-style-type: none"> <li>• Works planned around solid waste and the timing of the review of the Waste.</li> <li>• Management and Minimisation Plan.</li> <li>• Waste Contracts moving forward.</li> <li>• Update on the Paokahu landfill.</li> <li>• Update on the Tairāwhiti Environment Centre.</li> </ul> </li> </ol>	Phil Nickerson		15/03/22

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
11/11/21	10 3.1	21-227 Allocation of the Natural Heritage Fund	Completed	Provide a report to the Operations Committee once the works have been completed.	Melanie Cheetham	<b>04/05/2022 Melanie Cheetham</b>  I am planning to table a report on the 2021 round of the Natural Heritage Fund to the Operations Committee at the August meeting. It has been entered into DocAssembler.	04/05/22
17/02/22	14.1	Additional Action Items	In progress	<b>Report 22-33 Quarterly Activity Reporting - Quarter 2 Financial Year 2021-2022</b> Provide a report to April Operations Committee on the Resource Recovery Centre regarding waste plans, waste collection contracts and what can be done around illegal dumping	Phil Nickerson		22/03/22
13/04/22	10 1.1	22-72 June 2020 Weather Event	In progress	An updated report to be presented to a future Operations Committee's on the emergency repair work still required in each of the catchments.	Dave Hadfield		17/05/22

### 3.3. Governance Work Plan

OPERATIONS - COMMITTEE OF THE WHOLE							Meeting Dates				
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	13-Apr	9-Jun	4-Aug	15-Sep	10-Nov
Community Lifelines	Journeys Infrastructure	June 2020 Weather Event	The Finance and Performance Committee requested a progress report on the June 2020 Emergency Works Project which has a repair cost of \$16.8M.	L	Information (I)	Dave Hadfield					
Community Lifelines	Journeys Infrastructure	22-79 Barton Street	The purpose of this report is to approve the transfer of 1,019m2 of land on Barton Street for educational purposes.	L	Decision (D)	Dave Hadfield					
Community Lifelines	Solid Waste & Road Safety Education	Gisborne District Council Future Recycling and Rubbish Collection Services	To improve Council's waste management system for better health and safety outcomes and emissions reduction by introducing a wheelie bin service for Gisborne City for kerbside collection of rubbish and recycling with the intent to introduce future service for organics.	?	Decision (D)	Chloe Howard-Lloyd					
Community Lifelines	Journeys Operations	Tolaga Bay Wharf	Report on completed safety Improvements on Tolaga Bay Wharf and the ongoing issues we have had.		Information (I)	Kellee Tupara					
Community Lifelines	4 Waters Operations	A Review of Outsourcing LRC work to Fulton Hogan	A review of outsourcing 4 Waters Land Rivers and Coastal work to Fulton Hogan	L	Information (I)	Mangala Wickramanayake					
Environmental Services and Protection	Compliance and Enforcement	Freedom/Summer Camping Compliance Report			Decision (D)	Kate Sykes/De Arne Sutherland to advise. May be 15 Sept meeting.					

OPERATIONS - COMMITTEE OF THE WHOLE							Meeting Dates				
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	13-Apr	9-Jun	4-Aug	15-Sep	10-Nov
Environmental Services and Protection	Compliance and Enforcement	Annual Report Dog Control Policy and Practices 1 July 2020 - 30 June 2021	The Council is required under the Dog Control Act and subsequent amendments to report annually to the Secretary of Local Government on its dog control policy and operations. Section 10A requires Council to report on a number of statistical aspects of its dog control policy responsibilities.	L	Decision (D)	Gary McKenzie					
Environmental Services and Protection	Compliance and Enforcement	Contaminated Land Update			Information (I)	Kate Sykes/De Arne to advise					
Environmental Services and Protection	Compliance and Enforcement	Update on Winter Air Quality Monitoring and the Review of the National Environmental Standard for Air Quality			Information (I)	Kate Sykes					
Environmental Services and Protection	Compliance and Enforcement	Parking Annual Report			Information (I)	Gary McKenzie					
Liveable Communities	Community Assets and Resources	Makorori Sand Dune Bollards Project		L	Decision (D)	De-Arne Sutherland <b>(ON HOLD)</b>					
Liveable Communities	Community Assets and Resources	Public Conveniences Rationalisation			Information (I)	Tyler Kirk					

OPERATIONS - COMMITTEE OF THE WHOLE							Meeting Dates				
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	13-Apr	9-Jun	4-Aug	15-Sep	10-Nov
Liveable Communities	Community Assets and Resources	Peel Street Toilets	Provides options on the future of the Peel Street toilets i.e. continue with plans to strengthen; remove and replace the toilet facility; decommission the toilet and close the building or demolition.	M	Decision (D)	De-Arne Sutherland					
Liveable Communities	Integrated Catchments	East Coast Forest Project/LO3A and LO3A and Sustainable Hill Country Project			Information (I)	Kerry Hudson <b>(ON HOLD)</b>					
Liveable Communities	Integrated Catchments	Update/Review of the 2021 Round of the Natural Heritage Fund		L	Information (I)	Melanie Cheetham					
Liveable Communities	Liveable Spaces	Waingake 29% Future Use Issues and Options	Report & PowerPoint	M	Workshop	Amy England					
Liveable Communities	Liveable Spaces	Titirangi - Legal Review Outcome			Information (I)	Michele Frey/De-Arne to advise. Awaiting legal advice.					
Liveable Communities	Liveable Spaces	Dedicated Dog Park Proposal		L	Information (I)	Tyler Kirk					

OPERATIONS - COMMITTEE OF THE WHOLE							Meeting Dates				
Group Activity	Activity	Name of agenda item	Purpose	Significance L/M/H	Report type	Owner	13-Apr	9-Jun	4-Aug	15-Sep	10-Nov
Liveable Communities	Liveable Spaces	Tokomaru Bay Destination Play Park		L	Information (I)	Tyler Kirk					
Liveable Communities	Liveable Spaces	Skate Park and Pump Track Update		L	Information (I)	Abbe Banks					
Liveable Communities	Community Projects	Waingake Transformation Programme Update	Provide an update on the Waingake Transformation Programme and associated restoration activities	L	Information (I)	Amy England					
Liveable Communities	Principal Scientist	Tokomaru Bay Transfer Station Relocation		?	Decision (D)	Murry Cave, Chloe Howard-Lloyd to advise					

## 10.1. INFORMATION Reports Communities



22-91

**Title:** 22-91 Tokomaru Bay Destination Play Park  
**Section:** Liveable Spaces  
**Prepared by:** Tyler Kirk - Community Facilities Partnerships Advisor  
**Meeting Date:** Thursday 9 June 2022

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Legal: No

Financial: No

Significance: **Low**

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### Report to OPERATIONS Committee for information

#### PURPOSE

The purpose of this report is to provide an update on the progress to address the Tokomaru Bay playground and park which was lost to coastal erosion in June 2021.

#### SUMMARY

The June 2021 flood event caused significant damage to a number of Tokomaru Bay Council facilities, including the beachside public playground.

Since the removal of the play equipment, Council has been working to address the need for public play facilities in the township. As a short-term solution, existing play equipment was reinstated at Hatea-a-Rangi School through an agreement for public use with the school's Board of Trustees.

This report details the process proposed to develop a long-term solution for play in Tokomaru Bay, through the establishment of the Coast's first destination park.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

#### RECOMMENDATIONS

**That the Operations Committee:**

1. **Notes the contents of this report.**

*Authorised by:*

**De-Arne Sutherland - Acting Director Liveable Communities**

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**Keywords:** Tokomaru Bay, Destination, Play, Park, Floods

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## BACKGROUND

1. The Tokomaru Bay playground, on the ocean side of Beach Road was upgraded in 2017. At the time, this formed a significant portion of the community's township plan implementation.
2. In September 2019, Council became aware that the reserve on which these public facilities was located was being eroded.
3. Council subsequently undertook an assessment of the geomorphic history of the site and the ongoing risk the river poses to the facilities on its true left bank. The key findings of this analysis were:
  - a) As shown in Figure 1, the river mouth has a preferential course to the north, adjacent to the riverbank where the former playground was located. This meant that the site would always be vulnerable.
  - b) The abutments of the bridge on State Highway 35 constrains the river and prevents any tendency for the mouth to migrate southwards.
  - c) Erosion is controlled by the northward progradation of the beach barrier bar that forms the true right bank of the river mouth over time. Significant storm events may breach this barrier – but the effects are ephemeral – and the river will revert to its sinistral skew in short order.
  - d) Any intervention in the river by means of revetment or other hard structure was not considered to provide any long-term benefits and could have consequential impacts on the true right bank – including, potentially, the true right abutment to the bridge.
  - e) It was considered that the best solution was to relocate the facilities to a more resilient location which still affords good amenity value to the local community and tourists.



**Figure 1:** Aerial imagery showing the northward trend of the Mangahauini River mouth, in relation to the site of the former playground.



4. In June 2021, the Tokomaru Bay community experienced significant flooding. This major event significantly accelerated the gradual trend of the river encroaching on the community park, with the playground site subject to significant erosion. Play equipment was removed and the site has been decommissioned as part of a coastal land management retreat process.
5. The loss of the play equipment was exacerbated by the closure of Hatea-a-Rangi School and its playground. The result was a community left without public play space.
6. Council undertook community engagement as part of the 2021–2031 Long Term Plan process to inform a short-term solution.
7. To address the immediate need for public play space, Council partnered with community and local businesses to reinstate some of the recently removed play equipment at Hatea-a-Rangi School.
8. The reinstatement of the playground was jointly funded by Council and Ernslaw One.
9. To address the need for a public play space, Hatea-a-Rangi granted public use of the playground, on their school grounds, outside of school hours.
10. The agreement is such that Council will own and maintain the playground until a new community playground has been established, at which time Council may decide to transfer ownership of the play equipment to the school.

## **DISCUSSION and OPTIONS**

### **Need for a public play space**

11. The Community Facilities Strategy's Parks and Open Spaces plan notes that *"Parks and open spaces are democratic spaces – they are public and non-exclusive and provide opportunities for civic engagement."*
12. While the short-term solution addresses the immediate need of providing some level of provision of play equipment in the township, there is a wider need for the designation of a new community park.

### **There is justification for the Coast's first destination park**

13. Council's Community Facilities Strategy sets out a hierarchy of parks, and an approach to planning a regional network of facilities. Central to this hierarchy is that a range of offerings are required to be spread across the region to ensure good access to parks and facilities for all.
14. Within this network approach, parks and open spaces are typified by their level of service and specification. A Destination Park is a large park with a major single purpose, drawing users from a large catchment. This is of larger scale than that currently located on the coast. While a number of parks are seeing upgraded community facilities, these are intended for, and of a scale reflective of neighbourhood parks - intended to service the neighbouring community.
15. Supporting this approach, the Community Facilities Strategy highlights the need to broaden the provision of destination parks beyond Gisborne City. *"Each of the major destination play spaces are concentrated in Gisborne City while the other areas are not serviced to the same level. While destination play spaces are higher cost and cannot be justified for all townships, there is a need to consider how to provide across the region."*

### Tokomaru Bay is a strategic location for a destination park

16. To service the large catchment area intended by a destination park, their location should be central, and close to major transport routes.
17. When assessing potential locations on the Coast for such a facility, Tokomaru Bay stands out as a natural pause point for those travelling up and down the coast.
18. Additionally, its connection to the beach provides a range of options for visitors and added amenity value.

### Preliminary investigations have begun to identify sites for a new park

19. In November 2021, as part of a preliminary investigation, staff commissioned site analysis for a new destination play park in Tokomaru Bay.
20. The chosen consultants were asked to conduct an assessment of available land for the new park. The brief requested that they consider any potential sites, regardless of ownership status.
21. A number of potential sites have been identified, some held by Council, and others privately-owned.
22. One challenge with this mixture of land ownership is that there is a level of commercial sensitivity until a site is confirmed for use. As such, we won't be in a position to publicly consult on the full shortlist of site options.

### Further Feasibility is required to progress

23. While potential sites for a destination park have been identified, consultation and more detailed climate change modelling is required to progress.
24. The first recommended action is consultation with Mana Whenua to determine the suitability of the sites considered and test the preliminary investigation's findings against the aspirations of Ngā Hapū o Tokomaru Akau.
25. Additionally, more stringent consideration of the expected impacts of climate change should inform the decision to locate the park. To this end, a number of workstreams in the strategy team will inform the process, including the **NIWA Impact on Assets Report** and the **Regional Climate Risk Assessment**.

### Funding the Playground Project

26. Council's Long-Term Plan did not envisage replacing the Tokomaru Bay playground as it was upgraded five years ago, and full impact of climate change was not fully realised. Accordingly, a Destination Play facility in Tokomaru Bay has not been budgeted.
27. The investment also falls outside of the typical cadence of Township Upgrades investment. However this is a situation unique to the township planning process in that:
  - a) A previous township investment was lost to factors unforeseen.
  - b) A destination play park will provide benefit to many on the Coast, beyond the limits of Tokomaru Bay.
  - c) Township upgrades typically focus on township assets, where the justification for a destination park is that it would be a regional asset.

28. As such, it would be expected that the development of the park is considered for investment in the 2024–2034 Long Term Plan, though further external funding may be required.
29. Regardless of funding source, it is anticipated that the facility would be developed in a staged approach as funding becomes available.

## ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

**Overall Process:** Low Significance

**This Report:** Low Significance

Impacts on Council's delivery of its Financial Strategy and Long-Term Plan

**Overall Process:** Low Significance

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on all or a large part of the Gisborne district

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on individuals or specific communities

**Overall Process:** Medium Significance

**This Report:** Low Significance

The level or history of public interest in the matter or issue

**Overall Process:** Medium Significance

**This Report:** Low Significance

30. The decisions or matters in this report are considered to be of Low significance in accordance with Council's Significance and Engagement Policy.

## TANGATA WHENUA/MĀORI ENGAGEMENT

31. Ngā Hapū o Tokomaru were consulted over, and supportive of the removal of play equipment from the previous site, as well as the process to identify a new, long-term community park.
32. Further conversations are required in identifying a suitable site, and thus, should Council resolve to progress this project through community engagement, the first anticipated action would be to consult further with Hapū.
33. Regardless of the process there forth, close engagement as a project partner would be essential.

## **COMMUNITY ENGAGEMENT**

- 34. Community engagement informed the short-term solution of relocating playground equipment to Hatea-a-Rangi School.
- 35. Once a preferred site is identified, it is anticipated that community would play a key role in the design of the park.

## **CLIMATE CHANGE – Impacts / Implications**

- 36. This is obviously a process made necessary by the increased frequency of extreme weather events due to climate change.
- 37. As such, the decision to designate a new park, and its location are weighed up against the expectation of more frequent weather events similar to those that we've seen in the last twelve months.
- 38. Significant input is expected, from projects within the Climate Change workstream, to ensure that a suitably protected site can be found for the park.
- 39. It is expected that the construction of a new destination park will cause a level of carbon emissions. However, technology is advancing quickly in environmentally friendly play equipment so it is hoped that this can be mitigated.
- 40. Additionally, provision of a quality community park in Tokomaru Bay could be expected to reduce the need for people on the Coast to travel for a similar experience, therefore reducing emissions.

## **CONSIDERATIONS**

### **Financial/Budget**

- 41. The progression of feasibility work has no immediate financial implications, though targeted budget for the project may be sought at a later date.

### **Legal**

- 42. There are no legal implications arising from the matters contained in this report.

## **POLICY and PLANNING IMPLICATIONS**

- 43. The project has strong alignment with the Community Facilities Strategy, including the Parks and Open Spaces Plan, Play Spaces Plan, and the implementation approach through the Community Facilities Business Case.

## **RISKS**

- 44. One risk exists that a destination park may not be able to proceed, should it be determined that no site is suitably protected from flood and coastal hazards.
- 45. Additionally, in consulting community around the project, some expectation will be built around the level of investment for the project, for which no funds have yet been allocated.

## NEXT STEPS

	Date	Action/Milestone	Comments
Feasibility	June-July	Consult with Mana Whenua on the project, and potential sites	
	July-September	Await the findings of the NIWA impact on assets report, and any preliminary information from the Climate Risk Assessment Workstream.	
	July-September	Consult with community on potential sites for the destination park	
	September	Report to Council on whether/how to proceed with the project	

## 10.2. DECISION Reports Environmental Services and Protection



22-98

**Title:** 22-98 Annual Report Dog Control Policy and Practices  
**Section:** Environmental Services & Protection  
**Prepared by:** Gary McKenzie - Compliance Monitoring and Enforcement Manager  
**Meeting Date:** Thursday 9 June 2022

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Legal: No	Financial: No	Significance: <b>Low</b>
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### Report to OPERATIONS Committee for decision

#### SUMMARY

The Gisborne District Council (Council) is required to manage and enforce provisions pursuant to the Dog Control Act 1996 (the Act) and subsequent amendments in 2003, 2004, 2006 and 2010. Section 10A of the Act requires the Council to report annually to the Secretary of Local Government on its dog control policy and operations. This section requires Council to report on statistical aspects of its dog control policy responsibilities.

This report fulfils this statutory requirement for the dog registration year 1 July 2020 to 30 June 2021.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

#### RECOMMENDATIONS

**That the Operations Committee:**

- 1. Adopts the Annual Report on Dog Control Policy and Practices 2020/21.**
- 2. Instructs the Chief Executive to give necessary notifications following adoption of the report.**

*Authorised by:*

**Helen Montgomery – Director Environmental Services & Protection**

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**Keywords:** Dog Control

## BACKGROUND

1. Section 10A of the Dog Control Act 1996 requires territorial authorities to publicly report each financial year on:
  - The administration of their dog control policy and practices (section 10A(1)); and
  - A variety of dog control related statistics (section 10A(2)).
2. While not explicitly stated in the Dog Control Act, one of the primary purposes for preparing this report is to allow communities to see how Council is managing its dog control responsibilities.

## DISCUSSION and OPTIONS

3. Adopt the Annual Report on Dog Control Policy and Practices 2020/21 contained in **Attachment 1**.

## ASSESSMENT of SIGNIFICANCE

4. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

## TANGATA WHENUA/MĀORI ENGAGEMENT

5. Not applicable to this report.

## COMMUNITY ENGAGEMENT

6. Not applicable to this report.

## CLIMATE CHANGE – Impacts / Implications

7. Not applicable to this report.

## CONSIDERATIONS

### Financial/Budget

8. Financial information contained in Annual Report

### Legal

9. A requirement to publicly report each financial year under Section 10A of the Dog Control Act 1996.

## POLICY and PLANNING IMPLICATIONS

10. There are no policy and planning implications associated with this report

## RISKS

11. There are no risks associated with this report.

## NEXT STEPS

Date	Action/Milestone	Comments
9 June 2022	On adoption of the report, the report is to be published on Gisborne District Council's website as directed by the Dog Control Act 1996	

## ATTACHMENTS

1. Annual Report Dog Control Policy and Practices 1 July 2020 to 30 June 2021 [**10.2.1.1** - 8 pages]



**Annual Report**

**Dog Control Policy and Practices**

**1 July 2020 – 30 June 2021**



## BACKGROUND

1. Section 10A of the Dog Control Act 1996 requires territorial authorities to publicly report each financial year on:
  - the administration of their dog control policy and practices [Section 10A(1)]; and
  - a variety of dog control related statistics [Section 10A(2)].
2. While not explicitly stated in the Dog Control Act, one of the primary purposes for preparing this report is to allow communities to see how Council is managing its dog control responsibilities.

## Current Situation – Dog Control in City/District

3. Council is responsible for the enforcement of regulations relating to the keeping, welfare and control of dogs within the Gisborne District. Council is required under the Dog Control Act to make provision for the registration and control of dogs.
4. Impounding of dogs is an activity required by the provisions of the Dog Control Act and associated Gisborne District Council Dog Control Bylaw 2010 and Dog Control Policy 2010.
5. The Council has a responsibility to respond to complaints relating to dogs. Council's long-term focus for dog control activities is to ensure a safe living environment is maintained through the monitoring and enforcement of legislation, regulations and bylaws.
6. Council adopted its Dog Control Policy in 2010. The policy provides a practical framework for the care and control of dogs throughout the district while minimising any danger, distress and nuisance to the community.
7. The policy outlines expected standards and behaviours from dog owners and provides information about how Council will administer dog control. Specific dog control functions include:
  - dog registration
  - impounding of dogs
  - 24-hour ranging service
  - targeted education
  - enforcement of the Act and Council Dog Control Bylaw
  - issuing of infringements and prosecutions.
8. Council has four full-time and one part-time Gisborne-based Animal Control Officers. The Council's Te Puia Springs office has two full-time Animal Control Officers. The Animal Control Officers are responsible for a land area of 8,360 square kilometres.
9. Both urban and rural properties are regularly visited to check for unregistered dogs and dog/owner changes for compliance.
10. All properties within Gisborne city with more than one dog require a multiple dog licence. The licence is issued on meeting the Dog Control Policy's criteria. Extra care is taken to ensure dogs' welfare needs are met and there are no noise problems for neighbours.
11. During this reporting period Animal Control Officers visited and checked 71 properties for special owner applications. Applications to become a special owner must be completed prior to 1 May annually, allowing time to adjust fees for invoicing. These owners are entitled to a special discounted annual registration fee (2020/21: \$63). The regular 2020/21 registration fee was \$89.

12. Animal Control Officers no longer accept applications of selected owners to become New Zealand licensed dog owners as at 1 July 2019. This is stated in our fees and charges and is due to the lack of resources now available domestically to inform both staff and applicants of criteria. Existing licensed owners continue to be entitled to a discounted dog registration (2020/21 fee \$52).
13. In the 2020/21 registration period a discount for desexed dogs was introduced, and decided at approximately 10% of the invoiced fee. Owners are required to produce proof of the neuter and the discount is applicable across the fee matrix; excluding Dangerous Dog as neutering is a legal requirement.
14. In the 2020/21 registration fee matrix the reduced rate for East Coast Pig Hunting Club was removed after consultation with the President of the Club Dick Parsons.

2020/21 DOG REGISTRATION FEES			
Class	Fee	Desex	Description
Ordinary dog	\$89	\$81	Family pet dog, including those in rural areas not required for rural livelihood
Working dog	\$48	\$44	Rural livelihood, income from dogs - breed Huntaway or Heading
Selected Owner SOP	\$63	\$57	Must <u>meet the criteria</u>
Superannuitants	\$58	\$53	Over 65 years
Selected Owner Superannuitant	\$51	\$46	Over 65 years, <u>must meet the criteria of SOP</u>
Licensed Owner	\$52	\$47	NZ Licence, must have been <u>SOP owner for 1 year</u>
EC Pig Hunters	-	-	This fee has been removed from our matrix please see Note 14.
Probationary Owner	\$132	\$119	Court fined - rural and urban
Guide and Hearing	\$0	\$0	Guide and police dogs
Dangerous dog*	\$133.50	\$133.50	Dog with a history and is classified dangerous * rural and urban

15. There are 6,313 dog owners within the district who own 11,526 registered dogs, in the following categories. Transient dog owners fluctuate regularly.

<b>DOG COUNT BY CATEGORY 2020/21</b>	
For all dogs with a current status of CURRENT OWNED	
<b>Dog Use Category</b>	<b>Number of Dogs</b>
Dangerous dog	13
Guide and Hearing	4
Licensed Owner	256
Ordinary	5021
Pensioner	1048
Pig Hunters Club	-
Probationary Owner	-
Special Owner	812
Special Owner/Pensioner	92
Working (includes Police)	4280
<b>Total</b>	<b>11,526</b>

16. With the introduction of the National Dog Database (NDD), all dog registrations and information are automatically transferred to the database on a nightly basis.
17. The NDD holds information on all registered dogs including registration detail, microchip number (if applicable), breed and year of birth. The name, address and date of birth details of owners are also recorded.
18. This database is maintained by the Department of Internal Affairs (DIA).

### **Council's Relationship with Key Stakeholders in the Community**

19. GDC have a strong working relationship with the Police and have jointly attended several serious dog attack incidents.
20. The Animal Control section has a good relationship with schools in the district. Officers visited ten schools presenting a "Dog Education" programme.
21. Animal Control staff help SPCA with reported welfare incidents at their request.
22. Veterinarians have a close working relationship with Animal Control concerning microchipping records, neutering of menacing and dangerous dogs plus up-to-date information regarding dog health problems.
23. Animal Control has formed an alliance with Gisborne Mutts and Moggies. This is a voluntary organisation which rehomes dogs. As a result, we expect our rehoming statistics to increase significantly.
24. With the introduction of the Fred Lewis Desexing programme, we have solidified an already strong relationship with Fred Lewis and as a contact have been able to help hundreds of owners and their dogs in our community.

### Dog Control Enforcement Practices and Statistics

25. There were 635 dogs impounded during the year. Details are:

Dogs that were	Numbers of dogs
Claimed	274
Destroyed in the field	10
Returned to owners	65
Rehomed	84
Picked up by SPCA	0
Euthanised	202
<b>Total</b>	<b>635</b>

26. Officers make every effort to find homes for unwanted, impounded dogs that are suitable for rehoming. Initiatives involving Facebook and Council website advertising for dogs suitable for adoption has seen the number of rehomed dogs increase.

27. Any dogs that are wholly or predominantly of the five restricted menacing breeds or type as specified in the Dog Control Act, Schedule 4, are classified as menacing under type or breed. Compliance must be met by muzzling in public, neutering and control.

28. The restricted breeds and type are:

- American Pit Bull Terriers/Pit Bull Terrier Types
- Dogo Argentino
- Brazilian Fila
- Japanese Tosa
- Perro de Presa Canario

29. Microchipping of these and dangerous dogs is enforced. Microchipping of all dogs first registered from 1 July 2006 (except working farm dogs) is carried out. There were 227 dogs microchipped for the 2020/21 year.

### Education

30. An Animal Control Officer is available on request for speaking engagements and presentations. Educational presentations have been made to postal staff, electricity meter readers, contractors, schools, district and flight nurses who attend patients' properties, new staff and reminders to existing staff.

31. Animal Control Officers are available to educate and provide support to all owners in our region.

32. A copy of the Dog Control Policy and Dog Control Bylaw are available to every dog owner through the Council website and include information regarding dog exercise areas. These publications are also available on request in hard copy.

### Dogs Prohibited, Leash Only and Dog Exercise Areas

33. Council has made provision for areas where dogs are prohibited, permitted on leashes or allowed freedom for exercise purposes. Public education of these areas will be increased this year. These areas are regularly patrolled.

34. The Council provides four designated off-leash exercise areas and six beach exercise areas across the city. The criteria used to determine these areas includes:

- The area is not used extensively for sporting or other purposes
- The area is of significant size and has appropriate access
- There are sufficient sight lines
- The area is well buffered from adjacent areas
- There is no potential risk to other groups.

### Dog Control Enforcement Practices

35. The Council generally enforces its dog control policy and bylaws by educating the owners of dogs through individual property visits, school visits, public information, responding to complaints and by routine inspections and patrols of selected locations identified as problem areas. 2,579 complaints relating to dogs were received during the year. The following table relates to the specific categories reported on for the DIA, however, it does not include other general dog complaints that come under unreported categories:

Category	2019/20	2020/21
Dog attack People	43	38
Dog attack Animals	77	52
Rushing at People	77	77
Rushing at Animals	17	8
Roaming	656	721
Barking	282	312
Welfare	36	18
General Dog Complaints	1,354	1,533

36. 833 infringement notices (down from 840 last year) were issued for the following:

Infringement	2019/20	2020/21
Failure or refusal to supply information or wilfully providing false particulars	4	0
Failed to comply with Bylaw	9	5
Failed to comply with effects of disqualification	0	1
Failed to implant microchip transponder in dog	8	3
Failed to keep dog controlled or confined	92	39
Failure to comply with class as menacing dog	7	2
Failure to Register a Dog	709	774
Failure to Keep Dog Under Control	5	2
Wilful Obstruction of Officer or Ranger	4	1
Falsely notifying of death of dog	1	0
Failure to comply with class as dangerous dog	0	0
Failure to comply with barking dog abatement notice	0	0
Failure to advise change of owner / address	0	1
Failure to carry leash / advise of muzzle and leashing requirements	1	5
<b>Total</b>	<b>840</b>	<b>833</b>



## Trends and Analysis

### Menacing Dogs

- 37. The number of dogs classified as 'Menacing' was 245. The number of dogs classified as 'Dangerous' was 13.
- 38. Officers continue to impose menacing classifications as a mitigation measure to prevent harm to people, other animals and wildlife. We have increased monitoring of classified dangerous and menacing dogs ensuring compliance with all conditions relating to the classification.

### Dog Related Complaints (antisocial behaviour)

- 39. Attacks on people and stock/domestic pets (90) has decreased significantly to last year's figure of 147.
- 40. Complaints received regarding dogs rushing at people (77) was on par with last year's total of 77.
- 41. All reported complaints of dog aggression were investigated during the year.
- 42. Roaming dog numbers (721) are up slightly from 656 recorded in 2020.

### Infringement Notices

- 43. Continued focus by Council on registration, education and compliance continues to see infringements issued for a wide range of offences. Ongoing emphasis on unregistered dogs has seen an increase in compliance and a significant decrease of infringements for unregistered dogs from last year. All unregistered dog owners are issued infringements should they fail to register their dog.
- 44. Council's current approach acknowledges that the first step to responsible dog ownership is dog registration.

### Prosecutions

- 45. There have been no Council prosecutions of dog owners for a serious dog attack on a person in this period. To note though, investigations for several dog attacks on people were conducted by Police with Council support.
- 46. The effective use of enforcement options such as infringements has resulted in no prosecutions during this review period.

### Other Information

- 47. Officers continue to issue permits for two or more dogs at the same address when required.
- 48. Dogs roaming after-hours are controlled by dog trapping and attendance by our on call officers.
- 49. Officers monitor public areas and beaches, especially during summer months, for owners who do not clean up after their dog defecates and to educate visitors to our town on our bylaw. Increased patrolling in central business areas for dogs breaching the dog prohibited areas also continues to be a focus.

## Financial

### Fees and Charges

50. Dog registration fees are set by Council resolution.
51. Dog registration fees, fines and impound fees contributed towards the cost of dog control in the Gisborne district. This includes the costs of running the Council pound, Council's use of the NDD, and costs of prosecutions when required, ensuring a safer community, investigating dog threatening, attack incidents, and removing roaming dogs from public areas.
52. The funding policy for the 2020/21 year and beyond includes a 20% proportion from targeted rates to recognise public benefit of the activity.
53. The Council operates a responsible dog owner scheme which provides a discounted rate for dog owners who meet the relevant criteria.

Summary of Information Required by Section 10A	
Description	Number
Number of registered dogs	11526
Number of probationary owners	0
Number of disqualified owners	0
Number of dogs classified as dangerous under Section 31	13
♦ S.31 (1)(a) dangerous by owner conviction	2
♦ S.31 (1)(b) dangerous by sworn evidence	11
♦ S.31 (1)(c) dangerous by owner admittance in writing	0
Number of dogs classified as menacing under Section 33A	66
♦ S.33A (1)(b)(i) observed or reported behaviour	24
♦ S.33A (1)(b)(ii) observed characteristic - associated with breed	42
Number of dogs classified as menacing under Section 33C S33C (1), s33E (1 (a) wholly or predominantly belongs to one or more breeds or types restricted (listed by Schedule 4 breed)	179
Number of infringement notices issued – for failing to register a dog	774
Failure to control	39
Obstruction	1
Non-compliance with classification	1
Non-compliance with disqualification	1
Non-compliance with dangerous dog conditions	0
Others	17
Total number of infringements issued	833
Dog attack	90
Rushing/Threatening	85
Roaming	721
Barking	312
Welfare	18
General Dog Complaints	1,533
Total number of complaints received	2,579
Number of prosecutions	0

## 11. Public Excluded Business

### RESOLUTION TO EXCLUDE THE PUBLIC

#### Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

That:

1. The public be excluded from the following part of the proceedings of this meeting, namely:

#### **PUBLIC EXCLUDED BUSINESS**

Item 12.1 **22-11** Peel Street Toilets Legal Advice

2. This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole of the relevant part of the proceedings of the meeting in public are as follows:

Item 12.1

7(2)(g)

Maintain legal professional privilege.