

Proposed Plan Change 64: Boarding, Breeding and Training Kennels

Hearing – Friday 23rd August 2019

Presentation Overview:

Plan Change 64: Boarding, Breeding and Training Kennels

- Background to Plan Change 64
- Purpose of Plan Change 64
- Consultation undertaken on Plan Change 64
- Recommended amendments to notified Plan Change 64

Background to Plan Change 64

- Current definition of “Kennels” considered restrictive and relates to domestic and commercial ownership of dogs:
 - “Any site used for housing **more than two dogs**, excluding farm working dogs and puppies”.
- There has been non-compliance with current rules.
- Kennel numbers have **increased** over the last 10 years, particularly greyhound kennels.
- Increase in rural subdivision and **noise complaints** have been raised from nearby residences about properties with multiple dogs.

Purpose of Plan Change 64

- To introduce a specific policy and rule framework to manage how boarding, breeding and training kennels are established and operated within the Manawatu District;
- To reduce uncertainty between the Dog Control Bylaw and District Plan: the Dog Control Bylaw focuses on the general ownership of dogs, while the plan change focuses on boarding, breeding and training kennels.

Plan Change Definition of BBT Kennels

“Boarding, Breeding and Training Kennels:

means the use of any land and/or buildings where board for a fee (which may include overnight or during the day) is provided or intended to be provided for dogs, or the breeding and/or training of dogs for direct or indirect commercial gain, and includes rehoming kennels. Farm working dogs and puppies up to three months of age, are excluded.”

Key Provisions: Plan Change 64 Activity Status

District Plan Zones	Permitted Activity	Discretionary Activity (resource consent required)
Rural	5 or less dogs	6 + dogs
Residential/Village	Up to 2 dogs	3 + dogs
Flood Channel/ Industrial/Business/Recreation/ Manfeild Park/Special Development		All BBT Kennels (no threshold)

Consultation on Plan Change 64

- Clause 3 consultation: 28 November 2018 – 18 January 2019:
 - Information sessions: 4th and 5th December with kennel operators.
 - Feedback from eight parties.
- Clause 5 public notification:
 - 1 May – 31 May 2019: four submissions lodged.
 - 13 June – 27 June 2019: no further submissions lodged.

Submission Issues Unresolved

1. Submitter 04: withdraw permitted activity category:
 - **Officer recommendation: retain permitted activity category.** To enable smaller BBT Kennels to be permitted on rural sites which are large enough to provide setbacks with appropriate site layout.
2. Submitter 01: Retain BBT Kennels in nodal areas as non-complying:
 - **Officer recommendation: retain discretionary activity status.** Discretionary status enables assessment against specific objective and associated policies relating to BBT Kennels, and consideration of the effects on amenity values and character of the surrounding environment;
 - Nodal areas are likely to be removed / refined in the District Plan in upcoming plan changes.

Recommended Amendments

Recommended amendments to notified Plan Change 64:

1. Section 3H.1 Introduction: add “**including the regulations relating to provision of dry and shaded shelter for dogs**” after relevant codes of welfare (Submission 02, MPI);
2. Change ‘Rural Zone’ to ‘Rural Zones’;
3. Insert new Rules 3H.4.2 b. i. for permitted activities in the Rural Zones:
 - ***b. Front Yards – ~~10m~~ 20m***
 - ***c. Yards where a Noise Sensitive Activity is located on an adjoining site in different ownership – 100m.***

Reasons for recommended setbacks

- 100 metre setback where NSA is on adjoining site:
 - Clause 3 consultation included similar rule (rural review and draft PC 64)
 - Setback requested in submission 04
 - Mr Lloyd's evidence
 - Looking at approaches by other councils
 - Similar setbacks used for pens housing animals near residential and village zones, and for pigs wallowing and silage stacks near boundaries.
- 20 metre setback from front yard:
 - Mr Lloyd's evidence
 - Assist in alleviating amenity issues raised in submissions
 - Kennels generally setback from property boundary in any case
 - Looking at approaches by other councils

Concluding comments

- Increase in rural subdivision and kennels over last 10 years
- Potential for noise issues where kennels are in close proximity to residential activities
- Consideration of amenity at dwelling boundary as well as enjoyment of the site.
- PPC64 has been developed following meetings with kennel operators, consideration of submissions and discussions with some submitters to clarify the intent of submissions.
- The reports by Mr Nigel Lloyd identify the importance of providing effective setbacks and other noise management measures in order for BBT kennel activities to occur.
- The changes proposed seek to provide a reasonable and effective framework to manage boarding, breeding and training kennels in the Manawatu district.