

From: seamless@mdc.govt.nz
Sent: Friday, 31 May 2019 3:48 PM
To: Jeremy Savell; districtplanreview
Subject: Proposed Plan Change 64 Submitted

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Could you gain an advantage in trade competition through this submission?: No

Are you directly affected by an effect of the subject matter that: a) Adversely affects the environment; and b) Does not relate to trade competition or the effect of trade competition: No

The specific provisions of the proposal that my submission relates to are as follows (please give details):

- 3H.3 Objectives and Policies • 3H.4.1 Permitted Activities • 3H.4.2 Standards for Permitted Activity • 3H.4.3 Discretionary Activities

My submission is that (Summarise the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons):

Objectives and policies – In relation to the plan change objective and policy point 1.1. there seems to be a disconnect between the policy/objective to manage the effects of kennels and the proposed guidelines stipulated for permitted activities in the rural area. For example, the policy emphasises managing noise sensitive areas, particularly within 500 meters of the dog kennel site. In the permitted activities section for rural areas it states that yard separation distances for front yards (10 meters) and other yards (30 meters) will apply. We live in a situation where our property is in the rural zone, however my neighbours house on one boundary is only 70 meters away from my dwelling. They have an undetermined number of greyhounds kenneled immediately behind the house 30 meters from my property boundary. They breed and swap out their dogs using connections in the racing industry. Despite best efforts from them most of the time and a lot of latitude from us, noise has been an intermittent but ongoing problem for several years. We have notified the Council as directed when we believe the noise has become unreasonable and have also had to make specific complaints when the dogs have persisted for long periods

without any intervention from the owners. We acknowledge the efforts that the neighbours have made to place noise reducing barriers in place between the kennels and our house but the nature of the howling, screeching or barking noise that these dogs make means barriers are largely ineffective. Even keeping only five dogs in these circumstances is adversely affecting the amenity values and character of our immediate rural area. Often there are more. The District has seen a growth in rural housing development under the District Plan and there are an increasing number of small lot housing areas with and without farmland like ours. Adopting the proposed plan and allowing people to have up to five dogs and as many puppies as they like living so closely to neighbouring properties will create significant noise problems requiring ongoing Council intervention. Permitted activities vs discretionary activities Council, in the Section 32 report of April 2019 appears to differentiate consent requirements principally on dog numbers. Council believes that they will not be able to follow up on the number of boarding, breeding and training kennels that currently exist (and are growing in number) if they were all made discretionary activities. Although time/cost is an issue, making five dog or less situations a permitted activity could be just as problematic and provide a perverse situation. What would stop people who are breeding, training and racing greyhounds setting up more small-scale kennels to reduce overheads and scrutiny? They could maintain the practice of swapping out dogs or pushing the threshold by keeping more dogs periodically knowing that enforcement by Council would be sporadic or only occur when a noise complaint was made? A largely “under the radar” practice. This could be further exacerbated by other dog breeders starting up small scale units knowing they don’t require consent and be lax about managing noise. I note that the report states that there has been a huge increase in greyhound registrations (with an acknowledgement by Council that they believe there are even more unregistered). They also acknowledges that breeding dogs for financial gain generally is becoming increasingly popular to supplement incomes. Relying on dog control bylaws to manage noise complaints for when kennels have been permitted will be time consuming and places the burden on neighbours to complain when breaches occur. It also does nothing for maintaining good relationships between neighbours. Simply put, there will be several situations where it is clear that despite the Council permitting this activity the siting of kennels and management of the dogs too close to neighbours is not going to work. We note that in the section on discretionary activities many of the issues we have raised are

covered off as a part of the original application to keep dogs. It is our submission that all boarding, breeding and training kennels should be designated as discretionary activities. Those people with dogs kept as domestic pets will remain unaffected. We also take issue with the views of the Councils expert advisor that are expressed in the Section 32 report. He significantly downplays the noise created by five dogs including bitches with puppies. Our experience is that when puppies arrive the noise levels of the dogs increase considerably. This can go on for months in between breeding cycles. Although you can get accustomed to short intermittent incidents of barking or whining it is the repetitive nature and ongoing presence that becomes a nuisance. Until you have lived next to it for a long time this may not be well understood.

Decision Sought from Council 1. Withdraw the section for permitted activities. Irrespective of the number of dogs being kept everyone using their property for boarding, breeding and training should be required to apply under the discretionary activity criteria. 2. If the permitted activity criteria remains, change the setback provisions to better reflect the plan change policies and objectives. Kennels in the rural area should be a minimum of 100 meters away from any neighbouring boundary, especially where a neighbouring dwelling exists close to the common boundary. Other conditions set out in the proposal to remain. 3. Consider strengthening enforcement provisions in the Dog Control Bylaw during its current review to target owners of boarding, breeding and training kennels who repeatedly breach compliance with the rules contained within the permitted activity and/or discretionary provisions of the plan change, particularly where that relates to breach of setbacks, dog numbers and noise.

I/we seek the following decision from the Manawatu District Council (give precise details):

Do you wish to speak in support of your submission:

Yes

If others make a similar submission, would you consider presenting a joint case with them at the hearing?:

Yes