

Mā tō tātou takiwā  
**For our District**

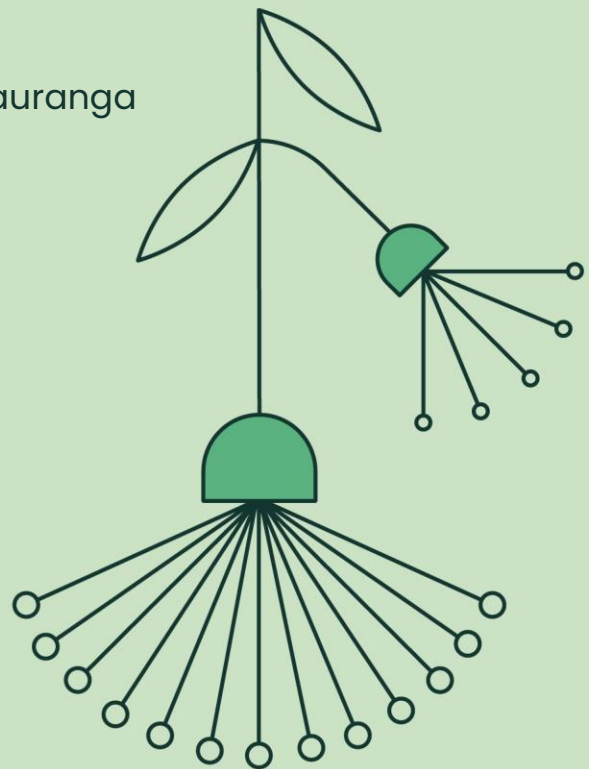
## Council

Te Kaunihera

CL23-8

Tuesday, 16 May 2023, 9.30am

Council Chambers, 1484 Cameron Road, Tauranga



# Council

## Membership:

<b>Chairperson</b>	Mayor James Denyer
<b>Deputy Chairperson</b>	Deputy Mayor John Scrimgeour
<b>Members</b>	Cr Tracey Coxhead Cr Richard Crawford Cr Grant Dally Cr Murray Grainger Cr Anne Henry Cr Rodney Joyce Cr Margaret Murray-Benge Cr Allan Sole Cr Don Thwaites Cr Andy Wichers
<b>Quorum</b>	Six (6)
<b>Frequency</b>	Six weekly

## Role:

The Council is responsible for:

- Ensuring the effective and efficient governance and leadership of the District.
- Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Power to Act:

To exercise all non-delegable functions and powers of the Council including, but not limited to:

- The power to make a rate;
- The power to make a bylaw;
- The power to borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan;
- The power to adopt a Long Term Plan, a Long Term Plan Amendment, Annual Plan or Annual Report and to receive any related audit report;
- The power to appoint a chief executive;
- The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement;

- The power to adopt a remuneration and employment policy;
- The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991;
- The power to approve or amend the Council's Standing Orders;
- The power to approve or amend the Code of Conduct for Elected Members;
- The power to appoint and discharge members of committees;
- The power to establish a joint committee with another local authority or other public body;
- The power to make a final decision on a recommendation from the Parliamentary Ombudsman where it is proposed that Council not accept the recommendation.
- To exercise all functions, powers and duties of the Council that have not been delegated, including the power to compulsorily acquire land under the Public Works Act 1981.
- To make decisions which are required by legislation to be made by resolution of the local authority.
- To authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council, or included in Council's Long Term Plan or Annual Plan.
- To make appointments of members to Council Controlled Organisation Boards of Directors/ Trustees and representatives of Council to external organisations.
- To monitor the performance of and make decisions on any matters relating to Council Controlled Organisations (CCO), including recommendations for modifications to CCO or other entities' accountability documents (i.e. Letter of Expectation, Statement of Intent), including as recommended by the Strategy and Policy Committee.
- To approve joint agreements and contractual arrangements between Western Bay of Plenty District Council and Tauranga City Council and/or any other local authority including the requirement to review the terms of any such agreements or contractual arrangements.
- To approve the triennial agreement.
- To approve the local governance statement required under the Local Government Act 2002.
- To approve a proposal to the Remuneration Authority for the remuneration of Elected Members.
- To approve any changes to the nature and delegations of Committees.

**Procedural matters:**

Approval of elected member training/conference attendance.

**Mayor's Delegation:**

Should there be insufficient time for Council to consider approval of elected member training/conference attendance, the Mayor (or Deputy Mayor in the Mayor's absence) is delegated authority to grant approval and report the decision back to the next scheduled meeting of Council.

**Power to sub-delegate:**

Council may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body, subject to the restrictions on its delegations and any limitation imposed by Council.

Notice is hereby given that a Meeting of Council will be held in the  
Council Chambers, 1484 Cameron Road, Tauranga on:  
Tuesday, 16 May 2023 at 9.30am

## Order Of Business

<b>1</b>	<b>Present</b> .....	<b>6</b>
<b>2</b>	<b>In Attendance</b> .....	<b>6</b>
<b>3</b>	<b>Apologies</b> .....	<b>6</b>
<b>4</b>	<b>Consideration of Late Items</b> .....	<b>6</b>
<b>5</b>	<b>Declarations of Interest</b> .....	<b>6</b>
<b>6</b>	<b>Public Excluded Items</b> .....	<b>6</b>
<b>7</b>	<b>Public Forum</b> .....	<b>6</b>
<b>8</b>	<b>Reports</b> .....	<b>7</b>
	8.1 Recommendation for Adoption of 2023-2024 Dog Control and Health Registration Fees.....	7
<b>9</b>	<b>Information for Receipt</b> .....	<b>12</b>
<b>10</b>	<b>Resolution to Exclude the Public</b> .....	<b>12</b>
	Nil	

- 1 PRESENT**
- 2 IN ATTENDANCE**
- 3 APOLOGIES**
- 4 CONSIDERATION OF LATE ITEMS**
- 5 DECLARATIONS OF INTEREST**
- 6 PUBLIC EXCLUDED ITEMS**
- 7 PUBLIC FORUM**

## 8 REPORTS

### 8.1 RECOMMENDATION FOR ADOPTION OF 2023-2024 DOG CONTROL AND HEALTH REGISTRATION FEES

**File Number:** A5290880

**Author:** Alison Curtis, General Manager Regulatory Services

**Authoriser:** John Holyoake, Chief Executive Officer

#### EXECUTIVE SUMMARY

1. The purpose of this report is to recommend to Council the adoption of the 2023-2024 Dog Control and Health Registration Fees and Charges as included in the 2023-2024 draft Schedule of Fees and Charges.
2. The draft Schedule of Fees and Charges 2023-2024 was released for consultation alongside the Annual Plan (**Attachment 1**).

#### RECOMMENDATION

1. That the General Manager Regulatory Services' report dated 16 May 2023 titled 'Recommendation for Adoption of 2023-2024 Dog Control and Health Registration Fees' be received.
2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
3. That Council adopts the 2023-2024 Dog Control and Health Registration Fees as included in the 2023-2024 draft Schedule of Fees and Charges.
4. That the dog control fees be publicly notified in accordance with the Dog Control Act 1996.

#### BACKGROUND

3. In accordance with the Dog Control Act 1996, Council is required to adopt dog control fees for the coming registration year. The adopted fees and charges for dog control must be publicly notified at least once during the month preceding the start of the registration year, being 1 July 2023.
4. In accordance with the Health (Registration of Premises) Regulations 1966, Health registration fees are required to be paid annually, and Council requires these to be paid by 30 June. These fees are not required to be publicly notified.
5. Dog and health registration invoices are required to be sent prior to their expiry date.

6. Proposed dog control and health registration fees were included in the 2023–2024 draft Schedule of Fees and charges which was released for consultation alongside the Annual Plan. During the consultation period, Council received no submissions relating to dog control and health fees and charges.
7. Legislation requires registration to be undertaken by dog owners and health premises in accordance with statutory timeframes. These timeframes require Council to provide registration information prior to the end of the financial year, being 30 June annually, with the opportunity for registration to be paid in a timely manner, prior to 30 June registration expiry. Due to these timeframes Council is required to adopt these fees in advance of adopting the Annual Plan.

**SIGNIFICANCE AND ENGAGEMENT**

8. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council’s Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
9. The Policy requires Council and its communities to identify the degree of significance attached to issues, proposals, assets, decisions, and activities.
10. In terms of the Significance and Engagement Policy this decision is of low significance because it is not expected to have any major financial or social implications for the community

**ENGAGEMENT, CONSULTATION AND COMMUNICATION**

<b>Interested/Affected Parties</b>	<b>Completed/Planned Engagement/Consultation/Communication</b>		
Ratepayers, Dog owners, health premises operators and other stakeholders	Consultation to be completed as part of the 2023-2024 Annual Plan consultation process.	Planned	Completed
Tangata Whenua	As above		



General Public	As above		
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### ISSUES AND OPTIONS ASSESSMENT

<b>That the Council adopts the 2023–2024 Dog Control and Health Registration Fees as included in the 2023–2024 draft schedule of Fees and Charges. That the dog registration fees be publicly notified in accordance with the Dog Control Act 1996</b>	
<b>Reasons why no options are available: Section 79 (2) (c) and (3) Local Government Act 2002</b>	<b>Legislative or other reference</b>
Council is required to set Dog Control Fees and Charges in advance of the registration expiry period. Dog fees and charges must be publicly notified at least once in the month immediately preceding the registration period on an annual basis.	S37, Dog Control Act 1996
Council is required to set Health Registration Fees and Charges in advance of the Council registration expiry period, being 30 June annually.	S4, Health (Registration of Premises) Regulations 1966

### STATUTORY COMPLIANCE

11. The resolutions contained within this report meet all relevant statutory requirements.

### FUNDING/BUDGET IMPLICATIONS

Budget Funding Information	Relevant Detail
Nil	Funding information for Dog Control and Health Registration Fees has been considered as part of the overall 2023–2024 Annual Plan process.

### ATTACHMENTS

1. **Recommendation for Adoption of 2023–24 Dog Control & Health Registration Fees**



## Registration fees 2023/24

	Registration fee (if paid on or before 1 August)	Registration fee Dangerous dog (if paid on or before 1 August)	Penalty fee (if paid after 1 August)	Penalty fee Dangerous dog (if paid after 1 August)
	2024	2024	2024	2024
All dogs unless otherwise categorised	100.00	150.00	150.00	225.00
Stock working dog (kept solely or principally for the purpose of herding or driving stock)	60.00	90.00	90.00	135.00
Spayed or neutered dog	80.00	120.00	120.00	180.00
Any dog(s) kept by: New Zealand Police Customs Department Ministry of Defence Ministry of Agriculture Ministry of Fisheries Department of Conservation (for carrying out the function of the Police or Department of State)	-	-	-	-
Security dog (kept by a security guard as defined in the Private Investigators and Security Guards Act 1974 – as a bona fide security dog)	-	-	-	-
Search and Rescue dog	-	-	-	-
Disability assist dog <sup>2</sup>	-	-	-	-
Dogs domiciled on Matakana Island	50.00	75.00	75.00	112.00
Re-registration fee for each additional dog exceeding after five <sup>1</sup>	25.00	-	25.00	-

\*See notes

**Notes:**

- (1) Dog owners who have more than 5 dogs may be entitled to discounted dog registration fees for the sixth and subsequent registration, on the following basis:
- All dogs must be registered by 30 June to qualify.
  - All dogs must be microchipped.
  - All dogs must permanently reside at the registered owners address. Registration discount does not apply to dogs that may reside at a separate address when not being used for breeding purposes (e.g. under an agreement or contract).
  - No verified complaints have been received by Council in the previous registrations year for welfare or nuisance complaints (e.g. barking, roaming). Please note: No refund for deceased dogs will be paid to owners of more than five dogs where dogs were registered at a discounted rate.
  - New registrations during the year will be at normal registration fees (prorated) the discounted fee only applies at re-registration.
- (2) Disability assist dog has the same meaning as specified in the Dog Control Act 1996. The dog must be certified as a disability dog.

<b>**Non Food Premises (Health) Registration</b>	
Hairdressers	*330.00
Mortuaries	*330.00
Camping grounds	*410.00
Change of ownership	*110.00
Issue of Notice to Rectify/Non Compliance	*390.00
Property Inspections and reporting (Health Act 1956)	*195.00
*Additional inspections and processing Per hour	195.00

**\*\*Note:**

Late penalty fee of 10% applies to all licence registration fees unpaid after 60 days from date of invoice.

**9 INFORMATION FOR RECEIPT**

**10 RESOLUTION TO EXCLUDE THE PUBLIC**

Nil