



# AGENDA

## Extraordinary Council meeting Tuesday, 6 June 2023

I hereby give notice that an Extraordinary meeting of Council will be held on:

**Date:** Tuesday, 6 June 2023

**Time:** to start at the conclusion of the Strategy, Finance & Risk Committee (but not earlier than 3.30pm)

**Location:** Ground Floor Meeting Room 1  
306 Cameron Road  
Tauranga

*Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: [www.tauranga.govt.nz](http://www.tauranga.govt.nz).*

**Marty Grenfell**  
Chief Executive



# Terms of reference – Council

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## Membership

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<b>Chairperson</b>	Commission Chair Anne Tolley
<b>Members</b>	Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
<b>Quorum</b>	<u>Half</u> of the members physically present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members physically present, where the number of members (including vacancies) is <u>odd</u> .
<b>Meeting frequency</b>	As required

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## Role

- To ensure the effective and efficient governance of the City
- To enable leadership of the City including advocacy and facilitation on behalf of the community.

## Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
  - Power to make a rate.
  - Power to make a bylaw.
  - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
  - Power to adopt a long-term plan, annual plan, or annual report
  - Power to appoint a chief executive.
  - 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.
  - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
  - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the CCO Boards of Directors/Trustees and representatives of Council to external organisations.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.

## **Procedural matters**

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

## **Regulatory matters**

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

## **Order of Business**

<b>1</b>	<b>Apologies .....</b>	<b>7</b>
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<b>3</b>	<b>Confidential Business to be Transferred into the Open.....</b>	<b>7</b>
<b>4</b>	<b>Change to the Order of Business .....</b>	<b>7</b>
<b>5</b>	<b>Declaration of Conflicts of Interest.....</b>	<b>7</b>
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	6.1 Dog Registration Fees 2023 / 2024 .....	8
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- 1 APOLOGIES**
- 2 ACCEPTANCE OF LATE ITEMS**
- 3 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 4 CHANGE TO THE ORDER OF BUSINESS**
- 5 DECLARATION OF CONFLICTS OF INTEREST**

## 6 BUSINESS

### 6.1 Dog Registration Fees 2023 / 2024

**File Number:** A14745316

**Author:** Brent Lincoln, Team Leader: Animal Services

**Authoriser:** Sarah Omundsen, General Manager: Regulatory and Compliance

#### PURPOSE OF THE REPORT

1. The purpose of this report is to set Dog Registration Fees for the 2023/2024 financial year.

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#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Dog Registration Fees 2023 / 2024".
- (b) Increases the dog registration standard fee by \$3.00 to \$100.00 per dog.
- (c) Sets the penalty for dogs that are not registered by 31 July at 50% of the standard fee

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#### BACKGROUND

1. Dog registration expires on 30 June each year and the Dog Control Act 1996 (the Act) requires that all dogs over the age of 3 months are registered by 30 June otherwise an offence is committed.
2. Failure to register a dog attracts a penalty under the Act. Continued failure to register the dog can result in an infringement of \$300 and / or the impoundment of the dog. The registration must still be paid.
3. Council may impose a penalty registration fee of up to 50% of the standard fee for any dog not registered by 31 July of the registration year.
4. Dog registration fees must be set annually by resolution of Council. All revenue collected on behalf of the Dog Control Act can only be expended for purposes authorised by or under this Act.
5. The dog registration fees for the 2022/23 year are \$97.00 and the penalty for not registering by the 31 July is set at an additional 50% (a total of \$145.00). Dog registration fees were increased in the previous financial year but had not been increased the year before in consideration of the impact of COVID19.
6. By way of comparison the standard dog registration is \$83.00 in Whakatane (2022/23 financial year), \$100.00 in WBOP (2023/24) and \$110.00 in Rotorua (2023/24).
7. Note: All dollar amounts in this report are GST Inclusive.

#### DOG CONTROL ACT 1996

8. The Dog Control Act 1996 sets out the categories that Council can consider when setting Dog Control Fees. They are as follows:
  - (a) *Fix fees for neutered dogs that are lower than the fees for dogs that have been neutered*



- (b) *Fix fees for working dogs that are lower than the fees for any other dog, and may limit the number of working dogs owned by any person which qualify for lower fees under this section*
  - (c) *Fix different fees for the various classes of working dogs*
  - (d) *Fix fees for dogs under a specified age (not exceeding 12 months) that are lower than the fee that would otherwise be payable for those dogs*
  - (e) *Fix for any dog that is registered by any person who demonstrates to the satisfaction of any Dog Control Officer that that person has a specified level of competency in terms of responsible dog ownership, a fee that is lower than the fee that would otherwise be payable for that dog*
  - (f) *Fix by way of penalty, subject to subsection (3) [shall not exceed 50%] an additional fee, for the registration on structure or after the first day of the second month of the registration year or such later day as the authority may fix, of any dog that was required to be registered on the first day of that registration year.*
9. Tauranga City Council has maintained a simple flat fee for many years, and this has been maintained based on the principle that all dog owners are required to comply with the Dog Control Act and associated Bylaws. It is considered fairer to consider all owners as good owners and apply penalty provisions under the Act for those that fail to register or control their dog.
10. It is not recommended that we change this approach.
11. In relation to (b) and (c) above, the only working dogs registered with TCC are qualified disability assist dogs and service dogs (i.e. Police). TCC does not charge registration for these dogs.
12. It is not recommended that we change this approach.

#### **SETTING DOG REGISTRATION FEES FOR 2023/24**

13. It is recommended that the dog registration standard fee is increased by \$3.00 to \$100.00 per dog. It is also recommended that the penalty for dogs that are not registered by 31 July continue to be set at 50% of the standard fee.
14. The reasons for the recommended increase in the standard fee are set out below.
15. To meet Council's Revenue and Financing Policy, the Animal Services Team are required to earn, from fees and charges, 70-100% of the total cost of delivering the services. The total Operating Expenditure for 2023/24 is \$2,365,874, as outlined in the Annual Plan. There are a range of fees and charges for the Animal Services activity, including stock control, infringements, and impounding fees but most of the revenue is collected from dog registration fees.
16. As dog registration fees income can only be used for dog related matters, the costs associated with non-dog activity (\$170,051) must be deducted from the total operating expenditure when calculating the dog registration fee, leaving total dog related expenses of \$2,195,824.
17. The non-dog activity is largely rate funded as there is little capacity to generate income from this sector. Non-dog activity includes general stock control such as pigs, goats sheep and also encompasses complaints relating to poultry, bees and cats.
18. Based on the presumption that 70% of the 'total cost of delivering the services' is required to be earned by the Animal Services team (as above), this means that the earnings need to be \$1,537,077 (i.e. 70% of \$2,195,824).
19. It is estimated that \$155,250 will be collected from the other dog related fees such as impounds and infringements, leaving \$1,381,827 to be collected from dog registrations.

20. We project that we will have 16359 known dogs on the dog register by 30 June 2024. Of these:
- (a) 8 % won't pay dog registration because they are either fee exempt dogs, registered dogs that have transferred to Tauranga or dogs that are in breach of the Act i.e. not registered. Owners of unregistered dogs, where appropriate will either receive a \$300 infringement or the dog may be impounded.
  - (b) Of the remaining 15051 dogs:
    - (i) 5% will pay a reduced registration fee because the dog turned 3 months of age during the registration year, was imported into NZ or adopted and registered by the SPCA.
    - (ii) 85% will pay the standard registration fee.
    - (iii) 10% will pay the late penalty fee.
  - (c) The recommendation is to increase the standard registration fees by \$3.00 per dog to a total of \$100.00, therefore the penalty for those registering after 31 July would be \$150.00.
  - (d) This equates to a total revenue from dog registration of \$1,407,236, covering the cost of delivering the service as required.

## ATTACHMENTS

Nil

**7 DISCUSSION OF LATE ITEMS**