

**NOTICE IS HEREBY GIVEN THAT THE MONTHLY MEETING OF THE REGULATORY AND PLANNING COMMITTEE, WILL BE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE, ON TUESDAY 9 MAY 2006 AT THE CONCLUSION OF THE OPERATIONS COMMITTEE MEETING**

**Steve Parry  
CHIEF EXECUTIVE**

**3 May 2006**

## ***A G E N D A***

1. Microchipping of Dogs (Pages 1-3)
2. Proposed Fees and Charges for Resource Management (Pages 4-6)
3. National Dog Database Annual Levy (Pages 7-8)

# REGULATORY AND PLANNING COMMITTEE AGENDA

MAY 2006

## 1. MICROCHIPPING OF DOGS

(Memo from General Manager, Community Services – 01.05.06)

As the Council is aware, the amendments to the Dog Control Act 1996 pertaining to microchipping will enter into effect from 1 July 2006. Notwithstanding the perceived ineffectiveness of some parts of this statute – particularly insofar as rural working dogs are concerned – the Council has an obligation to comply with the law.

The Dog Control Amendment Act 2004 requires the following dogs to be microchipped:

- New puppies, namely those born on, shortly before, or after 1 July 2006
- A dog that has never been registered in New Zealand
- A dog classified as dangerous or menacing on or after 1 December 2003
- Unregistered dogs that are impounded and subsequently released
- Registered dogs that are impounded twice after 1 July 2006, and subsequently released

Newly registered dogs must be microchipped within two months from the date of registration; while dogs that have been declared dangerous or menacing must be microchipped within two months of being classified.

Menacing or dangerous dogs that were classified as such between 1 December 2003 and 30 June 2006 must be microchipped by 1 September 2006.

Micro-chipping is considered to be a non-surgical procedure and thus may be performed by any person with the requisite training. However, the Dog Control Amendment Act 2004 stipulates that only Council staff and registered veterinary surgeons may verify that a dog has been implanted with a functioning microchip.

While Councils are not obliged to provide microchipping services, they have a statutory duty to enforce the microchipping provisions

of the Dog Control Amendment Act 2004. While media reports have referred to selective enforcement of the microchipping law by some Councils - most notably Clutha District Council - the Council should be mindful of the risks of not enforcing the law. One risk not to be dismissed is the possibility of central government enforcement of the law, with the costs of doing so being charged to the Council.

Following discussions between the Council staff, the Animal Control Contractor and the local vet, it has been decided that the charge for a 'standard' microchipping procedure will be \$32 (exclusive of GST) or \$36 with GST. This fee will be charged by the Council's Animal Control Contractor for microchipping dogs released from the Council's pound. In the event a dog released from the pound cannot be safely handled by the Animal Control Contractor for the purpose of inserting a microchip, the dog will be referred to the vet. Non-standard procedures will attract an increased fee, depending on the nature of the procedure, and dog-owners will be charged the full cost.

### **Preparations undertaken to date**

Council staff and the Dog Control Contractor attended a training day, which included a session on microchipping requirements in Dunedin on 4 April.

Council staff and the Contractor have been working on the practical aspects of implementing the microchipping law and will continue to work on this

Council staff have contacted their counterparts in Southland District Council and Invercargill City Council to ensure that the proposed system for administering and enforcing microchipping, is not significantly different from that being considered by other Southland Councils. The only notable difference between the approach proposed here and the approaches being considered by Invercargill City Council and the Southland District Council, is that the Gore District Council's Animal Control Contractor will perform microchipping of dogs released from the pound.

### **Proposed Enforcement Procedures**

It is proposed that the Gore District Council will give effect to the law on microchipping by undertaking the following:

- To provide appropriate training to the Dog Control Contractor and her staff, to allow them to safely microchip unregistered dogs that are released from the pound; as well as safely microchip registered dogs that are impounded twice after 1 July 2006, prior to their release. The cost of microchipping dogs that are claimed from the pound will be charged to the person(s) claiming them.
- To provide the local veterinary surgeon with the Council's Microchipping Certificates (this will be confirmed following negotiations with the veterinarian, scheduled for 2 May 2006)
- To verify microchipping of dogs, and maintain a record of Microchipping Certificates for all dogs implanted with a microchip

In terms of enforcement, it is proposed that the Council adopts a similar approach to microchipping as the Council takes with regard to dog registration. This means that the onus will be placed on dog owners to ensure their dog is microchipped if it meets the criteria set out above. The Council's Dog Control Contractor will follow up suspected cases of non-compliance with the law, as and when these become known.

It is also proposed that the Council actively follows up on the microchipping of newly registered dogs, as well as dogs classified as menacing or dangerous after 1 December 2003.

## **RECOMMENDATION**

**THAT the report be received,**

**THAT the Council approve the proposed procedures for the implementation and enforcement of the provisions of the Dog Control Amendment Act 2004, as they relate to microchipping of dogs,**

**THAT the Council approve the proposed fee of \$36 (GST inclusive) each, for standard microchipping of dogs released from the pound; while non-standard microchipping procedures will be charged at cost,**

**AND THAT the new charges for microchipping be included in the Schedule of Fees and Charges for the next financial year commencing on 1 July 2006.**

## 2. PROPOSED FEES AND CHARGES FOR RESOURCE MANAGEMENT

(Memo from the General Manager, Community Services – 01.05.06)

As the Council is aware, the fees and charges for the Council's resource management functions are being adjusted in order to generate additional revenue, to better reflect the actual costs of providing these services, and the fees levied for similar services by other local councils.

A new charge for additional monitoring and/or investigation of proven nuisances arising from consented activities has also been included to recover the costs to Council of additional monitoring and investigation activities.

The proposed fees and charges for resource management services for the new financial year, commencing 1 July 2006, is listed below. The figures to the left in brackets, are the current charge for the said services.

### **Sub-division consents**

All non-notified subdivisions	(300) Dep. 450.00
All limited notification subdivisions	(500) Dep. 750.00
All full notification subdivisions	(750) Dep. 1,500.00
Applications to amend conditions	(150) Dep. 300.00
Objections to non-notified consent decisions	No charge
Sealing of Plans/Certification	Dep. 80.00
Rights-of-Way (Section 348)	Dep. 150.00

### **Land Use Consents**

Minor consents, incl buildings near to boundary	Fixed 150.00
Other non-notified consents	Dep. 450.00
Limited notification consents	Dep. 750.00
Full notification consents	Dep. 1500.00
Application to amend conditions	Dep. 300.00
Application to extend time to give effect to conditions to consents	Dep. 300.00
Objections by applicants to non-notified consent decisions	No charge
Extensions of time to land use consents	Dep. 450.00
Monitoring of conditions	Cost if action reqd
Certificates of compliance	Dep. 450.00
Preparing, modifying or releasing bonds	Cost

### **Plan Changes**

Minor effect	Dep. 1,200.00
Other requests for plan change	Dep. 2,000.00

~~Notification/processing other private plan change~~

**Requirements, Heritage Orders**

New requirements/heritage orders	Dep. 1,500.00
Minor modifications	Dep. 300.00
Notified modifications	Dep. 1,500.00
Uplifting designations/orders	No charge

**Other Legislation**

Planning certificates for sale of liquor	Fixed 80.00
Overseas investment commission certificates	Fixed 80.00
Supply of information/documents relating to plans and resource consents	25.00
Certificate of survey plan	75.00
Amalgamation certificate OR completion certificate	50.00

**Charge Rates and Disbursements for Land Use and Subdivision Activities**

*(Processing of notified consents and any additional charges applying to any other planning application referred to above will be charged at the following rates. Costs included GST).*

**Processing Costs (per hour)**

Planner	(90) 150.00
Administrative staff	(44) 70.00
Senior technical staff	(90) 150.00
Other technical staff	(65) 120.00

**Disbursements**

Postage	Cost
Photocopying	Cost
Public notices	Cost
Site signs	Cost
Site inspections	Cost
Vehicle usage	Cost
Legal/other advice	Cost
Special reports	Cost

**Hearing Costs**

Commissioner hearings	Cost
Elected members hearings	Cost
Staff/adviser attendance (maximum of one person charged)	Cost
Pre-hearing meetings (maximum of one person charged)	Cost

**Overseas Investment Act Certificates** 150.00

**Additional Monitoring Charges [NEW CHARGE]**

Additional monitoring of consented activities, including the cost of investigation and mitigation required as a

result of proven nuisances arising from consented activities 80.00 to 320.00

**Cost Recovery Charges [NEW CHARGE]**

For investigation and mitigation, including clean-up costs, of nuisances arising from non-consented activities Cost

For investigation and mitigation, including clean-up costs of unauthorised activities Cost

**RECOMMENDATION**

**THAT the proposed fees and charges for resource management be approved and be included in the Fees and Charges Schedule for the financial year beginning 1 July 2006.**

### 3. NATIONAL DOG DATABASE ANNUAL LEVY

(Memo from General Manager, Community Services – 01.05.06)

As the Council may be aware, the Department of Internal Affairs has been developing a National Dog Database (the Database) over the last two years. The project is close to completion with the Database going 'live' on 1 May 2006, and to be fully operational on 1 July 2006.

Thus far the \$1 million cost of developing the Database has been met by the central government. However, the Dog Control Act stipulates that local authorities will have to contribute to the operational and maintenance costs of the database.

Central Government envisages that it will recover the above operations and maintenance costs through annual levies payable by all local authorities. The annual levies are to be charged, based on the estimated operational and maintenance costs of the Database in any given year.

The formula used by the Department of Internal Affairs to apportion the costs to each local authority is a combination of:

- A flat fee portion (10%) to be paid by all Councils, with the exception of the Chatham Islands;
- 45% of the cost to be apportioned to each Council, based on its number of registered dogs as a proportion of the total number of registered dogs in New Zealand
- 45% of the cost to be apportioned to each Council, based on the human population of the district/city as a proportion of the total New Zealand population

The Dog Control Act also provides that any under or over payment in any one year will be corrected in subsequent years.

The Council has recently been informed by the Department of Internal Affairs that the estimated operational and maintenance costs for the 2006/2007 financial year is \$1.1 million, and that the annual levy to be paid by the Council is \$4,672. It is pertinent to note that this levy was not known to Council staff at the time that budget estimates for the Long Term Council Community Plan were being reviewed last year.

As it has been the practice for the Council to recover the cost of dog control expenditures, directly from dog-owners, it is proposed that the Council include an additional charge in the schedule of fees and charges for the 2006/07 financial year, for the National Dog Database annual levy.

The proposed additional charge is a flat fee of \$1.50 payable by each dog owner, regardless of the number of dogs kept. The levy could be paid together with the usual dog registration fee each year. As there are currently 3,222 dog owners registered with the Council, the flat fee would be more than ample to cover the estimated cost of the annual National Dog Database levy. It is envisaged that the annual Dog Database levy will be reviewed on an annual basis and adjustments made where necessary.

### **RECOMMENDATION**

**THAT the report be received,**

**THAT the Council approve the inclusion of an additional charge (flat fee) of \$1.50 to be paid by each dog owner (regardless of the number of dogs kept), towards recovering the costs of the annual National Dog Database levy,**

**AND THAT the schedule of fees and charges for the financial year beginning 1 July 2006, be amended accordingly.**