

**I give notice that  
an Ordinary Meeting of Council will be held on:**

<b>Date:</b>	<b>Thursday, 23 May 2024</b>
<b>Time:</b>	<b>10.00am</b>
<b>Location:</b>	<b>Council Chamber 107 Te Heuheu Street Taupō</b>

# **AGENDA**

## **MEMBERSHIP**

**Chairperson** Mayor David Trewavas  
**Deputy Chairperson** Cr Kevin Taylor

**Members**

- Cr Duncan Campbell
- Cr Karam Fletcher
- Cr Sandra Greenslade
- Cr Kylie Leonard
- Cr Danny Loughlin
- Cr Anna Park
- Cr Christine Rankin
- Cr Rachel Shepherd
- Cr Kirsty Trueman
- Cr Yvonne Westerman
- Cr John Williamson

**Quorum** 7

**Julie Gardyne  
Chief Executive**

## Order Of Business

- 1 Karakia
- 2 Whakapāha | Apologies
- 3 Ngā Whakapānga Tukituki | Conflicts of Interest
- 4 Whakamanatanga O Ngā Meneti | Confirmation of Minutes  
Nil
- 5 Ngā Kaupapa Here Me Ngā Whakataunga | Policy and Decision Making
  - 5.1 Hearings, Deliberations, and Adoption of Animal Control, Dog Registration and Food Licensing Fees .....3
- 6 Ngā Kōrero Tūmataiti | Confidential Business  
Nil

<b>5.1 HEARINGS, DELIBERATIONS, AND ADOPTION OF ANIMAL CONTROL, DOG REGISTRATION AND FOOD LICENSING FEES</b>
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**Authorised by:** Nick Carroll, Policy Manager

### TE PŪTAKE | PURPOSE

To outline the responses from the community regarding the fees consulted on and facilitate the hearing and deliberation of those submissions. This paper outlines issues raised by the community and provides a recommendation to Council for adoption of a final set of fees for Animal Control, Dog Registration, and Food Licensing.

### WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

There was significant feedback provided by the community particularly regarding animal control and dog registration fees and charges. A common trend from submitters was that the current fee settings for animal control and dog registration did not incentivise positive behaviour enough and penalised those doing the right thing more than those who were in the wrong.

Officers recommend shifting the increases for fines and penalties where possible and increasing the discounts for positive ownership practices like de-sexing.

Food licensing did not garner the same level of feedback however submitters were mostly supportive of the increases but also noted that the increases or amounts should be lower or small or not well-established businesses.

Officers recommend that a differential pricing system be explored before the next fees are set for 2025/26 financial year.

### NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That Council:

1. Hears and deliberates on the submissions received regarding the three matters of:
  - Dog Registration/Control Fees
  - Animal Control Fees
  - Food Licensing Fees
2. Adopts the attached fees and charges for the three matters of: Animal Control, Dog Registration/Control, and Food Licensing, subject to any changes to be made via the hearing and deliberations process.

### TE WHAKAMAHUKI | BACKGROUND

The proposal has been before Council at a prior meeting 26 March, item number 5.2, where Council resolved to adopt fees and charges for consultation and resolved to address the inconsistency with the existing Revenue and Financing Policy through the Long-term Plan process.

### NGĀ KŌRERORERO | DISCUSSION

After the 26 March meeting consultation opened and ran until 3 May, 139 people or groups submitted. 130 gave responses to consultation on Animal Control and Dog Registration fees and 57 provided responses to the proposed Food Licensing Fees.

#### Animal Control and Dog Registration

*The key themes that came through for submissions on Animal Control and Dog Registration were:*

- Support fee increases/ fee increases are appropriate/ fee should increase to not put more pressure on rates.
- System should be user pays.
- Increases should be higher on fines.

- Discounts for positive owner practices like desexing should be higher.
- Fee increases penalise good owners not bad owners.
- Don't use Council services/ My dog doesn't need services.
- Cost of living is already too high.
- What do we get for our fees/ Council doesn't provide anything for my fees.
- Council already takes enough money from rates.
- Service should be cut back to reduce costs/ Council costs should be justified/ Council services are inefficient/ Council is over staffed.
- Rural (non-working) Dogs should get a discount because they don't use services.
- There should be discounts for those on pensions or benefits.
- There are massive problems with stray dogs. (Particularly in Tūrangi).
- The dog poo bags are always empty.
- Have a fixed income and cannot afford to pay with more increases on everything.
- Increasing fees will increase number of unwanted animals or non-registered animals.
- Council should provide a fenced dog park.

22% of submitters agreed with the proposed increases for Animal Control and Dog Registration while 78% disagreed with the proposed increases.

Based on this feedback from the community Officers are recommending a more substantial increase in penalty fees for both dogs and other animals where possible and an increase in the discounts for positive dog ownership practices such as de-sexing or getting a responsible owner classification. The attached fees and charges schedule reflects these changes. This approach helps address the need for financial balance between rates and user charges while also incentivising positive practices and penalising problem behaviours.

Officers also recommend that the viability of discounts to dog registration for those on fixed incomes be explored for the next registration year as this was a point raised by several people in the community. Officers do not recommend putting in discounts for fixed incomes this year as the financial impact of providing a further discount is not known and would need to be modelled.

While elected members may wish to make further changes, they need to also be aware of the Revenue and Financing Policy which sets out what share of the activity is funded from rates or funded from fees and charges. Both the attached fees and the initially proposed fees do not get the animal control activity back in line with the 2021 Revenue and Financing Policy bands. This was outlined in the section 80 considerations section of the 26 March Council report.

The conclusions of those section 80 considerations still stand. However, on balance to bring the fees and charges for this activity back into line with the Revenue and Financing Policy immediately would require a significant jump which is likely unaffordable for many in the community given the current economic conditions. Given the risk of non-compliance and the associated challenges related with non-compliance officers do not recommend increases beyond those in the attached schedule.

To ensure the section 80 inconsistency is resolved, Council approved for consultation, subject to Audit New Zealand review, a draft Revenue and Financing Policy that shifts the bands for this activity by placing an additional 0-10% of the cost onto the general rate.

### **Food Licensing**

*The primary themes that came through for submission on Food Licensing fees were:*

- Food fees punish small business/they hurt local business/ they pay enough already.

- Agree with the increases but only for well established businesses.
- Food compliance should be better.
- TDC should not put these fees up and should charge more on other businesses or events like hotels and motels or Ironman.
- Cafes benefit from visitors and events. Rate payers cover most of the costs of this.

52% of submitters supported increases while 48% of submitters did not. Officers accept there was some concern in the community on how the cost increases would impact local businesses. The proposed fee increases are on the whole reflective of the cost of Food Safety Officers' time and if that time is not billed back to the business, then it must be paid for through rates.

Officers propose that before the next setting of fees and charges for Food Licensing for the 2025/26 year they explore options for a differential pricing system. The intent of a differential pricing system would be to try and ensure the charges are proportionate to the level of assessment where possible and/or to provide discounted rates for businesses that are new so that they can have time to establish themselves. Officers need time to look at other examples and test options to ensure any changes to the fee structure are robust and justified.

Attached to this report is the full bundle of submissions and the summary of submissions with Officers responses.

Based on this information it is considered that there are 2 options.

## **NGĀ KŌWHIRINGA | OPTIONS**

### Analysis of Options

Option 1: Council adopts the attached fees and charges for the three matters of Animal Control, Dog Registration and Food Licensing.

Officers have adjusted the fees and charges for Animal Control and Dog Registration based on community feedback. Officers believe that these adjusted charges balance the need to recover cost from fees, incentivise positive ownership practices and ensure those in the wrong pay accordingly.

Officers have not adjusted the costs for Food Licensing fees as these reflect the true cost of Food Licensing Officers' time.

Option 2: Council adopts the attached fees and charges for the three matters subject to making further changes as a result of hearing and deliberations.

Elected members may wish to further revise the fees and charges because of hearings and deliberations. Any change to the charges will obviously impact the fees and charges but also impact the Revenue and Financing Policy bands.

### Analysis Conclusion:

Option 1 is the preferred option as officers believe it strikes a balance between rates and fees and charges while incentivising good practice for both food industry businesses and animal owners.

## **NGĀ HĪRAUNGA | CONSIDERATIONS**

### **Ngā Aronga Ture | Legal Considerations**

#### Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of [Section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social, economic and environmental wellbeing are of relevance to this particular matter.

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal has been reviewed.

- Dog Control Act 1996
- Food Act 2014
- Impounding Act 1955

The proposed fees are in accordance with the three Acts.

### **Ngā Hīraunga Kaupapa Here | Policy Implications**

The proposed animal control and dog registration fees are inconsistent with the 2021 Revenue and Financing Policy as identified in the 26 March Council report. Those section 80 considerations still apply. However, Council approved for consultation subject to Audit New Zealand Review a draft Revenue and Financing Policy that shifts the bands for this activity by placing an additional 0-10% of the cost onto the general rate. The proposed fees are consistent with the draft 2024 Revenue and Financing Policy. If this policy is adopted through the Long-term Plan process, then the inconsistency is resolved.

### **Te Kōrero tahi ki te Māori | Māori Engagement**

Taupō District Council is committed to meeting its statutory Tiriti O Waitangi obligations and acknowledges partnership as the basis of Te Tiriti. Council has a responsibility to act reasonably and in good faith to reflect the partnership relationship, and to give effect to the principles of Te Tiriti. These principles include, but are not limited to the protection of Māori rights, enabling Māori participation in Council processes and having rangatiratanga over tāonga.

Our statutory obligations outline our duties to engage with Māori, and enable participation in Council processes. Alongside this, we recognise the need to work side by side with the ahi kaa / resident iwi of our district. Engagement may not always be required by law, however meaningful engagement with Māori allows Council to demonstrate good faith and our commitment to working together as partners across our district.

Parties that are directly impacted by the proposals were contacted through a range of mechanisms including direct email out to dog owners via the registration database including Māori owners.

### **Ngā Tūraru | Risks**

There is some risk that increasing fees will drive non-compliance and that increased impounding fees will lead to more animals not being released and either having to be put up for adoption or destroyed. There are costs for enforcement, adoption, and destruction of animals. However, officers believe that the fees increases are balanced to help minimise this risk.

### **TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL**

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is significant.

### **TE KŌRERO TAHI | ENGAGEMENT**

The decision is significant as it affects a large portion of the community. Council consulted on these fees using the special consultative procedure.

### **TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA**

Officers will publish a public notice of the final adopted fees to inform the community, will directly inform submitters of the resolution and dog owners will be directly notified of the new fees.

### **WHAKAKAPINGA | CONCLUSION**

Officers recommend that Council adopt the revised fees and charges attached to this report, as they balance community feedback with the need to increase revenue collected from fees and charges. This is achieved by incentivising positive ownership practices and increasing the cost of penalty fees in the case of animal control and dog registration and

### **NGĀ TĀPIRIHANGA | ATTACHMENTS**

1. Revised Fees and Charges Animal Control and Food Licensing [⇒](#)
2. Summary of Submissions and Officers Responses: Animal Control, Dog Registration, and Food Licensing. [⇒](#)
3. Submissions Statistics Report: Fees and Charges