



STAFF REPORT

TO: Environment & Planning Committee

FROM: David Lewis, Co-ordinator – Regulatory Services

REFERENCE: B951

SUBJECT: **AMENDMENT TO TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW - CHAPTER 2 – DOG CONTROL - EP07/08/03 - Report prepared for 1 August 2007 Meeting**

1. PURPOSE OF THE REPORT

To provide a summary of the submissions received and a recommended course of action to amend Council's Dog Control Bylaw relating to changes to the requirements for kennel licences.

2. SPECIAL CONSULTATIVE PROCESS

The advertising of the proposed amendment to Council's Dog Control Bylaw attracted a total of 16 submissions, one of which was a combined submission and two from Stoke. These are attached as A1 – A16.

In terms of the consultative procedures required by the Local Government Act 2002, Council has an obligation to give the submitters an opportunity to appear and be heard in support of their submissions. All submitters have been so notified and at this stage, only one has not indicated whether they wish to be heard or not.

3. SUMMARY OF SUBMISSIONS

- 3.1 **T H Sargent** - has no objection the proposed amendment, provided no further amendments are permitted.
- 3.2 **Cathie Harrison** – recommends that the property size should be greater than 3 hectare (rather than 1 hectare) for up to six dogs. Also, she believes that there should be more control on uncontrolled breeding of dogs, even to the extent of requiring all male dogs (apart from certified breeders) to be neutered by first registration (after three months).
- 3.3 **W G Baigent** – recommends that there be no requirement for a kennel licence for over six dogs on properties greater than 3 hectares and that pig hunting dogs get the same exemptions as for working dogs.
- 3.4 **Mark Campbell** – would like to see stricter rules for dog breeders and barking dogs.

- 3.5 **Esma Gribble** – would like to see stricter rules for dog breeders and barking dogs.
- 3.6 **H Bartlett** – would like to see stricter rules for dog breeders and barking dogs.
- 3.7 **W Driedger** – would like to see stricter rules for dog breeders and barking dogs.
- 3.8 **C Anderson** – would like to see stricter rules for dog breeders and barking dogs.
- 3.9 **S Williamson** – would like to see stricter rules for dog breeders and barking dogs.
- 3.10 **J Hardcastle** – would like to see stricter rules for dog breeders and barking dogs.
- 3.11 **W Keown** – would like to see stricter rules for dog breeders and barking dogs.
- 3.12 **L Sutton** – pups registered at eight weeks old and no more than two dogs per property.
- 3.13 **J Sutton** – suggests dog laws be more stringent with no microchipping but other controls on farm dogs and boarding kennels.
- 3.14 **L Hoskins** – pups registered at eight weeks and only two dogs per property.
- 3.15 **C and S Little, P Andrews and A and T Terrell** – re problems with neighbours' dogs that was accepted as a submission.
- 3.16 **Control Services** – this submission requests the introduction of controls on the breeding of dogs in the District.

4. COMMENT

The advertised amendment to the Dog Control Bylaw only related to kennel licences so other matters cannot be considered. However, it was of interest to note that the majority of submissions advocated control on the breeding of dogs and this is recommended as a matter to be pursued when the Bylaw is again amended. Other submissions received relating to microchipping, registration of pups and the control of barking dogs are controlled by National legislation (Dog Control Act 1996) and so are not the subject of Bylaw control.

In relation to kennel licenses, only five submissions addressed the proposed amendments and the views expressed were rather diverse with submissions supporting it or asking for relief further than that contained in the amendment. A minor amendment to that advertised is advocated to ensure that properties of exactly one hectare are included in the kennel licence requirement.

5. COMMITTEE'S DECISION

The Environment and Planning Committee is empowered to consider the submissions presented but then recommends to Council that the amendments to the Dog Control Bylaw be confirmed with or without amendment.

6. RECOMMENDATION

It is hereby recommended that the Environment & Planning Committee recommends that Tasman District Council amend the Consolidated Bylaw Chapter 2 – Dog Control by:

- i) repealing Section 7.1 and substituting a new Section 7.1:**

7.1 No occupier of any property outside of an urban area shall:

- a) for a property up to and including one hectare in area allow or cause to remain or keep three or more dogs over the age of three months (whether or not such dogs are registered) on the property; and**
- b) for a property that is greater than one hectare in area allow or cause to remain or keep six or more dogs over the age of three months (whether or not such dogs are registered) on the property**

unless any such occupier is the holder of a licence from Council for such purpose provided that this prohibition shall not apply to any dog kept solely or principally for the purpose of herding or driving stock or to any approved property that is used for the business of dog boarding kennels.

Note that in the residential zone a resource consent is required if three or more dogs are kept on a property.

- ii) Amending Section 7.3 by replacing the word “premises” with “property”.**
- iii) That the Tasman District Council Consolidated Bylaw Chapter 2 – Dog Control as amended be adopted.**

D R Lewis
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