



Notice is hereby given that a Meeting of the Regulatory and Consents Committee will be held on:

Date: Thursday, 5 September 2019
Time: 9am
Meeting Room: Council Chamber
Venue: 15 Forth Street, Invercargill

Regulatory and Consents Committee Agenda OPEN

MEMBERSHIP

Chairperson Gavin Macpherson
Mayor Gary Tong
Councillors Brian Dillon
Paul Duffy
Darren Frazer
Julie Keast
Neil Paterson

IN ATTENDANCE

Group Manager, Environmental Services Bruce Halligan
Committee Advisor Alyson Hamilton

Contact Telephone: 0800 732 732
Postal Address: PO Box 903, Invercargill 9840
Email: emailsdc@southlanddc.govt.nz
Website: www.southlanddc.govt.nz

Full agendas are available on Council's Website
www.southlanddc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Terms of Reference – Regulatory and Consents Committee

The Regulatory and Consents Committee is responsible for overseeing the statutory functions of the Council under the following legislation (but not limited to the following):

- Resource Management Act 1991
- Health Act 1956
- Food Act 2014
- Dog Control Act 1996
- Sale and Supply of Alcohol Act 2012
- Heritage New Zealand Act Pouhere Taonga Act 2014
- Building Act 2004
- Freedom Camping Act 2011
- Psychoactive Substances Act 2013
- Impounding Act 1955
- Southland Land Drainage Act 1935
- Southland Land Drainage Amendment Act 1938

The Regulatory and Consents Committee is delegated the authority to undertake the following functions in accordance with the Council's approved delegations register:

- (a) Maintain an oversight of the delivery of regulatory services;
- (b) Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding matters it is legally unable to make decisions on as legislated by the Resource Management Act 1991);
- (c) Appoint panels for regulatory hearings;
- (d) Hear appeals on officer's decisions to decline permission for an activity that would breach the Southland District Council Control of Alcohol Bylaw 2015;
- (e) Approve Council's list of hearings commissioners (from whom a commissioner can be selected) at regular intervals and the Chief Executive Officer be authorised to appoint individual Commissioners for a particular hearing;
- (f) Make decisions on applications required under the Southland District Council's Development and Financial Contribution Policy for remissions, postponements, reconsiderations and objections;
- (g) Approve Commissioners and list members under the Sale and Supply of Alcohol Act 2012;
- (h) Exercise the Council's powers, duties and discretions under the Sale of Liquor Act 1989 and the Sale and Supply of Alcohol Act 2012;
- (i) Hear objections to officer decisions under the Dog Control Act 1996.
- (j) Hear objections and decide on matters under the Southland Land Drainage Act 1935 and Southland Land Drainage Amendment Act 1938.

The Regulatory and Consents Committee shall be accountable to Council for the exercising of these powers.

The Regulatory and Consents Committee is responsible for considering and making recommendations to Council regarding:

- (a) Regulatory policies and bylaws for consultation;
 - (b) Regulatory delegations;
 - (c) Regulatory fees and charges (in accordance with the Revenue and Financial Policy)
 - (d) Assisting with the review and monitoring of the District Plan.
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1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of Interest

Committee Members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) the reason why the item was not on the Agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."

6 Confirmation of Minutes

6.1 Meeting minutes of Regulatory and Consents Committee, 11 July 2019



Regulatory and Consents Committee

OPEN MINUTES

Minutes of a meeting of Regulatory and Consents Committee held in the Council Chamber, 15 Forth Street, Invercargill on Thursday, 11 July 2019 at 9am.

PRESENT

Acting Chairperson Mayor Gary Tong
Councillors Brian Dillon
Julie Keast
Neil Paterson

APOLOGIES

Councillor Duffy
Councillor Frazer
Councillor Macpherson

IN ATTENDANCE

Group Manager, Environmental Services	Bruce Halligan
Team Leader, Resource Management	Marcus Roy
Communications Manager	Louise Pagan
Committee Advisor	Alyson Hamilton

Electing of Acting Chairperson

Due to the absence of the Chair the Committee Advisor called for nominations for an Acting Chairperson for the Regulatory and Consents Committee meeting.

Moved Cr Dillon, seconded Cr Keast and **resolved:**

That Mayor Tong Chair this meeting of the Regulatory and Consents Committee.

1 Apologies

There were apologies from Councillors Macpherson, Duffy and Frazer.

Moved Mayor Tong, seconded Cr Dillon and **resolved:**

That the Regulatory and Consents Committee accept the apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

Moved Cr Paterson, seconded Cr Keast **and resolved:**

That the minutes of Regulatory and Consents Committee meeting held on 27 March 2019 be confirmed as a true and correct record of that meeting.

Reports for Recommendation

7.1 Dark Skies - Plan Change

Record No: R/19/6/11355

Resource Management Planner – Margaret Ferguson and Team Leader, Resource Management - Marcus Roy were in attendance for this item.

Mrs Ferguson advised the purpose of the report is to seek approval from the Regulatory and Consents Committee to; endorse the recommendations in the attached Section 32A Report; and recommend public notification of the Council initiated Plan Change Dark Skies.

Resolution

Moved Mayor Tong, seconded Cr Paterson **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the attached Section 32A Report - Resource Management Act 1991 Analysis Report – Proposed Plan Change – Southland District Plan 2018 – ‘Dark Skies’.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Recommends to Council that the proposed Plan Change is publicly notified.**

Reports

8.1 District Plan Monitoring Report 2016-2018

Record No: R/19/4/6104

Team Leader, Resource Management - Marcus Roy was in attendance for this item.

Mr Roy advised the purpose of the report is to present the findings of the latest District Plan Effectiveness Monitoring and proposed recommendations for Committee endorsement.

Resolution

Moved Cr Keast, seconded Cr Paterson **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report titled “District Plan Monitoring Report 2016-2018” dated 27 June 2019.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis**

of costs and benefits or advantages and disadvantages prior to making a decision on this matter.

- d) **Endorses the recommendations contained within the District Plan Effectiveness Report attached and refers recommendations 1, 10, 14, 15 and 16 of that report to the incoming Council for the new triennium for consideration.**
- e) **Recommends to Council that the recommendations contained within the District Plan Effectiveness Report attached are adopted and refers recommendations 1, 10, 14, 15 and 16 of that report to the incoming Council for the new triennium for consideration.**

8.2 National Planning Standards - Implications

Record No: R/19/6/10868

Team Leader, Resource Management - Marcus Roy was in attendance for this item.

Mr Roy advised the purpose of the report is to provide an update to the Committee on the National Planning Standards which included timing of the District Plan review cycle and the introduction of ePlanning.

Resolution

Moved Cr Keast, seconded Cr Dillon **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report titled “National Planning Standards - Implications ” dated 25 June 2019.**

8.3 Presentation by Roving Museum Officer - Rakiura Museum Progress

Record No: R/19/6/11564

Roving Museum Officer – Johannah Massey was in attendance for this item.

Resolution

Moved Mayor Tong, seconded Cr Paterson **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report and associated presentation titled “Presentation by Roving Museum Officer - Rakiura Museum Progress” dated 25 June 2019.**

8.4 Update on Building Solutions matters - June 2019

Record No: R/19/6/11822

Group Manager, Environmental Services – Bruce Halligan and Manager, Building Solutions - Julie Conradi were in attendance for this item.

Mr Halligan advised the purpose of the report is to update the Committee on various matters relevant to the building solutions team and the delivery of Council's statutory functions under the Building Act 2004.

Resolution

Moved Cr Keast, seconded Cr Dillon **and resolved:**

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Update on Building Solutions matters - June 2019" dated 26 June 2019.**

The meeting concluded at 10.16am

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE REGULATORY AND CONSENTS
COMMITTEE HELD ON THURSDAY 11 JULY 2019.

DATE:.....

CHAIRPERSON:.....

Issues and Options Paper: Storage of vehicles on private property and overgrown sections

Record No: R/19/7/13222

Author: Rebecca Blyth, Senior Resource Planner - Policy, Resource Management

Approved by: Bruce Halligan, Group Manager Environmental Services

☒ Decision

☐ Recommendation

☐ Information

Purpose

- 1 This report provides information, as requested by the Regulatory and Consents Committee at its 27 March 2019 meeting, to investigate the powers that the Council holds to address the issue of the storage of vehicles on private land and the issue of overgrown sections, also on private land.
- 2 There are considered to be six options to address these issues:
 - develop a bylaw
 - regulatory enforcement under one or more Acts
 - District Plan and Resource Management Act 1991 (RMA)
 - non-regulatory options
 - status quo
- 3 This report outlines the benefits and costs associated with each identified option.

Executive Summary

- 4 This report has identified options both regulatory and non-regulatory for Council may be able to use to address the issue of storage of vehicles on private land and overgrown vegetation.
- 5 The report shows that stored vehicles on private land is a “land use issue” and is already addressed to some extent through the District Plan and enforcement measures under the RMA. Other mechanisms, such as the development of a bylaw or utilising other legislation to control the activity, are not considered viable options as the powers under these mechanisms do not cover the issue of stored vehicles on private land or overgrown vegetation.
- 6 The report proposes that the RMA and District Plan is the most appropriate legislative mechanism that the Council has to address the storage of vehicles on private land but also recommends this continue to be supported with non-regulatory approaches where considered appropriate. Further work into the form of any required changes to the District Plan is recommended.
- 7 There are limited opportunities to utilise existing regulatory mechanisms to respond to amenity concerns arising from overgrown sections (as opposed to health or fire risks). It is proposed that non-regulatory measures be further investigated in relation to overgrown vegetation on private land within the District.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Issues and Options Paper: Storage of vehicles on private property and overgrown sections” dated 20 August 2019.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Endorses the investigation of Option 3, being amendments to the District Plan, whilst continuing the current regulatory and non-regulatory approach currently being used to address the issues raised regarding the storage of vehicles on private property.**
- e) Endorses the investigation of Option 4 to address the issues raised regarding overgrown sections in the district.**

Background

- 8 From time to time matters regarding the state of individual private properties are raised with Council through various avenues. At the Regulatory and Consents Committee meeting on 27 March 2019, the committee discussed these issues and requested staff prepare an issues and options paper for their consideration in order to determine how best to address these issues.
- 9 The storage, wrecking and sale of parts from vehicles on site has been an issue that Council has been involved with previously. Historically (in the last 10-15 years) there has been one Resource Management Act enforcement order issued in 2007 in respect to a breach of the District Plan 2001 urban zone rule (URB.5(4)) relating to residential storage. This was in Otautau Township and involved the storage of vehicles, aggregate, and various other materials and included the construction of an illegal fence.
- 10 Council acknowledges the associated adverse effects on a neighbouring property from this type of activity occurring 'next door' are significant, to include noise and visual amenity effects. Presently Council is involved in dealing with two issues of car wrecking, one relating to storage of cars and one relating to sale of car parts.
- 11 The management of overgrown sections has been raised as another issue. A review of the council record system indicates that this is not restricted to one specific area of the district with letters having been sent to owners of properties in Wallacetown, Te Anau, Edendale, Nightcaps, Ohai and Riverton.
- 12 Council hasn't actively monitored the storage of vehicles or overgrown sections on private land, but has investigated and responded as necessary, when matters have been brought to its attention.

Issues

Storage of Vehicles

A) Abandoned vehicles versus vehicles on private land

- 14 Abandoned vehicles are generally those which are left on the side of the road (on Council owned land). These can be vehicles that still work but for whatever reason the owner has left them and does not return to claim or move them. This happens frequently in Queenstown where the owner buys a car for the duration of their visit to the area and then 'dumps' it when they leave via the airport.
- 15 Alternatively the vehicles may have stopped working, stranding the driver, or are left outside of residences with no current warrant or licence details. The vehicles can be burnt out, be on blocks (with no wheels) or in such a state as to be un-driveable from the site.
- 16 Complaints about abandoned vehicles on Council managed roads are dealt with by the Roding Department. Notification is provided to the registered owner to remove the vehicle within a particular timeframe. If the vehicle is not removed the Council has powers under the Local Government Act 1974 to impound the vehicle and dispose of it. The cost of removal is passed onto owners where these are known.

B) Storage of vehicles on private land

- 17 This report addresses the issue of the storage of both non-working and working vehicles on private land. In addition storage of vehicles predominantly is referring to those vehicles stored outside and beyond a number deemed to be “reasonable” to be associated with a permitted activity within that zone i.e. residential or rural activity.

Overgrown Sections

- 18 Complaints received by Council in respect to overgrown sections relate primarily to the effect this has on amenity values in the immediate surrounding area and concerns about fire risk. There is little information to suggest that the risk of health hazards or other matters due to overgrown sections is the driver behind these complaints.

Current Approach

- 19 The Council currently writes to owners of overgrown sections asking them to address the vegetation and provides them with local contractor contacts to do so. This approach is non-regulatory and there is no legal ability for Council to enforce the tidy up of a section should the owners refuse to act.
- 20 With regard to storage of vehicles a resource management process is followed where it can be determined that the activity does not meet the requirements of the District Plan. This will involve asking the owner to address the issue via letter and then proceeding to a more formal enforcement process under the Resource Management Act 1991 if no change is achieved.
- 21 Council’s process for enforcement is on a case by case basis and can depend upon the magnitude of the issue and the property owner’s willingness and efforts to address the problem. Council seeks to work with a property owners, but will undertake formal enforcement action in a timely manner if no resolution is reached.

Factors to Consider

Legal and Statutory Requirements

- 22 Any mechanism selected to address the issues and problem outlined above needs to be within the Council’s legal jurisdiction. Any approach adopted outside of that jurisdiction has a risk of legal challenge. Each of the options assessed below include consideration of the scope they provide Council legally to intervene in addressing the identified issues.

Health and Safety

- 23 Appropriate employee health and safety processes and procedures would need to be developed to manage any new risk associated with changes in approach to managing the identified issues.

Community Views

- 24 The numbers of complaints which are received are minor in comparison to other complaints the Council’s receives; however, it is timely to review the current approach and consider what other mechanisms are available in managing the issues raised.

- 25 Council has a role in balancing the rights of private property owners against aspirations of the community. This includes taking into account the overall amenity of an area and public perception with regard to management of the storage of vehicles on private land.

Costs and Funding

- 26 The costs of the existing approach to managing complaints about storage of vehicles on private land and overgrown sections are accommodated within existing budgets and staff resourcing. Any additional focus on these areas would continue to be absorbed into existing budgets and staff resourcing. This would in effect result in a reprioritisation of existing work or projects, which would involve management approval.
- 27 Additional costs would be incurred if a case was escalated to the level of enforcement measures, requiring the issuing of an abatement notice, or preparation of an Enforcement Order with the Environment Court. The cost of pursuing a case through the Environment Court is determined on a case by case basis and could range up to \$50,000 per case.
- 28 Whilst there is the opportunity for Council to be awarded costs by the Court to include legal fees and any costs associated with remediating the site, the decision to take enforcement action is primarily to seek compliance and / or to halt an activity that is detrimental to the environment.

Policy Implications

- 29 There would be changes required to be made to internal Council policy and the District Plan depending on the option chosen by Council. Any changes to the District Plan would require a plan change under the Resource Management Act 1991. This would have additional financial and legal costs associated with it and opportunities for community and public input via submissions and hearings. There is the opportunity for these matters to be incorporated into any future policy reviews for internal council policy and the Omnibus Plan Change process for any potential changes to the District Plan.

Analysis

Options Considered

- 30 Five options are considered:
- Option 1: Develop a Bylaw
 - Option 2: Regulatory Enforcement under one or more Acts
 - Option 3: District Plan 2018 and Resource Management Act 1991 Enforcement
 - Option 4: Non-Regulatory Measures
 - Option 5: Do Nothing (Status Quo)

Option 1 – Develop a Bylaw

Bylaw making powers – Local Government Act 2002

- 31 The Local Government Act (LGA) 2002 provides councils with powers to develop bylaws. Under Section 145 of the LGA 2002 the general powers are as follows:

32 *“A territorial authority may make bylaws for its district for 1 or more of the following purposes:*

- a) Protecting the public from nuisance;*
- b) Protecting, promoting and maintaining public health and safety;*
- c) Minimising the potential for offensive behaviour in public places.”*

33 These general powers enable the Council to protect and minimise such occurrences to the public and by inference, to areas of public places or areas where the public would be.

34 It is noted that private land is not where the public would generally be, and a land owner can trespass a person from their land under the Trespass Act 1980. Therefore Section 146 of the LGA 2002 provides specific bylaw making powers, which include powers over activities which may occur on private and public land (or a mixture of the two). These matters include waste management, trading in public places and cemeteries amongst other things. The LGA 2002 has not provided specific bylaw making powers for the storage of vehicles on private land and/or overgrown sections.

Validity of a bylaw to address amenity issues under the LGA 2002

35 South Taranaki District Council sought a legal opinion in 2018 to determine the validity of making a bylaw to address the storage of non-working vehicles on private land, especially in relation to the impact on amenity. This advice, which they have shared with Council staff, confirms that Council’s relevant bylaw making powers under the Health Act 1956 and the LGA 2002 relate to preventing or abating nuisances and that visual effects from stored vehicles and overgrown sections do not cause a nuisance in the context of both these Acts. In this instance therefore it is considered that Council does not have the jurisdiction to make a bylaw for stored vehicles or overgrown sections if the primary effect is the unsightliness of the vehicles and vegetation.

36 If the stored vehicles and overgrown sections are producing other effects, such as noxious fumes and smells, or were harbouring rodents, that could form a nuisance and the Council could regulate through a bylaw.

Bylaw making power under other Acts

Land Transport Act 1998

37 The bylaw making powers under the Land Transport Act 1998 relate to the roading network which is in the public sphere and under the control of the Road Controlling Authority (the Council) or NZTA. This does not include vehicles on private land.

Fire and Emergency Management New Zealand Act 2017

38 The Fire and Emergency Management New Zealand (FENZ) Act 2017 repealed the Fire Services Act 1975 and the Forest and Rural Fires Act 1977.

39 The FENZ Act 2017 changes the structure by which fire and emergency services are administered and regulated. There are no longer any delegations to Council and all requirements in the FENZ Act 2017 refer to FENZ personnel and other delegated persons.

- 40 Further, s.152B of the LGA 2002 states that if any territorial authority's bylaw is inconsistent with the FENZ Act 2017, the Act prevails and the bylaw has no effect to the extent of the inconsistency. This section also puts an onus on territorial authorities to remove any inconsistencies. Council may do so by resolution publicly notified without consulting or using the special consultative procedure (s.152B).
- 41 Since the passing of the FENZ Act 2017, Council no longer has jurisdiction over the regulation and prevention of fire as per the 2010 Fire Prevention Bylaw. Council may retain a fire prevention bylaw to the extent that it is not inconsistent with the FENZ Act. However, the utility of such a bylaw would be minimal, as it would primarily serve to corroborate the FENZ Act provision regarding, for example, removal of fire hazards, preventing fires and declaring a prohibited or restricted fire season.

What are other Council's doing?

- 43 Several other councils have adopted bylaws under the LGA 2002 to address the storage of vehicles, and/or overgrown sections. Further information from Grey District Council, Auckland City Council, South Taranaki District Council, Invercargill City Council and Gore District Council is contained within Appendix one attached.
- 44 Council has bylaw making powers under the Health Act and the LGA. These powers relate to preventing or abating nuisances. Staff opinion, which is supported by legal advice obtained by South Taranaki District Council, is that the visual effects from stored vehicles and overgrown sections do not cause a nuisance, in the sense as used by both Acts. Accordingly, Council does not have powers to make a bylaw for stored vehicles or overgrown sections if the primary effect is the unsightliness of the vehicles. If the stored vehicles and overgrown sections are producing other effects, such as the noxious fumes, smells, or were harbouring rodents, then that could form a nuisance and the Council could regulate through a bylaw.

Conclusion

- 45 Consideration of amenity effects from stored vehicles and overgrown sections may not meet the test of being related to intervening in the prevention or management of a "nuisance" in the sense contemplated by both the LGA 2002 and the Health Act 1956. Taking this approach is, in staff's opinion, outside Council's jurisdiction and any bylaw is therefore considered to be open to challenge as unenforceable unless any offending falls within the definition of 'nuisance' under the LGA 2002 and the Health Act 1956.
- 46 A bylaw similar to Auckland's may help to control the storage of non-working vehicles and overgrown vegetation in some situations where they are injurious to health and/or harbouring vermin.
- 47 However, the cases that have come to staff attention in Southland relate primarily to amenity value. While these recorded complaints may under represent the extent of the issue or the range of concerns held by the community, based on what the current understanding of the problem is, a bylaw is not considered an appropriate option.

Option 2 – Regulatory enforcement under one or more Acts

- 48 There are several acts that could provide enforcement avenues to address the identified issues – these are assessed below.

Litter Act 1979

- 49 The Litter Act 1979 provides powers to councils to infringe for littering, to employ litter wardens, and to provide receptacles to enable the public to dispose of litter responsibly, within the public sphere. The Litter Act 1979 also provides powers under section 12, for the Council to make bylaws which “give effect to the Act”. The Litter Act 1979 defines ‘litter’ as:

“Litter includes any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature.”

- 50 Vehicles are generally stored on private land in an entire or nearly entire condition and would not meet the definition of litter under the Litter Act. It is further considered that the storage of wrecked vehicles would not meet the definition of litter.
- 51 With regard to overgrown sections, if the state of the section meet the definition of ‘litter’ above, enforcement under the Litter Act 1979 is an option. However, it is understood that the primary issue with sections in the District is overgrown grass and weeds and would be unlikely to be deemed ‘litter’.

Health Act 1956

- 52 Under Section 23 of the Health Act 1956, Council has the power to take action, if conditions are found to be injurious to health or offensive, to abate nuisance or to remove the condition.
- 53 The Health Act 1956 does not provide adequate powers for the Council to address the amenity effects of vehicles stored on private land through regulatory enforcement, as this type of activity would not fit the definition of “offensive” (this excludes things that are offensive to the eye) or “nuisance”.
- 54 The primary issue with regard to overgrown sections is considered to be visual untidiness and potential fire risk. As concluded above it is unlikely that those concerns would meet the definition of ‘nuisance’ under the Health Act 1956.

Fire and Emergency New Zealand Act 2017

Section 65 to 68 of the FENZ Act 2017 relate specifically to vegetation. Section 65 states that,
“FENZ may, by notice, require the occupier or (if there is no occupier) the owner of land to remove or destroy any vegetation or other thing on the land if FENZ reasonably considers that the vegetation or other thing is likely to endanger persons or property by increasing the risk of the outbreak or spread of fire.”

- 55 It is understood that there is a high threshold for FENZ to undertake enforcement action on overgrown vegetation in an urban environment (where the issue is most prominent in the District). Specifically that the following conditions must exist before they can become involved:
- There is enough flammable material on the land to support a fire spreading to another property.
 - It is likely a fire will start (for example there is a recent history of fires in the area).
 - If a fire did start it is likely to endanger lives or significant property (e.g. multiple houses).

- 56 Accordingly, the FENZ Act 2017 is not an option for Council to control either the storage of vehicles on private land or overgrown vegetation. In addition, FENZ are only able to become involved in the removal of overgrown vegetation under specific circumstances.

Conclusion

- 57 There are limited grounds under these Acts' to pursue enforcement action or create regulation to address the issues related to storage of vehicles or overgrown sections.

Option 3 – Enforcement actions under the District Plan 2018 and the Resource Management Act 1991

- 58 The Resource Management Act 1991 (RMA) sets out as its purpose the sustainable management of natural and physical resources. There are specific matters outlined within the purposes that those exercising powers and functions under the RMA must have regard to. The RMA sets out the scope of functions that a territorial authority has in giving effect to the RMA, including the management of the effects of use, development, or protection of land and associated natural and physical resources of the district. One of the ways to achieve the purpose of the RMA is via a District Plan.
- 59 The issues related to storage of vehicles and overgrown sections have been identified as potentially creating amenity effects earlier in this report. The RMA does provide for territorial authorities to have particular regard to the maintenance and enhancement of amenity values. Amenity Values are defined by the RMA as:

“Those natural or physical qualities and characteristics of an area that contribute to a people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.”

District Plan Rules

Overgrown Sections

- 60 There is a matter of scope however as to the level of involvement that a District Plan may have in the personal choices of individual property owners. Essentially the District Plan sets out what people can and can't 'do' on land. Where there is active development or activity the provisions in a plan guide what is appropriate and what may need consideration through a resource consent process. Overgrown sections arise as a result of passive management and so there is not a 'trigger' for Council to become involved through provisions in the District Plan.
- 61 Lack of maintenance of private property resulting in overgrown vegetation is not a matter that is appropriate to be considered under the District Plan. This is considered to be within the scope of personal choice made by land owners ie Council encourages owners to take responsibility for maintaining and keeping their sections tidy rather than the Council legally enforcing a particular level of maintenance.
- 62 Furthermore, from a Council compliance perspective, adopting a non-regulatory approach to managing overgrown sections is considered to be a more practical and efficient use of resources. If there were provisions within the District Plan outlining a particular level of maintenance this would require a considerable amount of Council resources to ensure compliance and where necessary follow up with any non-compliance by way of a resource consent.

Storage of vehicles on private property

- 63 The storage of vehicles on private property occurs for a number of reasons in the District and can include for:
- Commercial purposes (sale of parts, or whole vehicles, panel beating or mechanical repairs).
 - Storage (long or short term and may have commercial aspects as well, and could include the collection of classic or historic vehicles).
 - Dumping- accumulations of derelict vehicles on a site to avoid cost of disposal.
- 64 While the issues relating to storage of vehicles predominately relate to those stored outside, the construction of large storage buildings on residential sections may also create adverse effects. These are generally managed by the existing bulk and location standards and the definition of 'accessory' building.
- 65 The District Plan sets a framework for the use, development and protection of land that includes the defining of zones to direct where the most appropriate areas are for certain activities. At a very broad level the urban zone facilitates residential type activities and the rural zone facilitates predominately farming and rural based activities.
- 66 If the storage of vehicles involves a commercial element then this is clearly not part of a residential activity and will require a resource consent for a discretionary activity in the Urban and Rural Zone (outside of a Commercial Precinct). If the storage of vehicle includes an industrial element then it would require resource consent for a Non-Complying activity in the Urban Zone and a discretionary activity in the Rural Zone.
- 67 Often, however, the storage of vehicles on private property is associated with a residential or rural activity. The issue then becomes a matter of scale and intensity of the storage activity and whether it can be considered under the District Plan to be outside the nature of what would normally be considered a residential activity.

Residential Activity

- 68 The District Plan defines residential activity under Section 4 as follows:
- “Means any use of land and/or buildings by people for the purpose of living accommodation. It includes accessory buildings and leisure activities associated with needs generated principally from living on the site”.
- 69 Storing, collecting, modifying and restoring vehicles can potentially be regarded as a hobby or leisure activity within the scope of this definition, provided it is associated with needs generated principally from living on the site. This again raises the question of scale i.e. at what point can it be considered that the activity goes beyond being associated with “needs generated principally from living on site”.

The District Plan provisions could be amended to provide further guidance as to the intended scale of vehicle storage in a residential context..

Outdoor Storage

- 70 The Urban Zone rules set out parameters for outdoor storage in relation to home occupations and commercial, community, educational and entertainment activities. Storage related to Residential Activities is not provided for separately as it was considered the balance of activity on site would be managed by the definition.
- 71 A Home Occupation is allowed 10m² of the property to be used for outdoor display and associated storage of goods, materials or equipment.
- 72 A commercial activity is allowed 50m² and it must be screened from public spaces and residential activities.
- 73 If these standards cannot be met then a resource consent is required.

The District Plan provisions could be amended to limit the storage of non-working vehicles in urban and rural areas.

Abatement and Enforcement under the Resource Management Act 1991

- 74 Council has the powers to issue an abatement notice under Section 322 of the RMA, which can require a person to:
- a) Cease “anything done or to be done” that contravenes a rule or plan;
 - b) Require a person to do something in order to comply with the plan that is necessary to avoid, remedy or mitigate any actual or likely adverse effect on the environment.
- 75 Council has pursued action under this part of the RMA previously in 2007.
- 76 Council also issues infringement notices under Section 342C of the RMA, which impose an instant fine.
- 77 Council may apply to the Environment Court for an order under section 314(1)(a)(ii) of the RMA, to require a person to cease an action which is not specifically regulated under the district plan. The grounds for the enforcement order could be that the storage of vehicles is offensive or objectionable. Section 314 states that an enforcement order is an order made under section 319 by the Environment Court that may do any one or more of the following:
- (a) Require a person to cease, or prohibit a person from commencing, anything done or to be done by or on behalf of that person, that, in the opinion of the Environment Court –
 - (ii) Is or is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it has or is likely to have an adverse effect on the environment.
- 78 The test for whether the action is offensive or objectionable is high, and there must be evidence of adverse effects on the environment. Enforcement orders can and have been granted in relation to car storage on the basis that it is offensive and objectionable and causes an adverse effect.
- 79 Case law supports the use of section 314(1)(a)(ii) in relation to the storage of vehicles and other objectionable items. But any case will be a question of fact and degree and must be determined by a case by case basis.

80 Previously, Council has successfully applied for enforcement orders in relation to the storage of vehicles and various other materials. This was in relation to an activity that did not meet the residential amenity standards of the 2001 Southland District Plan – Rule URB.5(4). This rule applied to residential activities and included standards relating to:

- All storage being screened by a close boarded fence (or other suitable screen).
- Storage not exceeding 50m² of the site
- Setbacks of items from boundaries
- A height limit for items stored outside
- A restriction on storage of sand or aggregate (or other materials that could become windblown).

Potentially, by reinstating the same or similar residential amenity standards as the above in the District Plan, Council could then legally be in a position to seek compliance or undertake enforcement if necessary.

Existing use rights under the RMA

81 Section 10 of the RMA provides for the protection of existing use rights in relation to land use activities. This section allows land to be used in a manner that contravenes a rule in a district plan or proposed district plan if it can be proven to have been lawfully established prior to that rule being established. This section may be relevant to particular circumstances of non-working vehicle storage.

82 As can be seen by the enforcement action above there has been provisions previous in place that applied to storage for residential activities in the urban zone from 2001 – until December 2014 (the point at which the new residential activity rules were past the point of appeal to Environment Court).

83 The ability for existing storage activities to claim existing use rights would need to be carefully considered if considering abatement or enforcement action. In claiming existing use rights, an activity must be proven to be ‘lawfully established’ and of the ‘same or similar character, intensity and scale’ as what is currently operating. Therefore, there may be some cases where existing established storage could claim existing use rights even if new rules were established via a plan change process.

84 Accordingly, a change to the District Plan could be a valid tool to control non-working vehicles on private land going forward, but may not be effective in addressing some existing activities.

Summary RMA and District Plan Matters

85 The District Plan provides an appropriate avenue to consider addressing amenity effects associated with the storage of vehicles on private property. The RMA provides avenues to enforce the provisions of the District Plan in a graduated way and with the powers of the Enforcement Officers of the Council.

86 It is possible that a plan change may be undertaken to address the matters raised as issues and this could be incorporated into the existing programme of work associated with the Omnibus

plan change project. This plan change will be focused on minor or technical changes that have been identified during the first few years of use of the new plan.

- 87 The specific provisions or changes to the District Plan would be required to be considered in more detail as part of the Omnibus plan change work. Any specific changes will be recommended through that process.

Option 4: Non Regulatory measures

- 88 The sole use of non-regulatory measures such as letters and visits could be considered. This option would have less legal costs associated with it, but would be unlikely to resolve the issue in all cases.
- 89 Council currently uses a mix of non-regulatory and regulatory based options to address the storage of vehicles on private land, such as sending letters to the owners/occupiers.
- 90 This is often the first approach used, with follow up contact from the Council Enforcement Officer to discuss the matter to see if a solution can be reached. If a successful outcome is not achieved then an abatement or enforcement process is then considered and initiated where appropriate.
- 91 With regard to overgrown sections a non-regulatory measure of sending letters to the land owners is the only method currently utilised. The letter also provides the owners with identified contractors within the local area that could clear the overgrown site. These are often undeveloped residential sections with absentee owners.
- 92 Other non-regulatory methods that could be explored for overgrown sections relate to arrangements between Council and the absentee property owner regarding maintenance of the property and costs being charged to the owner. The Council would need to consider whether it wished to become involved in such activities.
- 93 It is not recommended the Council rely solely on non-regulatory measures for the storage of vehicles on site.
- 94 It is recommended that the Council investigate further non-regulatory measures for addressing overgrown sections.

Option 5 – Do nothing (status quo)

- 95 Currently the Council undertakes a mix of non-regulatory and regulatory approaches to addressing issues relating to storage of vehicles on private land and overgrown sections. Given the level of complaints are low and the existence of District Plan measures relating to residential and commercial activities the Council could continue to with status quo and not undertake any further work.

Analysis of Options

Option 1 – Develop a Bylaw under the LGA 2002

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Would specifically deal with the two discrete issues 	<ul style="list-style-type: none"> Unlikely that amenity issues could be considered “Nuisance” matters able to be addressed by a Bylaw.

Option 2 – Regulatory enforcement under one or more Acts

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> The Acts are unable to address the specific amenity issues identified.

Option 3 – Enforcement action under the District Plan 2018 and the Resource Management Act 1991

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Storage and associated amenity effects are matters that are appropriately dealt with under the District Plan and Resource Management Act 1991. Has the ability to address the identified problem. Potential for consideration of storage to be incorporated into future Omnibus plan change process. Potential for greater clarity to be provided for both public and council staff. 	<ul style="list-style-type: none"> Will require a plan change with associated public process and costs to Council. Additional regulation of private activities with associated monitoring and enforcement costs.

Option 4 – Non-Regulatory Measures

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Provides the opportunity for conversation with the property owner. Less cost as opposed to legal processes. 	<ul style="list-style-type: none"> Often a low level of compliance or change achieved without the ‘stick’ of enforcement proceedings Can take up additional staff time as can involve multiple contacts with a property owner (letter, phone calls and visits). Does not meet community expectations in regard to addressing the issues raised.

Option 5 – Do nothing (status quo)

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• No regulatory changes required to Council plans and policies.• No additional costs incurred from regulatory tools being developed.• Existing practices can continue, no new training or processes required to be developed and established.	<ul style="list-style-type: none">• The lack of clarity within the district plan rules are not investigated and solutions developed.• Community expectations regarding amenity standards are not met.• Opportunities for additional non-regulatory approaches to the management of overgrown sections are not explored.

Assessment of Significance

- 96 This report is not considered to raise matters of significance.

Recommended Option

- 97 It is recommended that Option 3 is investigated to address the issues raised regarding the storage of vehicles on private property whilst continuing with the current approach which utilises a mix of non-regulatory (letter first) and regulatory (enforcement of the provisions of the District Plan via the RMA process) approach. It is recommended that additional or refined provisions be considered via the future Omnibus plan change project. The purpose of these provisions will be to provide greater clarity regarding the scope of permitted storage on a residential and rural site.
- 98 With regard to overgrown sections it is recommended that option 4 is pursued. A wider consideration of non-regulatory methods that may be appropriate could be undertaken and procedures established to support their implementation.

Next Steps

- 99 If the committee is supportive of the recommendations then the:
- Resource Management Team will take responsibility for further investigation of district plan matters within the Omnibus plan change project.
 - Strategy and Policy team will take responsibility for further investigation of non-regulatory methods to address overgrown sections and the identified Bylaw revocation.

Attachments

- A RCC Issues and Options - Storage of vehicles and overgrown sections: Appendix One [↓](#)

Grey District Council

Grey District Council's Amenity Protection Bylaw states that its purpose is to ensure it can meet obligations under s.7(c) of the RMA and implement the policies in the Grey District Plan. Section 7(c) of the RMA provides as follows:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

...

(c) the maintenance and enhancement of amenity values

This example is unhelpful as it is considered that the RMA doesn't provide specific bylaw making power to territorial councils.

Auckland City Council

In contrast to the Grey DC bylaw, Auckland Councils Property Maintenance and Nuisance Bylaw 2015 only pertains to nuisance as related to health risk and/or vermin as contemplated by the LGA 2002 and the Health Act 1956. The bylaw states that,

"These measures are not available to protect neighbouring property values or assure amenity values of a neighbourhood."

The bylaw does not regulate the storage of vehicles on private land except insofar as they may create a health risk.

In addition, a person may not allow any private property under their control to become so overgrown with vegetation that it causes or may cause a nuisance.

Invercargill City Council

Invercargill City Council has one Environmental Health bylaw that includes mobile trading, alcohol bans, solvent abuse as well as untidy buildings, sections and abandoned vehicles. The stated purpose of the untidy sections and abandoned vehicles section is akin to Auckland's bylaw; to promote and maintain public health and safety. However, this bylaw contains an expanded definition of nuisance as follows:

"NUISANCE means the interference to the enjoyment of land that is caused by an action or activity (or failure to action) by one or more persons that is harmful or annoying to others."

Gore District Council

Gore District Council's Long Grass and Overhanging Vegetation Bylaw 2018 was made pursuant to s.145 of the LGA 2002, protecting the public from nuisance. However, this bylaw also expands on the definition of public nuisance contemplated by the LGA 2002 by stating that it is for the purpose of limiting growth on private sections to the extent that it is likely to both harbor vermin and become "aesthetically displeasing".

Gore's bylaw is not relevant to storage of vehicles.

Alcohol Licensing Annual Report and Income and Costs Report

Record No: R/19/7/13426

Author: Michael Sarfaiti, Environmental Health Manager

Approved by: Bruce Halligan, Group Manager Environmental Services

☐ Decision

☒ Recommendation

☐ Information

Purpose

- 1 To meet Council's alcohol licensing reporting requirements under alcohol legislation.

Executive Summary

Annual Report

- 2 Section 199 of the Sale and Supply of Alcohol Act 2012 requires Council to prepare a report of the proceedings and operations of its licensing committee during the year, and to send to the Licensing Authority. Section 199 (5) requires that the annual report must be made available on Council's Internet site for a period of not less than five years.
- 3 The Alcohol Regulatory and Licensing Authority has requested that Councils now use an online survey for the annual report. Staff have completed this survey, it is in Attachment A. The active register and annual return are in Attachments B and C.

Income and Costs Report

- 4 Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 requires Council to make publicly available a report showing its alcohol licensing income from fees and its costs. Council's legal advisor advises that the financial information in the format in Attachment D meets the requirements of the Regulations.

Recommendation

That the Regulatory and Consents Committee:

- a) Receives the report titled “Alcohol Licensing Annual Report and Income and Costs Report” dated 23 August 2019.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Receives the Annual Report and authorises it to be forwarded to the Alcohol Regulatory and Licensing Authority and to be made publicly available on Council’s website.**
- e) Receives the financial information and authorises it to be made publicly available on Council’s website.**

Attachments

- A DLC Annual Report 18/19 [↓](#)
- B Active Register 1 July 2019 [↓](#)
- C ARLA Annual Fees Return 2018-19 [↓](#)
- D Income costs report [↓](#)

Response ID ANON-8YUY-Y9VJ-H

Submitted to District Licensing Committee's Annual Report to the Alcohol Regulatory and Licensing Authority
Submitted on 2019-07-17 11:13:52

Introductory questions**1 Please provide the name of your District Licensing Committee.**

Name of District Licensing Committee:
Southland District

2 Please provide the name, email, and contact phone number of your Committee's Secretary.

Name:
Bruce Halligan

Email:
bruce.halligan@southlanddc.govt.nz

Contact phone number:
0800 732 732

3 Please name each of your licensing inspectors and provide their email and contact phone number.

Q3:
As above

michael.sarfaiti@southlanddc.govt.nz
sarah.wilson@southlanddc.govt.nz

Fixed term:
amber.judd@southlanddc.govt.nz
bernadette.paisley@southlanddc.govt.nz

Licences and certificates**4 New Licences 2018-2019**

In the 2018-19 year, how many new 'on licences' did your Committee issue?:
7

In the 2018-19 year, how many new applications for 'on licences' did your Committee refuse?:
0

In the 2018-19 year, how many new 'off licences' did your Committee issue?:
3

In the 2018-19 year, how many new applications for 'off licences' did your Committee refuse?:
0

In the 2018-19 year, how many new club licences did your Committee issue?:
0

In the 2018-19 year, how many new applications for club licences did your Committee refuse?:
0

5 New Manager's certificates 2018-2019

In the 2018-19 year, how many new managers' certificates did your Committee issue?:
73

In the 2018-19 year, how many new applications for managers' certificates did your Committee refuse?:
0

In the 2018-19 year, how many applications for managers' certificates were withdrawn?:
3

6 Licence renewals 2018-2019

In the 2018-19 year, how many licence renewals did your Committee issue?:

75

In the 2018-19 year, how many licence renewals did your Committee refuse?:

0

Changes, trends and initiatives

7 Please comment on any changes or trends in the Committee's workload in 2018-19.

Changes or trends in the Committee's workload in 2018-19:

Nil

Upload Q10:

No file was uploaded

8 Please comment on any new initiatives the Committee or Territorial Authority Council has developed/adopted in 2018-19.

New initiatives the Committee or Territorial Authority Council has developed/adopted in 2018-19:

Council delegated powers to staff to determine unopposed applications for premises, specials, and managers (excluding temporary authorities). This has reduced the exposure of the Chair and members to alcohol licensing, and reduced the cost of alcohol licensing.

Club renewal expiry dates have been shortened to varying extents to stagger club expiry dates throughout a typical three year period, because many were expiring at the same time every three years. This was for the purpose of removing a bottleneck of work.

Upload Q11:

No file was uploaded

9 Has your Council developed a Local Alcohol Policy?

Yes

Local Alcohol Policy

10 What stage is your Local Alcohol Policy at?

In force

11 Under your Local Alcohol Policy what are the maximum hours that apply for an on-license in the district?

Maximum hours - on licences:

3am

12 Under your Local Alcohol Policy what are the maximum hours that apply for an off-license in the district?

Maximum hours - off licences:

11pm

13 What effect do you consider your Local Alcohol Policy is having?

Local Alcohol Policy effect:

Consistent hours in the Southland region, for like premises - as it is a combined Policy with Invercargill City Council and Gore District Council. The LAP also requires consultation with nearby sensitive sites for new and varied applications.

Upload Q14:

No file was uploaded

Sale and Supply of Alcohol Act 2012

14 Please comment on the ways in which you believe the Sale and Supply of Alcohol Act 2012 is achieving its object.

Sale and Supply of Alcohol Act 2012 object:

Provides for the effective regulation for consumption on licensed premises.

Having little effect on consumption of alcohol off-site.

Upload Q15:

No file was uploaded

Active Register

Southland District Council

1 July 2019

Active Register - Southland District Council, 1 July 2019

Appn Number	Type	Risk	Licensee Name	Trading Name	Property Address	Expiry Display Date	Cert Number	Application Status
LIQ-2002/382	CLUB	Low	Otautau Squash Rackets Club	Otautau Squash Rackets Club	12 Hulme Street Otautau	29/01/2021	72/CLUB/24/2019	Approved
LIQ-2003/127	ON	Medium	Distinction Te Anau Limited	Distinction Te Anau Hotel & Villas	64 Lakefront Drive Te Anau	05/05/2021	72/ON/8/2019	Approved
LIQ-2003/130	CLUB	Very Low	Central Southland Gun Club Inc	Central Southland Gun Club	232 Springhills Siding Road Springhills	01/03/2022	72/CLUB/28/2019	Approved
LIQ-2003/144	CLUB	Medium	Waiau Town & Country Club Inc	Waiau Town & Country Club	41 King Street Tuatapere	01/05/2021	72/CLUB/6/2019	Approved
LIQ-2003/152	CLUB	Low	Gorge Road Country Club Inc	Gorge Road Country Club	1242 Seaward Downs Gorge Road Ashers	01/02/2020	72/CLUB/25/2019	Approved
LIQ-2003/196	CLUB	Very Low	Drummond Golf Club Incorporated	Drummond Golf Club	567 Boundary Road Drummond	01/05/2019	72/CLUB/4/2018	Processing
LIQ-2003/197	CLUB	Very Low	Te Anau Golf Club Incorporated	Te Anau Golf Club	169 Golf Course Road Te Anau	01/02/2021	72/CLUB/17/2019	Approved
LIQ-2003/210	CLUB	Low	Tokanui Golf Club Incorporated	Tokanui Golf Club	84 Boat Harbour Road Fortrose	01/04/2021	72/CLUB/14/2021	Approved
LIQ-2003/211	CLUB	Low	Mossburn Community Facilities	Mossburn Community Facilities	9 Holmes Street Mossburn	22/08/2018	72/CLUB/12/2017	Processing
LIQ-2003/214	CLUB	Low	Wyndham Golf Club Incorporated	Wyndham Golf Club	77 Memorial Drive Wyndham	20/08/2019	72/CLUB/32/2016	Pending Renewal
LIQ-2003/219	OFF	Medium	Mataura Licensing Trust	Three Rivers Hotel	17 Redan Street Wyndham	01/08/2018	72/OFF/2/2017	Processing
LIQ-2003/219	ON	Medium	Mataura Licensing Trust	Three Rivers Hotel	17 Redan Street Wyndham	01/08/2018	72/ON/3/2017	Processing
LIQ-2003/222	OFF	Medium	Mataura Licensing Trust	Pioneer Tavern	14 Ferry Road Edendale	01/08/2021	72/OFF/12/2019	Approved
LIQ-2003/222	ON	High	Mataura Licensing Trust	Pioneer Tavern	14 Ferry Road Edendale	01/08/2021	72/ON/27/2019	Approved
LIQ-2003/224	OFF	Medium	Mataura Licensing Trust	Tokanui Tavern	18 McEwan Street Tokanui	01/08/2021	72/OFF/7/2019	Approved
LIQ-2003/224	ON	High	Mataura Licensing Trust	Tokanui Tavern	18 McEwan Street Tokanui	01/08/2021	72/ON/10/2019	Approved
LIQ-2003/226	CLUB	Very Low	Winton R.S.A. & Citizens Bowli	Winton RSA & Citizens Bowling Club	52 Eglinton Street Winton	20/08/2018	72/CLUB/6/2016	Processing
LIQ-2003/227	CLUB	Very Low	Riverton Golf Club Incorporated	Riverton Golf Club	18 Carrol Street Riverton North	01/02/2021	72/CLUB/10/2019	Approved
LIQ-2003/231	CLUB	Low	Waikaia Golf Club Incorporated	Waikaia Golf Club	33 Wylam Street Waikaia	19/08/2018	72/CLUB/27/2016	Processing
LIQ-2003/235	CLUB	Very Low	Nightcaps Clay Target Club Inc	Nightcaps Clay Target Club	16 Helena Street Wreys Bush	01/10/2020	72/CLUB/3/2019	Approved
LIQ-2003/243	CLUB	Very Low	Hedgehope Golf Club Incorporated	Hedgehope Golf Club	2402 Glencoe Highway Hedgehope	01/03/2020	72/CLUB/8/2019	Approved
LIQ-2003/250	ON	Medium	Andsum Investments Limited	The Ranch Bar & Grill	111 Town Centre Te Anau	06/08/2021	72/ON/6/2019	Approved
LIQ-2003/251	CLUB	Low	Nightcaps Golf & Bowling Club	Nightcaps Golf and Bowling Club	1769 Otautau Nightcaps Road Wairio	01/10/2020	72/CLUB/21/2019	Approved
LIQ-2003/256	CLUB	Low	Tuatapere Golf Club Incorporated	Tuatapere Golf Club	4 Clifden Domain Road Rowallan	01/05/2021	72/CLUB/23/2019	Approved
LIQ-2003/257	CLUB	Low	Winton Golf Club Incorporated	Winton Golf Club	280 Winton Substation Road Winton	20/08/2018	72/CLUB/31/2016	Processing
LIQ-2003/260	CLUB	Very Low	Marakura Yacht Club Incorporated	Marakura Yacht Club	96 Manapouri Te Anau Highway Te Anau	01/07/2020	72/CLUB/19/2019	Approved
LIQ-2003/261	OFF	Medium	Crewsaider's Limited	Ship To Shore	20 Elgin Terrace Stewart Island	20/08/2019	72/OFF/1/2018	Processing
LIQ-2003/262	CLUB	Low	Mossburn Golf Club Incorporated	Mossburn Golf Club	60 Cumberland Street Mossburn	01/09/2020	72/CLUB/22/2019	Approved
LIQ-2003/263	CLUB	Very Low	Riversdale Rugby Football Club	Riversdale Rugby Football Club	28 Lincoln Street Riversdale	01/05/2020	72/CLUB/26/2019	Approved
LIQ-2003/264	CLUB	Very Low	Drummond Rugby Football Club	Drummond Rugby Football Club	30 Domain Road Drummond	01/07/2019	72/CLUB/5/2018	Processing
LIQ-2003/266	CLUB	Very Low	Woodlands Rugby Football Club	Woodlands Rugby Football Club	17 Wyeth Road Woodlands	01/06/2021	72/CLUB/27/2019	Approved
LIQ-2003/268	CLUB	Very Low	Tokanui Rugby Football Club Inc	Tokanui Rugby Football Club	81 Turner Road Tokanui	20/08/2018	72/CLUB/23/2016	Processing
LIQ-2003/269	CLUB	Very Low	Wrights Bush Rugby Football Club	Wrights Bush Rugby Football Club	9 Newark Street Waimatuku - Wrights Bush	01/07/2021	72/CLUB/13/2019	Approved
LIQ-2003/271	CLUB	Low	Lumsden Golf Club Incorporated	Lumsden Golf Club	379B Lumsden Dipton Highway Lumsden	22/08/2018	72/CLUB/30/2016	Processing
LIQ-2003/272	CLUB	Low	Central Pirates Rugby Football Club	Central Pirates Rugby Football Club	870 Wilsons Crossing Road Lochiel	01/07/2019	72/CLUB/2/2019	Processing
LIQ-2003/273	CLUB	Very Low	Ohai Nightcaps Rugby Football Club	Ohai Nightcaps Rugby Football Club	40 Company Road Nightcaps	01/05/2020	72/CLUB/9/2019	Approved
LIQ-2003/279	CLUB	Very Low	Dipton Golf Club Incorporated	Dipton Golf Club	66 Bryce Road Dipton - Benmore	01/04/2019	72/CLUB/3/2018	Processing
LIQ-2003/291	CLUB	Very Low	Waimea Plains Vintage Tractor & Machinery Club Inc	Waimea Plains Vintage Tractor & Machinery Club Inc	53 Liverpool Street Riversdale	25/09/2021	72/CLUB/15/2019	Approved
LIQ-2003/292	CLUB	Very Low	Winton Contract Bridge Club Inc	Winton Contract Bridge Club	145 Park Street Winton	20/08/2018	72/CLUB/8/2016	Processing
LIQ-2003/294	CLUB	Very Low	Otautau Golf Club Incorporated	Otautau Golf Club	55 Slaughterhouse Road Otautau	10/10/2021	72/CLUB/16/2019	Approved
LIQ-2003/300	ON	Low	Routeburn Walk Limited	Lake McKenzie Lodge	1016 Routeburn Track Hollyford	17/10/2018	72/ON/45/2017	Processing
LIQ-2003/312	ON	Low	Tourism Milford Limited	Mitre Peak Lodge	83 Milford Sound Highway Milford Sound	07/10/2018	72/ON/29/2017	Processing
LIQ-2003/369	CLUB	Low	The Riverton Squash Racquets Club	Riverton Squash Racquets Club	122 Havelock Street Riverton North	07/11/2021	72/CLUB/20/2019	Approved
LIQ-2003/372	CLUB	Low	Te Anau Club Incorporated	Te Anau Club	7 Jackson Street Te Anau	05/11/2021	72/CLUB/29/2019	Approved
LIQ-2003/372	OFF	Medium	Te Anau Club Incorporated	Te Anau Club	7 Jackson Street Te Anau	05/11/2021	72/OFF/10/2019	Approved

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1/07/2019

Active Register

Southland District Council

1 July 2019

LIQ-2003/388	CLUB	Very Low	Midlands Rugby Incorporated	Midlands Rugby Club
LIQ-2003/401	ON	Medium	Fiordland Guides Limited	Fiordland Lodge
LIQ-2003/409	OFF	Medium	V A & T S Law & B & A M Russe	Mosburn Railway Hotel
LIQ-2003/409	ON	Medium	V A & T S Law & B & A M Russe	Mosburn Railway Hotel
LIQ-2003/437	CLUB	Very Low	Riverton Rugby Football Club	Riverton Rugby Football Club
LIQ-2003/441	CLUB	Medium	Wyndham Town & Country Club	Wyndham Town and Country Club
LIQ-2003/492	ON	Low	Real Journeys Limited	Fiordland Flyer
LIQ-2003/80	CLUB	Very Low	Riverton RSA Memorial Club	Riverton RSA Memorial Club
LIQ-2004/111	OFF	Medium	Waiau Town & Country Club	Waiau Town & Country Club
LIQ-2004/117	ON	Medium	Millennium & Copthorne Hotel	Kingsgate Hotel Te Anau
LIQ-2004/119	CLUB	Very Low	Te Anau Rugby Club Incorporated	Te Anau Rugby Club Incorporated
LIQ-2004/171	ON	Medium	Milford Sound Lodge Limited	Milford Sound Lodge
LIQ-2004/203	CLUB	Very Low	Waianiwa Community Club Inc	Waianiwa Community Club
LIQ-2004/222	CLUB	Very Low	The Wyndham Football Club	Wyndham Rugby Football Club
LIQ-2004/238	ON	Medium	Fiordland Helicopters Limited	Fiordland Cinema and Black Dog Bar
LIQ-2004/271	CLUB	Very Low	Lumsden Bowling Club Incorporated	Lumsden Bowling Club Incorporated
LIQ-2004/274	ON	Low	Real Journeys Limited	Milford Sovereign
LIQ-2004/275	ON	Low	Real Journeys Limited	Milford Mariner
LIQ-2004/302	ON	Low	Tourism Milford Limited	Glade House
LIQ-2004/303	ON	Low	Tourism Milford Limited	Pompolona Lodge
LIQ-2004/304	ON	Low	Tourism Milford Limited	Quintin Lodge
LIQ-2004/318	ON	Medium	Distinction Luxmore Limited	Distinction Luxmore Hotel
LIQ-2004/325	OFF	Medium	Gorge Road Country Club Incorporated	Gorge Road Country Club
LIQ-2004/343	ON	Low	Real Journeys Limited	Milford Monarch
LIQ-2004/344	ON	Low	Real Journeys Limited	Milford Wanderer
LIQ-2004/358	CLUB	Very Low	Drummond District Bowling Club	Drummond District Bowling Club
LIQ-2004/371	OFF	Medium	Clapp Holdings Limited	Railway Hotel Otago
LIQ-2004/371	ON	Medium	Clapp Holdings Limited	Railway Hotel Otago
LIQ-2004/373	ON	Low	Real Journeys Limited	Southern Express
LIQ-2004/374	ON	Low	Real Journeys Limited	Foveaux Express
LIQ-2004/88	CLUB	Very Low	Riverton Bowling Club Incorporated	Riverton Bowling Club
LIQ-2005/135	OFF	Medium	Nicholas Mark Lamb	Mokotua Store and Takeaways
LIQ-2005/181	CLUB	Very Low	Edendale Rugby Football Club	Edendale Rugby Football Club
LIQ-2005/199	OFF	Medium	Central Southland Lodge Limited	Central Southland Lodge
LIQ-2005/199	ON	Medium	Central Southland Lodge Limited	Central Southland Lodge
LIQ-2005/218	CLUB	Very Low	Te Anau Bowling Club Incorporated	Te Anau Bowling Club
LIQ-2005/231	ON	Low	Real Journeys Limited	Patea Explorer
LIQ-2005/232	CLUB	Very Low	Winton Central Bowling Club	Winton Central Bowling Club
LIQ-2005/267	CLUB	Very Low	Woodlands Bowling Club Incorporated	Woodlands Bowling Club
LIQ-2005/277	ON	Low	Real Journeys Limited	Fiordland Navigator
LIQ-2006/162	ON	Low	Franz Josef Klein and Maria Th	Naturally Fiordland Cafe and Pizzeria
LIQ-2006/3	ON	Low	Hollyford Valley Walks Limited	Pyke Lodge
LIQ-2007/109	ON	High	Redcliff Cafe 2007 Limited	Redcliff Cafe
LIQ-2007/147	OFF	Medium	Travellers Rest (2007) Limited	Travellers Rest Tavern
LIQ-2007/147	ON	Medium	Travellers Rest (2007) Limited	Travellers Rest Tavern
LIQ-2007/166	OFF	Medium	Winton Commercial Hotel Limited	Winton Commercial Hotel
LIQ-2007/166	ON	Medium	Winton Commercial Hotel Limited	Winton Commercial Hotel
LIQ-2007/178	OFF	Medium	Bing Holdings Limited	Otago Four Square Supermarket
LIQ-2007/179	OFF	Medium	Wyndham Town & Country Club	Wyndham Town and Country Club

37 John Street	Winton	01/03/2020	72/CLUB/5/2019	Approved
472D Te Anau Milford Highway	Te Anau	09/12/2021	72/ON/15/2019	Approved
16 York Street	Mosburn	24/11/2019	72/OFF/13/2017	Approved
16 York Street	Mosburn	24/11/2019	72/ON/24/2017	Approved
45 Leader Street	Riverton North	01/06/2020	72/CLUB/30/2019	Approved
53 Redan Street	Wyndham	14/12/2021	72/CLUB/12/2019	Approved
74 Waiau Street	Manapouri	17/03/2019	72/ON/15/2017	Processing
141 Palmerston Street	Riverton North	07/05/2018	72/CLUB/26/2016	Processing
41 King Street	Tuatapere	01/05/2019	72/OFF/10/2016	Processing
20 Lakefront Drive	Te Anau	27/04/2019	72/ON/47/2017	Processing
21 Dusky Street	Te Anau	11/12/2019	72/CLUB/7/2017	Approved
196 Milford Sound Highway	Milford Sound	26/07/2019	72/ON/2/2018	Processing
268 Argyle Otahuti Road	Oporo - Spar Bus	04/08/2019	72/CLUB/18/2017	Pending Renewal
81 Memorial Drive	Wyndham	01/06/2020	72/CLUB/11/2019	Approved
7 The Lane	Te Anau	20/10/2020	72/ON/61/2017	Approved
18 Iona Street	Lumsden	25/09/2019	72/CLUB/13/2017	Pending Renewal
24 Milford Sound Highway	Milford Sound	30/10/2019	72/ON/11/2017	Approved
24 Milford Sound Highway	Milford Sound	02/10/2019	72/ON/13/2017	Approved
142 Milford Track	Milford Track	18/10/2019	72/ON/33/2017	Approved
1703 Milford Track	Milford Track	18/10/2019	72/ON/36/2017	Approved
2965 Milford Track	Milford Track	18/10/2019	72/ON/37/2017	Approved
41 Town Centre	Te Anau	04/11/2019	72/ON/35/2017	Approved
1242 Seaward Downs	Gorge Road Ashers	02/12/2019	72/OFF/15/2017	Approved
24 Milford Sound Highway	Milford Sound	22/12/2019	72/ON/38/2017	Approved
24 Milford Sound Highway	Milford Sound	22/11/2019	72/ON/32/2017	Approved
668 Boundary Road	Drummond	03/12/2019	72/CLUB/9/2017	Approved
76 King Street	Otago	01/12/2020	72/OFF/6/2019	Approved
76 King Street	Otago	01/12/2020	72/ON/9/2019	Approved
3 Elgin Terrace	Stewart Island	29/11/2020	72/ON/29/2019	Approved
3 Elgin Terrace	Stewart Island	29/11/2020	072/ON/20/2018	Approved
15 Napier Street	Riverton North	20/04/2019	72/CLUB/33/2016	Processing
1368 Gorge Road	Invercargill Highway	29/05/2017	72/OFF/5/2014	Processing
23 Salford Street	Edendale	02/07/2020	72/CLUB/14/2017	Approved
232 Great North Road	Winton	23/10/2020	72/OFF/6/2018	Approved
232 Great North Road	Winton	23/10/2020	72/ON/11/2018	Approved
26 Luxmore Drive	Te Anau	28/08/2020	72/CLUB/19/2017	Approved
2018 Wilmot Pass	Road Deep Cove	12/12/2018	72/ON/23/2017	Processing
44 Springford Street	Winton	17/09/2020	72/CLUB/1/2018	Approved
16 Wyeth Road	Woodlands	26/11/2020	72/CLUB/18/2019	Approved
2018 Wilmot Pass	Road Deep Cove	23/10/2020	72/ON/51/2017	Approved
62 Town Centre	Te Anau	07/12/2019	72/ON/52/2017	Approved
1740 Hollyford Track	Hollyford	21/03/2019	72/ON/23/2016	Processing
12 Mokonui Street	Te Anau	02/10/2020	72/ON/1/2018	Approved
29 Memorial Avenue	Drummond	30/08/2020	72/OFF/21/2017	Approved
29 Memorial Avenue	Drummond	30/08/2020	72/ON/53/2017	Approved
327 Great North Road	Winton	23/10/2020	72/OFF/1/2019	Approved
327 Great North Road	Winton	23/10/2020	72/ON/5/2019	Approved
244 Main Street	Otago	14/11/2020	72/OFF/12/2018	Approved
53 Redan Street	Wyndham	05/11/2020	72/OFF/2/2019	Approved

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LIQ-2007/224	ON	Low	Sandfly Cafe 2007 Limited	Sandfly Cafe	9 The LaneTe Anau	08/01/2021	72/ON/10/2018	Approved
LIQ-2007/34	ON	Medium	Kiwi Country Limited	Hollyford Cafe	63 Town CentreTe Anau	12/04/2020	72/ON/41/2017	Approved
LIQ-2007/5	OFF	Medium	Towack and Thyme Limited	Riverton Lodge Hotel	57 Princess StreetRiverton North	09/02/2020	72/OFF/11/2017	Approved
LIQ-2007/5	ON	Medium	Towack and Thyme Limited	Riverton Lodge Hotel	57 Princess StreetRiverton North	09/02/2020	72/ON/18/2017	Approved
LIQ-2008/128	ON	Low	Southern Discoveries Limited	Discover Milford Sound	79 Milford Sound HighwayMilford Sound	31/07/2018	72/ON/26/2016	Processing
LIQ-2008/130	ON	Low	Southern Discoveries Limited	Pride of Milford	24 Milford Sound HighwayMilford Sound	28/07/2018	72/ON/10/2016	Processing
LIQ-2008/131	ON	Low	Southern Discoveries Limited	Spirit of Milford	24 Milford Sound HighwayMilford Sound	28/07/2018	72/ON/8/2016	Processing
LIQ-2008/132	ON	Low	Southern Discoveries Limited	Lady Bowen	24 Milford Sound HighwayMilford Sound	28/07/2018	72/ON/9/2016	Processing
LIQ-2008/183	OFF	Medium	W.K. & M.J. Cullen Limited	Fresh Choice Te Anau	5 Milford CrescentTe Anau	05/12/2018	72/OFF/19/2017	Processing
LIQ-2008/27	OFF	Medium	South Sea Hotel Limited	South Sea Hotel	26 Elgin TerraceStewart Island	18/03/2021	72/OFF/9/2018	Approved
LIQ-2008/27	ON	Medium	South Sea Hotel Limited	South Sea Hotel	26 Elgin TerraceStewart Island	18/03/2021	72/ON/14/2018	Approved
LIQ-2008/96	OFF	Medium	Cooper Holdings (2008) Limited	Riverton Supervalu	163 Palmerston StreetRiverton North	19/06/2018	72/OFF/1/2015	Processing
LIQ-2009/173	CLUB	Low	Riversdale Golf Club Incorporated	Riversdale Golf Club	1 Berwick StreetRiversdale	02/11/2019	72/CLUB/10/2017	Approved
LIQ-2009/37	ON	Low	Mag Tree Limited	Magnolia Tree Cafe & Bar	311 Great North RoadWinton	11/05/2019	72/ON/34/2017	Processing
LIQ-2009/43	ON	Low	Real Journeys Limited	M.V. Sinbad	24 Milford Sound HighwayMilford Sound	21/09/2019	72/ON/12/2017	Pending Renewal
LIQ-2009/8	ON	Low	Olive Tree Cafe (2008) Limited	Olive Tree Cafe (2008) Limited	52 Town CentreTe Anau	29/04/2019	72/ON/20/2017	Processing
LIQ-2010/143	OFF	Medium	Wallacetown Tavern 2010 Limited	Wallacetown Tavern	4 Largs StreetWallacetown	18/05/2021	72/OFF/4/2019	Approved
LIQ-2010/143	ON	High	Wallacetown Tavern 2010 Limited	Wallacetown Tavern	4 Largs StreetWallacetown	18/05/2021	72/ON/7/2019	Approved
LIQ-2010/153	ON	Low	Hollyford Valley Walks Limited	Martins Bay Lodge	199 Martins Bay TrackJamestown	11/11/2020	72/ON/2/2019	Approved
LIQ-2010/204	ON	Low	Tuatapere Hump Track Limited	Okaka Lodge	810 Hump Ridge TrackPort Craig	07/12/2020	72/ON/15/2018	Approved
LIQ-2010/205	ON	Low	Tuatapere Hump Track Limited	Port Craig Lodge	1079 South Coast TrackPort Craig	07/12/2020	72/ON/16/2018	Approved
LIQ-2011/100	OFF	Medium	Brightview Food Centre Limited	Nightcaps Four Square	11 Johnston RoadNightcaps	27/06/2021	72/OFF/3/2019	Approved
LIQ-2011/11	ON	Low	Niagara Cafe Investments Limited	Niagara Falls Cafe	256 Niagara Waikawa RoadNiagara	06/05/2021	72/ON/20/2019	Approved
LIQ-2011/130	ON	Medium	Real Journeys Limited	Meridian Energy Lodge	103 Wilmot Pass RoadWest Arm	08/11/2019	72/ON/21/2018	Approved
LIQ-2011/169	ON	Low	Glacial Rock Limited	Ristorante Pizzeria Da Toni	1 Milford CrescentTe Anau	22/12/2021	72/ON/4/2019	Approved
LIQ-2011/220	CLUB	Very Low	Central Southland Squash Rack	Central Southland Squash Rackets Club	175 Park StreetWinton	24/02/2019	72/CLUB/11/2017	Processing
LIQ-2011/26	CLUB	Very Low	Limehills Star Rugby Football C	Limehills Star Rugby Football Club	116 Ayr StreetCentre Bush	01/10/2019	72/CLUB/1/2019	Approved
LIQ-2011/278	CLUB	Very Low	Wyndham Bowling Club (South)	Wyndham Bowling Club	1A Raglan StreetWyndham	06/03/2019	72/CLUB/10/2016	Processing
LIQ-2011/39	ON	Low	Real Journeys Limited	M.V. Titiroa	74 Waiau StreetManapouri	22/12/2018	72/ON/17/2017	Processing
LIQ-2011/46	OFF	Medium	Karibu Africa Limited	Lumsden Liquor Store	141 Flora RoadLumsden	27/06/2021	72/OFF/5/2019	Approved
LIQ-2012/101	OFF	Medium	Murray Francis Dowling	Highway 99 Cafe Bar	2 McFeely StreetTuatapere	29/06/2020	72/OFF/13/2018	Approved
LIQ-2012/101	ON	Medium	Murray Francis Dowling	Highway 99 Cafe Bar	2 McFeely StreetTuatapere	29/06/2020	72/ON/23/2018	Approved
LIQ-2012/135	CLUB	Low	Edendale Bowling Club (Southland)	Edendale Bowling Club (Southland) Society Inc	23 Salford StreetEdendale	29/06/2019	72/CLUB/15/2017	Processing
LIQ-2012/165	ON	Low	Church Hill Restaurant Limited	Church Hill Boutique Lodge & Restaurant	36 Kamahi RoadStewart Island	28/09/2019	072/ON/42/2017	Pending Renewal
LIQ-2012/204	CLUB	Very Low	Riversdale Bowling Club Incorporated	Riversdale Bowling Club	13 Lincoln StreetRiversdale	08/11/2019	72/CLUB/17/2017	Approved
LIQ-2012/238	CLUB	Very Low	Waiau Star Rugby Club Incorporated	Waiau Star Rugby Club	97 Elder DriveTuatapere	10/01/2020	72/CLUB/16/2017	Approved
LIQ-2012/50	OFF	Medium	Colac Bay Tavern 2012 Limited	Colac Bay Tavern	15 Colac Bay RoadColac Bay - Tihaka	04/04/2019	72/OFF/21/2016	Processing
LIQ-2012/50	ON	Medium	Colac Bay Tavern 2012 Limited	Colac Bay Tavern	15 Colac Bay RoadColac Bay - Tihaka	04/04/2019	72/ON/43/2016	Processing
LIQ-2012/58	ON	Medium	Fiordland Hotel and Motel Limited	Fiordland Hotel & Motel	1 Burnby DriveTe Anau	07/05/2019	72/ON/14/2019	Processing
LIQ-2012/95	OFF	Medium	AL McCracken Contracting Limited	Orepuki Tavern	40 Oldham StreetOrepuki	29/06/2019	72/OFF/5/2017	Processing
LIQ-2012/95	ON	Medium	AL McCracken Contracting Limited	Orepuki Tavern	40 Oldham StreetOrepuki	29/06/2019	72/ON/6/2017	Processing
LIQ-2013/185	OFF	Medium	Fiordland Helicopters Limited	Fiordland Cinema and Black Dog Bar	7 The LaneTe Anau	23/09/2020	72/OFF/25/2017	Approved
LIQ-2013/193	ON	Low	Brown's Cafe Limited	Cathedral Cafe	29 Waiau StreetManapouri	05/12/2020	72/ON/19/2018	Approved
LIQ-2013/196	OFF	Medium	A J & L M Challis Holdings Limited	Tuatapere Four Square	73 Main RoadTuatapere	04/11/2020	72/OFF/10/2018	Approved
LIQ-2013/204	ON	Low	Penny Lea Sonnenberg	Orepuki Beach Cafe	33 Stafford StreetOrepuki	08/01/2021	72/ON/18/2018	Approved
LIQ-2013/273	ON	Medium	The Moose Tavern (2013) Limited	The Moose Tavern	84 Lakefront DriveTe Anau	12/03/2021	72/ON/5/2018	Approved
LIQ-2013/312	ON	Low	Route 6 Limited	Route 6	22 Diana StreetLumsden	15/04/2021	72/ON/19/2019	Approved
LIQ-2014/103	ON	Medium	Merken (2014) Limited	La Dolce Vita	23 Town CentreTe Anau	02/10/2021	72/CERT/17/2019	Approved
LIQ-2014/57	CLUB	Very Low	Balfour Rugby Football Club Incorporated	Balfour Rugby Club	11 Kruger StreetBalfour	01/06/2019	72/CLUB/7/2019	Processing

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LIQ-2014/75	ON	Medium	Te Anau Function Centre Limited	Te Anau Function Centre Limited
LIQ-2015/127	OFF	Medium	Good Jaunt Limited	Thirsty Liquor
LIQ-2015/152	OFF	Medium	Riversdale Hotel 2015 Limited	Riversdale Hotel
LIQ-2015/152	ON	Medium	Riversdale Hotel 2015 Limited	Riversdale Hotel
LIQ-2015/163	ON	Low	Fiordland Discovery Limited	Fiordland Jewel
LIQ-2015/171	ON	Low	La Toscana (2008) Limited	La Toscana
LIQ-2015/180	ON	Medium	Rutland Crest Limited	Last Light Lodge & Cafe
LIQ-2015/181	OFF	Medium	Balfour Tavern 2015 Limited	Balfour Tavern
LIQ-2015/181	ON	Medium	Balfour Tavern 2015 Limited	Balfour Tavern
LIQ-2015/50	ON	Medium	RB Enterprises Limited	Aparima Restaurant and Bar
LIQ-2015/53	ON	Low	Cruising Milford Sound Limited	Maiden of Milford - Pita Pit
LIQ-2015/87	OFF	Medium	C & M Bruce Investments Limited	Four Square Te Anau
LIQ-2015/88	ON	Low	Enterprising Faith Limited	Faith In Fiordland
LIQ-2016/123	ON	Medium	Lumstopia Limited	Lumsden Hotel
LIQ-2016/136	OFF	High	M & K D Trading Limited	Winton New World
LIQ-2016/161	ON	Low	Chan Farther and Son Limited	China City Restaurant
LIQ-2016/180	OFF	Medium	Waiau Hotel 2016 Limited	Waiau Hotel
LIQ-2016/180	ON	Medium	Waiau Hotel 2016 Limited	Waiau Hotel
LIQ-2016/193	ON	Very Low	Paddock 186 Limited	Paddock 186 Limited
LIQ-2016/201	CLUB	Low	Fiordland Racquets Club Incorporated	Fiordland Racquets Club
LIQ-2016/236	OFF	Low	Robynne Peacock Limited	Clementine's Gift Shop
LIQ-2016/249	OFF	Medium	Two Fat Stags Limited	Waikaia Hotel
LIQ-2016/249	ON	Medium	Two Fat Stags Limited	Waikaia Hotel
LIQ-2016/36	ON	Medium	Poseidon Trading Limited	The Hideaway 201
LIQ-2016/44	OFF	Medium	GC Traders Limited	Lumsden Four Square
LIQ-2016/62	OFF	Medium	Graysands Limited	Otautau Supervalve
LIQ-2016/7	ON	Medium	The Brown Trout Cafe and Bar	The Brown Trout Cafe and Bar
LIQ-2016/95	ON	Medium	Lake Te Anau Hotel Limited	The Village Inn
LIQ-2016/96	ON	Medium	Elseb Hospitality Limited	The Fat Duck
LIQ-2017/123	OFF	Medium	Riversdale Supermarket 2017 Limited	Riversdale Supermarket
LIQ-2017/145	OFF	Medium	Otautau Hotel 2017 Limited	Otautau Hotel
LIQ-2017/145	ON	Medium	Otautau Hotel 2017 Limited	Otautau Hotel
LIQ-2017/161	OFF	Medium	Athol Valley Limited	The Hide Cafe & Garden Bar
LIQ-2017/161	ON	Medium	Athol Valley Limited	The Hide Cafe & Garden Bar
LIQ-2017/176	ON	Low	Merken (2014) Limited	Kepler Restaurant
LIQ-2017/210	ON	Low	Southern Tourism Holdings Limited	Curioscape
LIQ-2017/230	OFF	Medium	Carriers Arms Hotel 2017 Limited	Carriers Arms Hotel
LIQ-2017/230	ON	Medium	Carriers Arms Hotel 2017 Limited	Carriers Arms Hotel
LIQ-2017/29	ON	Low	Cruising Milford Sound Limited	Gem of The Sound
LIQ-2017/54	ON	Low	Radha's Takeaway Limited	Radha's Indian Restaurant
LIQ-2017/96	ON	Medium	Keystone Partners Limited	Fiordland National Park Lodge
LIQ-2017/99	OFF	Medium	Valley Hotels Limited	Garston Hotel
LIQ-2017/99	ON	Medium	Valley Hotels Limited	Garston Hotel
LIQ-2018/109	OFF	Medium	MF and SM Butler Partnership	Woodlands Tavern
LIQ-2018/109	ON	Medium	MF and SM Butler Partnership	Woodlands Tavern
LIQ-2018/13	ON	Medium	The Church Manapouri Limited	The Church Manapouri
LIQ-2018/14	OFF	Medium	Raewyn Louise Watts	Nightcaps Hotel
LIQ-2018/14	ON	Medium	Raewyn Louise Watts	Nightcaps Hotel
LIQ-2018/140	ON	Low	Go Orange Limited	Milford Haven

7 Pop Andrew Drive	Te Anau	16/10/2021	72/ON/25/2019	On Hold
114 Town Centre	Te Anau	26/11/2019	72/OFF/16/2017	Approved
74 Newcastle Street	Riversdale	21/01/2020	72/OFF/8/2017	Approved
74 Newcastle Street	Riversdale	21/01/2020	72/ON/9/2017	Approved
24 Milford Sound Highway	Milford Sound	08/12/2020	72/ON/21/2019	Approved
108 Town Centre	Te Anau	05/02/2020	72/ON/43/2017	Approved
2 Clifden Highway	Tuatapere	10/02/2020	72/ON/28/2017	Approved
84 Queen Street	Balfour	23/03/2020	72/OFF/11/2019	Approved
84 Queen Street	Balfour	23/03/2020	72/ON/26/2019	Approved
17 Orepuke Riverton Highway	Riverton South	16/05/2019	72/ON/14/2017	Processing
24 Milford Sound Highway	Milford Sound	19/06/2019	72/ON/31/2017	Processing
30 Town Centre	Te Anau	13/11/2019	72/OFF/19/2016	Approved
85 Lakefront Drive	Te Anau	03/11/2020	72/ON/23/2019	Approved
6 Diana Street	Lumsden	27/09/2020	72/ON/13/2018	Approved
293 Great North Road	Winton	20/10/2020	72/OFF/7/2018	Approved
6 The Lane	Te Anau	21/12/2020	72/ON/24/2019	Approved
47 Main Road	Tuatapere	30/11/2020	72/OFF/5/2018	Approved
47 Main Road	Tuatapere	30/11/2020	72/ON/9/2018	Approved
186 Waimatuku Flat Road	Waimatuku - W	06/04/2021	72/ON/3/2019	Approved
22 Luxmore Drive	Te Anau	01/02/2020	72/CLUB/4/2019	Approved
26 Town Centre	Te Anau	22/12/2020	72/OFF/13/2019	Approved
85 Blaydon Street	Waikaia	26/01/2021	72/OFF/11/2018	Approved
38 Blaydon Street	Waikaia	26/01/2021	72/ON/17/2018	Approved
201 Lochiel Branchholme Road	Lochiel	06/05/2020	72/ON/6/2018	Approved
14 Diana Street	Lumsden	17/06/2020	72/OFF/18/2017	Approved
157 Main Street	Otautau	06/10/2020	72/OFF/2/2018	Approved
1158 Garston Athol Highway	Athol	07/04/2020	72/ON/50/2017	Approved
24 Mokoroa Street	Te Anau	22/09/2020	72/ON/55/2017	Approved
124 Town Centre	Te Anau	05/09/2020	72/ON/57/2017	Approved
65 Newcastle Street	Riversdale	28/09/2018	72/OFF/20/2017	Processing
167 Main Street	Otautau	26/10/2021	72/OFF/8/2019	Approved
167 Main Street	Otautau	26/10/2021	72/ON/11/2019	Approved
4 Athol Five Rivers Highway	Athol	08/12/2018	72/OFF/26/2017	Processing
4 Athol Five Rivers Highway	Athol	08/12/2018	72/ON/62/2017	Processing
90 Town Centre	Te Anau	21/12/2018	72/ON/65/2017	On Hold
601 Waikawa Curio Bay Road	Slope Point	15/12/2021	72/ON/13/2019	Approved
96 Palmerston Street	Riverton North	05/04/2019	72/OFF/3/2018	Processing
96 Palmerston Street	Riverton North	05/04/2019	72/ON/7/2018	Processing
24 Milford Sound Highway	Milford Sound	01/06/2018	72/ON/39/2017	Processing
118 Town Centre	Te Anau	15/06/2021	72/ON/12/2019	Approved
2681 Te Anau Milford Highway	Te Anau District	16/08/2021	72/ON/18/2019	Approved
8 Garston Athol Highway	Garston	09/11/2018	72/OFF/24/2017	Processing
8 Garston Athol Highway	Garston	09/11/2018	72/ON/60/2017	Processing
3 Wyeth Road	Woodlands	01/10/2019	72/OFF/8/2018	Approved
3 Wyeth Road	Woodlands	01/10/2019	72/ON/12/2018	Approved
23 Waiau Street	Manapouri	22/03/2019	72/ON/4/2018	Processing
1 Clapps Street	Nightcaps	26/04/2019	72/OFF/4/2018	Processing
1 Clapps Street	Nightcaps	26/04/2019	72/ON/8/2018	Processing
24 Milford Sound Highway	Milford Sound	27/11/2019	72/ON/22/2018	Approved

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LIQ-2018/17	ON	Low	Crib Cafe Limited	The Crib Cafe	135 Palmerston StreetRiverton North	07/03/2019	72/ON/3/2018	Processing
LIQ-2018/189	ON	Medium	Riverton Beachhouse Limited	Riverton Beachhouse	126 Rocks HighwayRiverton Rocks	21/12/2019	72/ON/24/2018	Approved
LIQ-2018/33	ON	Low	Ashna Hospitality Limited	Buzz Cafe Bar	13 Diana StreetLumsden	23/01/2020	72/ON/1/2019	Approved
LIQ-2019/34	OFF	Medium	Heart Lake Assets Managemen	Manapouri Lake View Motor Inn	68 Cathedral DriveManapouri	22/05/2020	72/OFF/9/2019	Approved
LIQ-2019/34	ON	Medium	Heart Lake Assets Managemen	Manapouri Lake View Motor Inn	68 Cathedral DriveManapouri	22/05/2020	72/ON/22/2019	Approved
LIQ-2019/73	ON	Low	Fortrose Cafe 2019 Limited	Fortrose Cafe	5 Moray TerraceFortrose	08/05/2020	72/ON/16/2019	Approved
LIQ-2019/82	OFF	Medium	Switzers Restaurant Limited	Waikaia Hotel	38 Blaydon StreetWaikaia	27/06/2020	72/OFF/14/2019	Approved
LIQ-2019/82	ON	Medium	Switzers Restaurant Limited	Waikaia Hotel	38 Blaydon StreetWaikaia	27/06/2020	72/ON/30/2019	Approved
LIQ-2019/83	ON	Low	Chan Farther and Son Limited	Ming Garden Restaurant	2 Millford CrescentTe Anau	20/06/2020	72/ON/28/2019	Approved

= Renewal being processed

Row Labels	Very Low	Low	Medium	High	Grand Total
CLUB		37	17	2	56
OFF			1	44	46
ON		1	48	46	99
Grand Total		38	66	92	201

TERRITORIAL AUTHORITY: Southland District Council
 Annual Return for the Year Ending 2019

On-licence, off-licence and club licence applications received:

Application Type	Number received in fee category:				
	Very Low	Low	Medium	High	Very High
On-licence new	0	4	5	0	0
On-licence variation	0	0	0	0	0
On-licence renewal	0	13	16	0	0
Off-licence new	0	0	6	0	0
Off-licence variation	0	0	1	0	0
Off-licence renewal	0	0	10	0	0
Club licence new	0	0	0	0	0
Club licence variation	0	0	0	0	0
Club licence renewal	23	16	1	0	0
Total number	23	33	39	0	0
Total Fee paid to ARLA (GST incl)	\$332.41	\$1,113.66	\$2,018.25	\$0.00	\$0.00

Annual fees for existing licences received:

Licence Type	Number received in fee category:				
	Very Low	Low	Medium	High	Very High
On-licence	1	46	48	6	0
Off-licence	0	1	47	1	0
Club licence	45	24	2	0	0
Total number	46	71	97	7	0
Total Fee paid to ARLA (GST incl)	\$689.87	\$2,432.25	\$5,101.69	\$603.75	\$0.00

Managers' certificate applications received:

	Number received		
Manager's certificate new	86	Total Fees	\$19,393.13
Manager's certificate renewal	161	Refunds	-\$293.25
Total number	247	TOTAL	\$ 19,099.88 \$ 16,608.59
Total Fee paid to ARLA (GST incl)	\$7,101.25		Incl GST Excl GST

Special licence applications received:

	Number received in category:	Number received in category:	Number received in category:
	Class 1	Class 2	Class 3
Special licence	7	53	51

Temporary authority applications received:

	Number received
Temporary authority	9

Permanent club charter payments received: N/A

For the year ending	<u>Jun-18</u>	<u>Jun-19</u>
Alcohol Licensing		
<u>Income</u>		
Internal Income	-6,299	-5,985
Other Income	0	
Rates	-23,115	-23,778
		-
User Charges and Fees	-193,063	180,002
	-222,477	209,765
<u>Direct Expenditure</u>		
Advertising	285	0
Communications	893	863
Conferences and courses	300	2,051
Insurance	506	0
Other Expenditure	3,111	2,095
Postage and Stationery	72	96
Professional Services	3,890	775
Staff Costs	147,728	135,813
Supplies and Materials	0	122
Travel and Accommodation	301	1,454
Vehicle Expenses	0	
	157,086	143,268
<u>Indirect Expenditure</u>		
Depreciation (Funded)	5,990	533
Internal Expenses	51,106	60,472
Financial Expenses	319	
	57,415	61,005
Net Surplus/(Deficit)	-7,976	-5,493
<u>Capital Expenditure</u>		
Capital Expenditure	0	533
Funding adjustments (Contributions and Loans)	1	0
Reserve Transfer	-7,977	-4,960
	0	

Dog Control Annual Report

Record No: R/19/7/13490

Author: Michael Sarfaiti, Environmental Health Manager

Approved by: Bruce Halligan, Group Manager Environmental Services

☒ Decision

☐ Recommendation

☐ Information

Purpose

- 1 This report covers the administration of the Southland District Council's Dog Control Policy and its associated practices.

Executive Summary

- 2 Section 10A of the Dog Control Act 1996 provides that every territorial authority shall report on the administration of its Dog Control Policy and dog control practices, and submit it to the Secretary of Local Government, and give public notice of the report in a daily newspaper.

Recommendation

That the Regulatory and Consents Committee:

- a) **Receives the report titled "Dog Control Annual Report " dated 23 August 2019.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Adopts the Annual Report and authorises it to be forwarded to dogs@dia.govt.nz by the Manager of Environmental Health, and that the report be publicly notified as required by the Dog Control Act 1996.**

Attachments

- A Dog Control Annual Report 2018 2019 [📄](#)



Dog Control Annual Report

For the 12 Months Ending 30 June 2019

Section 10A Dog Control Act 1996

Southland District Council
Te Rohe Pōtae o Murihiku

PO Box 903
15 Forth Street
Invercargill 9840

☎ 0800 732 732
✉ sdcc@southlanddc.govt.nz
🌐 southlanddc.govt.nz

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

Southland District Council is required to publicly report each financial year on the administration of its Dog Control Policy and its dog control practices.

What we do

This activity provides for the control of dogs to protect the public, and promotes responsible dog ownership. The activity involves registering dogs, investigating complaints about dogs, education, monitoring and enforcement.

Why we do it

Dog control contributes to creating safe places (homes, public places and roads), the abatement of nuisances from dogs, and the protection of protected wildlife. Council is required to comply with the legal requirements of the Dog Control Act 1996 and the Impounding Act 1955.

Dog Control in the Southland District

Southland District Council covers a large geographical area, which includes both urban and rural dog owners.

In order to deliver an animal control service, Council has an animal control unit consisting of:

- a manager
- a full time dog control officer
- a 0.8 full time equivalent dog control officer
- two casual dog rangers
- an afterhours contractor (Armourguard)
- a shared service with Invercargill City Council

The animal control unit has a close working relationship with key stakeholders in the community such as the Society for the Protection of Animals (SPCA), Furever Homes, local veterinarians, Police and other local authorities.

The animal control unit operates a seven day, 24 hour service.

Staff believe that resourcing is currently adequate to fulfil its statutory duties. A quality management officer has been employed by Council to assist with the development of a quality system across Environmental Services.

Commentary on statistical information

Some commentary on the statistical information in Appendix 1 is as follows:

Wandering dogs:

There has been a reduction in wandering dog complaints, continuing the downwards trend. Dog control officers advise that there has been an improvement in dog containment, with fewer wandering dogs being observed than several years ago.

Microchipping:

The number of dogs' microchipped by SDC has increased, as it did the year prior to that as well. This is likely due to the fee discounts, where chipping is mandatory for the responsible owner discount. Other factors were an effective communication campaign, and the new incentive of a free iPad.

Infringement notices:

The new fee discounts have introduced warning letters as an intermediate step, prior to the need to issue an infringement. The absence of a warning letter is one requirement for the responsible owner discount. Officers have been using warning letters for compliance more, and issuing infringements less.

Attacks/rushing:

There has been a decrease in the number of rushing/attack incidents, as there was the year before that as well. This may be related to observations of less wandering dogs - that is, dogs are being better contained, and this is a factor that is directly related to rushing/attack incidents.

Loss of an invaluable staff member

The animal control team sadly lost its long serving customer services member of staff last year. A new technical support partner team has been created that includes dog control administration functions, and this has been transitioning well.

Working smarter

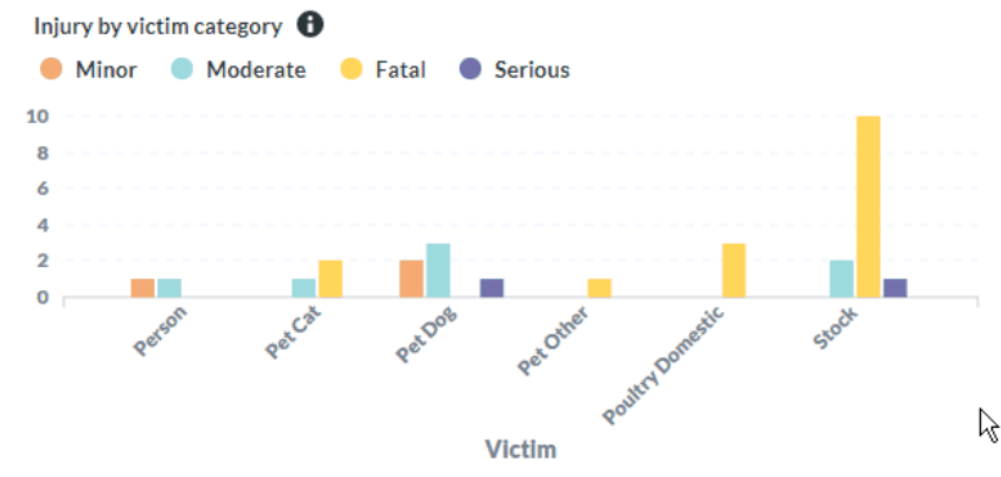
A large focus has been increasing the number of dogs that are registered using "Payit" on Council's website. Work included developing the new dogs' online registration, use of bulk emails to our dog owners, introducing dog changes system on our website, an improved communications campaign, and adding an iPad as an incentive to register online. All these initiatives have proven successfully with more dogs being registered online.

Processes around the syncing between Council's dog register and the National Dog Database have been significantly improved through the automatic identification of syncing issues.

Attacks

A questionnaire has been added to Council's systems to drill down into the circumstances behind dog attacks, that will provide useful data going forwards – both for reporting and also analysis.

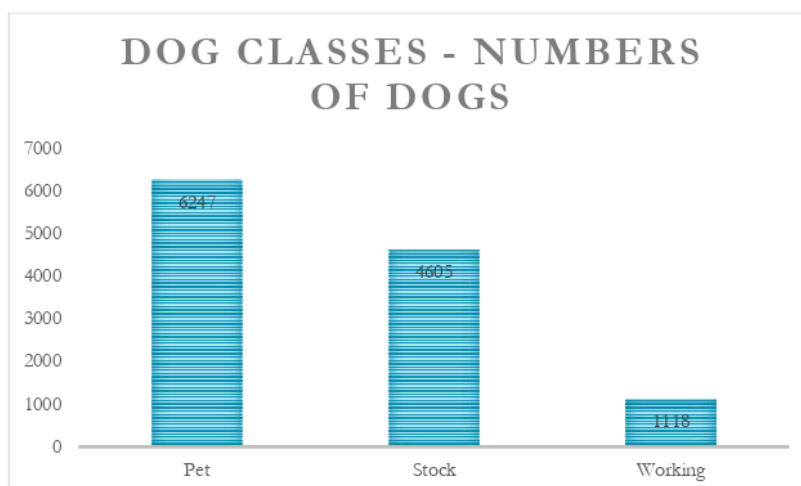
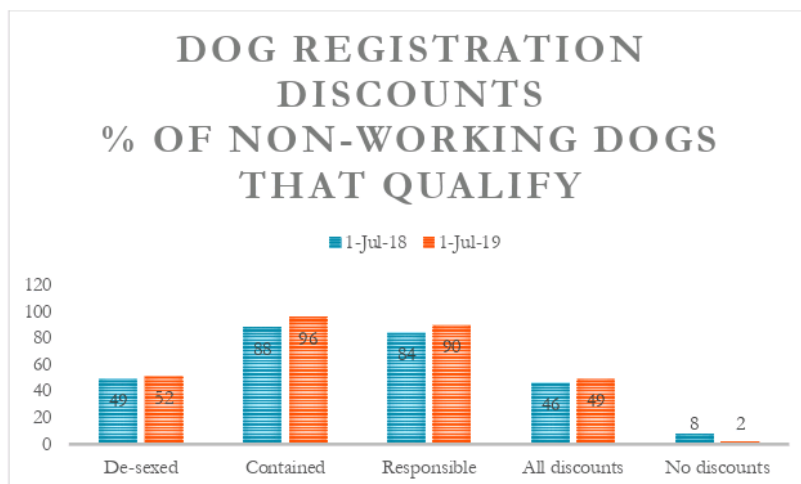
The following bar graph summarises injury by victim category:



Three years ago a common type of dog attack incident was a dog escaping its property and attacking a dog/person walking by. This has largely been eliminated, reasons may include proactive work by officers, and the impact of the new discounts that promote containment.

Dog registration fee discounts / classes

The number of non-working dogs that qualified for the discounts is shown in the graph below, and the number of dogs per class, are represented in the following graphs:



[Office reference R/19/7/13572]

Dog Education

Dog education is achieved in a number of ways, including during registration process, patrols, site visits, articles and Facebook. The unit also places promotional material in Council's First Edition which is sent quarterly to all ratepayers in the Southland District Council area.

Shared service

Council shares services with Invercargill City Council:

1. Council has warranted three ICC animal control officers and can draw on their services when the demand arises.
2. Council operates a combined dog control facility with ICC. Five of the 28 kennels are dedicated for use by Council. Council has an exclusive licence to occupy five kennels signed in 2012, with the licence to have a life of 50 years with a right of renewal. SDC paid a one-off capital contribution and has an arrangement for paying for ongoing expenses and a daily tariff for each kennel when in use by SDC.

Free microchipping

Council continues to offer free microchipping for dogs registered with it.

Observations from the dog control Officers

A trend noticed is that there has been a decrease in the number of dogs that require a catch pole to secure them.

While patrolling there are less dogs seen wandering and most dogs are being walked are on lead.

Still of concern is dogs off-lead on the Winton walking track and in the on-lead areas at Riverton beach.

The number of dogs being microchipped is steadily increasing, following the introduction of the discounts. This includes a number of stock dogs even though they are not required to be chipped.



Michael Sarfati
Manager Environmental Health

Appendix 1 - Statistical Information

CATEGORY	FOR PERIOD 1 JULY 2017 TO 30 JUNE 2018	
Registrations for dogs	Approximately 12,834 as at 30 June 2018	Approximately 12,038 as at 30 June 2019
% pet dogs	49%	52%
Probationary owners	0	0
Disqualified owners	6	4
Dangerous dogs - still active	12	9
• dangerous by owner conviction under s31(1)(a)	0	0
• dangerous by sworn evidence s31(1)(b)	11	9
• dangerous by owner admittance in writing s31(1)(c)	1	0
Menacing dogs - active	47	48
• menacing under s33A(1)(b)(i) - by behaviour	22	22
• menacing under s33A(1)(b)(ii) - by breed characteristics	0	0
• menacing under s33C(1)(ii) by Schedule 4 Breed	25	26
Infringement notices	120	91
• obstructed a dog control officer or dog ranger	0	0
• failed to comply with bylaw	3	0
• failed to comply with disqualification	0	0
• fail to comply dangerous dog classification	0	0
• kept an unregistered dog	72	57
• failed to keep dog controlled or confined	40	30
• failed to keep dog under control	4	3
• failure to provide proper care	0	0
• failure to comply with menacing dog classification	1	1
• failure to comply with barking abatement notice	0	0
Complaints received	655	591
• dog attacks	38	37
• barking dogs	161	154
• found dogs	117	106
• dog rush/threaten (nil bite)	42	46

CATEGORY	FOR PERIOD	
	1 JULY 2017 TO 30 JUNE 2018	
• wandering dogs	215	156
• general enquiries	82	92
Number of dogs microchipped by SDC	522	561
Number of prosecutions	0	0