



14 December 2018

Official Information Request No. 8140003985
(Please quote this in any correspondence)

Leonie Exel

fyi-request-9213-43d58fd7@requests.fyi.org.nz

Dear Leonie

Local Government Official Information and Meetings Act 1987

Re: legal advice showing dogs should not be neutered unless relinquished

I refer to your email, which we received on 10 December 2018, requesting information about legal advice showing dogs should not be neutered unless relinquished

Auckland Councils current bylaw contains a provision that requires owners to neuter their dog if it has not been kept under control on more than one occasion within a 12-month period (Clause 14). Auckland Council has recently conducted a review of its dog policy and bylaw and is proposing to retain this provision.

As part of the review, Council investigated whether this could be taken further to enable the council to seize and actively facilitate the dog being neutered. Following a full investigation of this option including legal advice, this is not being pursued.

The report that the requester referred to from the Regulatory Committee meeting on 8 November 2018 contains an attachment that further details an assessment of the issues and options explored. This report starts on starting on page 73, information about the neutering requirement can be found on page 90 and 91.

Legal advice sought by staff for the review of the Dog Management Bylaw 2012 has been withheld under Section 7(2)(g) of the Local Government Official Information and Meetings Act, *maintain legal professional privilege*, however the information has been summarised in the report attached.

Should you believe Auckland Council has not responded appropriately to your request, you have the right by way of complaint, under section 27(3) of the LGOIMA, to apply to the Ombudsman to seek an investigation and review of the decision.

If you have any further queries please contact me on 09 301 0101 quoting Official Information Request No. 8140003985

Yours sincerely

Grace Heinemann
Privacy & LGOIMA Business Partner
Democracy Services