

ATTACHMENTS

Ordinary District Dog Control Committee Meeting

25 September 2023

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**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY DISTRICT DOG CONTROL COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 107 TE HEUHEU STREET, TAUPŌ
ON THURSDAY, 2 FEBRUARY 2023 AT 10.00AM**

PRESENT: Cr Kevin Taylor (in the Chair), Mayor David Trewavas, Cr Anna Park, Cr John Williamson

IN ATTENDANCE: Cr Karam Fletcher
Chief Executive, General Manager Finance and Environment, Compliance and Regulatory Manager, Compliance Team Leader, Business Support Officers, Governance Quality Manager, Executive Assistant

MEDIA AND PUBLIC: Objectors to the menacing classification, Mr and Mrs Purdon

1 KARAKIA

Cr Anna Park recited the Council's opening karakia.

2 WHAKAPĀHA | APOLOGIES

DDC202302/01 RESOLUTION

Moved: Cr Anna Park

Seconded: Cr John Williamson

That the apology received from Cr Kylie Leonard be accepted.

CARRIED

3 NGĀ WHAKAPĀNGA TUKITUKI | CONFLICTS OF INTEREST

Nil

4 WHAKAMANATANGA O NGĀ MENETI | CONFIRMATION OF MINUTES

Nil

5 NGĀ KAUPAPA HERE ME NGĀ WHAKATAUNGA | POLICY AND DECISION MAKING

5.1 MENACING DOG CLASSIFICATION OBJECTION - BILLY-226820 / BEEZEE-226821

Chairperson Cr Kevin Taylor outlined the purpose of the meeting and the process to be followed, which included hearing from Council staff, and hearing from the objector Ms Lesley Ann Purdon, dog owner of "Billy" and "Beezee". He explained the role of the Committee, which was to assess the menacing classification of the dogs "Billy and Beezee", having regard to those matters set out in section 33B of the Dog Control Act 1996 ("the Act").

The Compliance Team Leader addressed the Committee, summarising the basis for the classification of Billy and Beezee as menacing under the Act, following reports of aggressive behaviour observed. He corrected references in the documentation to "dangerous", confirming that the classification under consideration was a menacing classification for both dogs. In answer to questions, he advised that:

- Out of the nine complaints made to Council about the two dogs in question, multiple were made by the same complainant. Names had been redacted to protect privacy.
- Dangerous classifications resulted from a clear and defined attack, whereas menacing classifications were a lower classification. It was conceded that some people may consider certain dog behaviour

simply boisterous, rather than aggressive, and therefore consider Council's menacing classification to be excessive.

- Once classified as menacing, dogs must not be allowed at large / uncontrolled in public, and must wear a muzzle. They must also be de-sexed, however this requirement is put on hold where an objection to classification is lodged. It is possible for owners to apply for an exemption to the muzzling requirement.
- The matrix was completed with the 26 September incident in mind. At the interview stage, another incident had been reported, so the subsequent incident was not taken into account in the matrix scoring.
- The incidents had not resulted in any injuries.

Mr and Mrs Purdon tabled a folder containing the following documents:

- (i) Letter from a neighbour in support of objection [A3286711]
- (ii) Photo of Billy and Beezee [A3286712]
- (iii) Written statement [A3286715]
- (iv) Facebook Post of dog mistaken for Beezee [A3286712]
- (v) Testimonials from friends [A3286716]
- (vi) Desexing certification provided by Vet [A3286708]
- (vii) Photo of chickens in the garden [A3286710]
- (viii) Photo of the locked gate [A3286709]

Mr and Mrs Purdon addressed the Committee and the following points were noted:

- "Beezee" is the oldest dog. She is well trained with a loving nature and sleeps indoors.
- "Billy" is the youngest dog, approximately two years old. He was kept in a dog run and inside a locked kennel until he was roughly 10 months old, which caused him to want to run/flee when possible.
- Mrs Purdon disagreed that her dogs ran off the property on the dates specified. She had told the Council staff member that during the interview. A person had flashed a torch into the Purdon's yard, while their own dogs were off-leash outside. Billy did bark at the fence, but did not leave the yard. Beezee was indoors recovering from surgery which means there was no possibility Beezee could have been outside during the reported attack.
- There was another local dog with a similar appearance to Billy, so it was assumed that this dog had been mistaken for Billy.
- Billy and Beezee are friendly with many of the neighbours, including families with small children who do not feel afraid when around both dogs, and tradesmen who come on to the property while the dogs are there have stated neither of the dogs are seen as a threat. Referred to tabled letters of support.
- Billy and Beezee have a particular issue with the dogs owned by the complainant. These dogs walk off-leash, come up to the Purdon's fence and bark. One time, one of the complainant's dogs was being walked by another person and rushed at Beezee while she was being walked on a lead.
- Prior to the alleged attack, the Purdon's gate had been shut with the pad-bolt through, but was found open in the morning. The dogs could not have escaped however, as Billy was still locked in his kennel and Beezee was inside on the bed. She confirmed that she had told Council staff this.
- In an attempt to prevent Billy and Beezee coming into contact with the dog of the complainant, a black out layer was constructed on the fence so the dogs cannot see out. A padlock has also been put on the fence so the gate stays closed at all times and the dogs cannot escape the yard. The whole property is fenced in at 1.8m high.
- Billy is always locked into his kennel/run when the Purdons are not at home. He has also been de-sexed.
- Mrs Purdon has purchased muzzles for both dogs, and also a training collar to train the dogs to stay away from the gate.

In answer to questions, the Compliance and Regulatory Manager advised that:

- It could not be explained why Mrs Purdon's statement about the dogs not leaving the property on the date of the alleged attack had not been included in the interview notes.
- Evidence of physical injuries was not required for a menacing classification; reported aggressive

behaviour was the benchmark.

In answer to further questions, Mrs Purdon advised that:

- Billy had escaped after notification of the menacing classification, however they had followed him straight out and brought him home.
- The padlock had been installed straight after Council staff had visited. Billy had escaped via the garage door which had been opened by a visitor.
- The dogs are not aggressive at all to other dogs and are always walked on leads.
- They had paid the infringements because it was a difficult and busy time and it was just easier to pay and not worry about that any more.

In conclusion and at the invitation of the Chairperson, Mrs Purdon asked what the outcome of Council's letter drop in the neighbourhood was. The Compliance and Regulatory Manager advised that the letter drop responses were mixed and could be provided on request. The survey contained in the letter was not specific to the Purdon's dogs, but rather dog behaviour in general in the area. The Compliance Team Leader added that one response had stated that the Purdon's dogs were aggressive, but that person had not reported this to Council.

Members of the Committee then considered the menacing classification of dogs Beezee and Billy. The following points were noted:

- Mitigation measures had been put in place, including improving the fencing and installing a padlock, although it was noted that one of the dogs had escaped subsequently.
- There was a direct conflict of evidence in relation to what had happened on the date of the alleged attack.
- Evidence of Billy being neutered had been provided.
- A folder of photographs and testimonials had been provided.
- Payment of the infringements was an indication of the Purdon's acknowledging responsibility for what had happened.

DDC202302/02 RESOLUTION

Moved: Cr Anna Park

Seconded: Cr John Williamson

That the Taupō District Dog Committee rescinds the menacing dog classification for "BeeZee" and "Billy".

CARRIED

Note: Cr Kevin Taylor voted against resolution DDC202302/02 above.

6 NGĀ KŌRERO TŪMATAITI | CONFIDENTIAL BUSINESS

Nil

The meeting closed with a karakia recited by Cr Anna Park at 11.07am.

The minutes of this meeting were confirmed at the ordinary District Dog Control Committee meeting held on 31 August 2023.

.....
CHAIRPERSON



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COL44

07/02/2023 - 06:20am SR 2302578

Susan Atkins - [REDACTED] Holland Grove,
Taupo

My name is [REDACTED] I am warranted under
the dog control Act 1996 and employed
by the Taupo District Council to
investigate complaints made to the
council.

You have the right to refrain from
making any statement

You do not have to answer any
questions unless you wish to do so.

You may ask us to leave at any
time

Anything you say or do may be used
against you in further proceedings.

CO 44

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SK2302578

You have the right to consult and instruct a lawyer.

Incident on 03-03-2023.

Present during interview [REDACTED]

it was really early. Bodkin was sitting on my knee. we were sitting out the front

18:39 - Susans ^{sister} ~~Ernerd~~ arrived. [REDACTED]

But I was calling roses. I did not know where Bodkin had gone. I saw the screaming of the lead.

I grabbed the lead and put it on her. I then brought her back in.

See Atkins
Holland Grove
7/2/23
[REDACTED]

