

ATTACHMENTS

Ordinary District Dog Control Committee Meeting

13 June 2022

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Ordinary District Dog Control Committee Meeting Minutes

16 December 2021

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY DISTRICT DOG CONTROL COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 107 TE HEUHEU STREET, TAUPŌ
ON THURSDAY, 16 DECEMBER 2021 AT 10.00AM**

PRESENT: Cr Kevin Taylor (in the Chair), Cr John Boddy, Cr Kylie Leonard
IN ATTENDANCE: Cr Anna Park
General Manager, Planning and Strategy, Environmental Services Manager,
Compliance and Regulatory Manager, Communications Advisor, Governance
Quality Manager
MEDIA AND PUBLIC: One member of the public

1 APOLOGIES

DDC202112/01 RESOLUTION

Moved: Cr Kevin Taylor
Seconded: Cr John Boddy

That the apology received from His Worship the Mayor, David Trewavas be accepted.

CARRIED

2 CONFLICTS OF INTEREST

Nil

3 CONFIRMATION OF MINUTES

3.1 ORDINARY DISTRICT DOG CONTROL COMMITTEE MEETING - 4 NOVEMBER 2021

DDC202112/02 RESOLUTION

Moved: Cr Kevin Taylor
Seconded: Cr John Boddy

That the minutes of the District Dog Control Committee meeting held on Thursday 4 November 2021 be confirmed as a true and correct record.

CARRIED

4 POLICY AND DECISION MAKING

4.1 OBJECTION TO MENACING DOG CLASSIFICATION - PUDGY

The following documents in support of Mr Bruce Lilburn's objection to the menacing classification for his dog Pudgy had been received from Mr Lilburn and emailed to District Dog Control Committee members prior to the meeting:

- (i) Letter from Ms Patreece Corban (A3135209).
- (ii) Two photographs of Pudgy socialising with Mr Lilburn's neighbour's dog (A3135211).

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16 December 2021

- (iii) Photograph of Pudgy outside kennel and fenced area (A3135216).
- (iv) Email from Mr Craig Stevens (A3135220).
- (v) Letter from Mr Duncan Grey (A3135223).

Mr Bruce Lilburn's son, Mr Christian Lilburn was in attendance representing his father.

Committee Chairperson Cr Kevin Taylor explained the process to be followed, which involved hearing from Council staff, asking questions via the Chairperson, hearing from Mr Christian Lilburn in support of the objection, followed by the Committee's deliberations and decision.

The Compliance and Regulatory Manager summarised the report, explaining that Pudgy's classification was supported by repeated aggressive behaviour shown by Pudgy. He confirmed that issues with fencing on the property were being addressed. In response to questions from Committee members, the Compliance and Regulatory Manager advised that:

- Although the classification matrix had indicated a "dangerous" classification, the "menacing" classification was considered to be more appropriate based on past events involving Pudgy and the fact that there had not been a serious incident resulting in bad injuries.
- There had been five prior incidents involving Pudgy not reported to Council.

Cr Taylor then outlined the matters required to be taken into account by the Committee under the Dog Control Act 1993 ("the Act") and asked Mr Lilburn whether he had read the agenda, to which he responded that he had.

Addressing the considerations set out in the Act and in answer to questions, Mr Lilburn advised that:

- Instead of fencing, a cage had been built for Pudgy, following the attacks.
- The cage was made of steel (*shown in photographs displayed on the screens in the Council Chamber*).
- Animal behaviourist Mr Mark Vette had provided advice on training, use of shock dog collar and positive reinforcement. The family had been using these tools to keep Pudgy under control.
- Whenever Pudgy barks, he is put into his cage for 'time out'. He is always kept away from other dogs he does not know. He does know the dog next door and another dog down the road, and plays nicely with both of these dogs, with no aggression or biting.
- For training, there is a wire going around the property, Pudgy wears a collar which gives a small shock if he crosses the wire and a larger shock if he continues on beyond the wire. The family had successfully educated Pudgy on the boundaries of the property. He used to go off the property onto the reserve at the back to play in the trees, however he had now been trained not to do that. In addition, with Mr Vette's guidance, Pudgy was responding well to positive reinforcement techniques including rewarding compliant behaviour.
- Pudgy's training had been underway since the second attack.
- Mr Lilburn's father disputed the assertion contained in agenda papers that he had admitted Pudgy is aggressive. The interpretation that a "crazy" or "unpredictable" dog was therefore an aggressive dog was challenged. Yes, Pudgy was unpredictable, however he was kept in his cage, inside or tied up and was being trained. Pudgy's mental issues were the result of trauma following an attack on him by two other dogs.
- Pudgy had had some basic training prior to the attacks.

Members considered all evidence presented to them, both written materials circulated with the agenda and oral evidence provided at the hearing. They decided to uphold the menacing dog classification for Pudgy for the following reasons:

- Under the classification matrix, Pudgy could actually have been classified dangerous.
- It was felt that the classification should be upheld to ensure the community was safe. It had been accepted that Pudgy's behaviour was unpredictable.
- There was a recorded history of aggression and attacks by Pudgy.
- Although Pudgy was caged and undergoing training, the risks had not been sufficiently mitigated for the Committee to rescind the menacing classification.

Committee Chairperson Cr Taylor thanked Mr Lilburn for presenting and encouraged him to continue with Pudgy's training.

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Ordinary District Dog Control Committee Meeting Minutes

16 December 2021

DDC202112/03 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Cr Kylie Leonard

That the District Dog Control Committee upholds the menacing dog classification for Pudgy.

CARRIED

5 CONFIDENTIAL BUSINESS

Nil

The meeting closed at 10.34am.

The minutes of this meeting were confirmed at the ordinary District Dog Control Committee meeting held on 13 June 2022.

.....
CHAIRPERSON



New Zealand Legislation

Dog Control Act 1996

- Warning: Some amendments have not yet been incorporated

33B Objection to classification of dog under section 33A

- (1) If a dog is classified under [section 33A](#) as a menacing dog, the owner—
 - (a) may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and
 - (b) has the right to be heard in support of the objection.
- (2) The territorial authority considering an objection under subsection (1) may uphold or rescind the classification, and in making its determination must have regard to—
 - (a) the evidence which formed the basis for the classification; and
 - (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
 - (c) the matters relied on in support of the objection; and
 - (d) any other relevant matters.
- (3) The territorial authority must, as soon as practicable, give written notice to the owner of—
 - (a) its determination of the objection; and
 - (b) the reasons for its determination.

Section 33B: inserted, on 1 December 2003, by [section 21](#) of the Dog Control Amendment Act 2003 (2003 No 119).



GREAT LAKE TAUPŌ

Taupō District Council
30 Tongariro Street, Taupō 3330
Private Bag 2005, Taupō Mail Centre
Taupō 3352, New Zealand
T 07 376 0899
E info@taupo.govt.nz
www.taupo.govt.nz

9 March 2022

Janice Christa Black
[REDACTED]
[REDACTED]
[REDACTED]

Kia Ora Mrs Black

Notice of Classification of Dog as a Menacing Dog - Section 33A, Dog Control Act 1996

Your Reference: 08537

Dog Description: 210142, Pepsi, Retriever, Labrador/Cross, Black, Male neutered

This is to notify you* that this dog has been classified as a menacing dog under **Section 33A (2)** of the Dog Control Act 1996.

The Taupō District Council considers this dog may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of:

- Observed or reported behaviour of the dog. In that on the 26 February 2022 your dog Pepsi was involved in an incident involving another animal at Acacia Heights Drive, Taupō.

A full summary of the effects of the classification and your right to object is provided on the following page.

If you have any enquiries regarding this letter, please contact the Compliance Team on 07 3760899 or email businesssupport@taupo.govt.nz

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz.

Nga mihi

Compliance Team Leader

Taupō District Council
CO-37

EFFECT OF CLASSIFICATION AS MENACING DOG

Section 33E 33F and 36A , Dog Control Act 1996

You:

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) may be required to produce to the Taupo District Council, within 1 month after receipt of this notice, a certificate issued by a registered veterinary surgeon certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to the Taupo District Council, produce to the Taupo District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c).

As from 1 July 2006, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Taupo District Council in accordance with the reasonable instructions of the Taupo District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement—

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006; or
- within 2 months after the dog is classified as menacing if your dog is classified as menacing after 1 July 2006.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO CLASSIFICATION UNDER SECTION 33A

Section 33B, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with the Taupo District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and will be notified of the time and place at which your objection will be heard.

Taupo District Council

72 Lake Terrace, Taupo
Private Bag 2005, Taupo
Telephone (07) 376 0899
Facsimile (07) 378 0118

Request: 2204261**To: Animal Management & Compliance****Attn:** [REDACTED]**Priority: 3:High-24 Hours****Closed: 23/03/22 - 10.48**

Caller Information

Name [REDACTED]**Address****Phone** [REDACTED]**Email**

Request

District Taupo**Received by** [REDACTED]**Recd date/time** 28/02/22 - 08.29**How received** Phone**Incident date/time** 26/02/22 - 08.30**Action required** Complaint**Type** Attack on person/animal/wildlife**Details** Neighbours dog attacked my sheep on my property at approx 8.15pm tonight 26.2.22.

One sheep was left bleeding from its mouth.

Also they have 4 dogs when the requirement is 2 as I understand.

I was never approached to give consent to have more than 2 dogs.

Something I would have vigorously opposed because of there aggressive nature

These dogs are very aggressive whenever myself or my family approach the Boundary fence.

Issue/Service Restored

Date & Time 23/03/22: 10.48

Location

Street Acacia Heights Drive, Acacia Bay

Dog Details

Owner 08537 : Janice Christa Black : [REDACTED]**Dogs** 210144 : Frosty : Collie, Border : 8 yrs 03 mnths : Male : White

210143 : Stanley : Retriever, Labrador : 9 yrs 03 mnths : Male : Black

210142 : Pepsi : Retriever, Labrador/Cross : 2 yrs 04 mnths : Male : Black

Actions

Request 2204261

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Actions cont..

Status Complaint - [REDACTED] - Arrived: 28/02/22 - 09.55 - Completed: 28/02/22 - 09.55

Details Spoke to C

At 8.15pm on 26/2/22. [REDACTED] witnessed DO and her son on his property. By the time I got to the boundary fence near where it happened the offending dog had been put over the other side of the fence and the son was lying on his as it wanted to go for the sheep. He was hypo. the way it was carrying on you could tell it just wanting to get back over the fence again for another go at the sheep.

The dog owner said to me "I think shes okay" refering to the sheep. I said "no look at her" she had blood and saliva coming out of her mouth.

Little black dog, bitzer, owner called it a name but C is unsure what the name was.

She has four dogs. there is another one that is black and white that is the same colour.

Status Complaint - [REDACTED] - Arrived: 28/02/22 - 09.55 - Completed: 28/02/22 - 09.55

Details [REDACTED] are also having issues with aggressive behavior from these dogs. When they start going they form a pack mentality.

When they see someone on fenceline they act very aggressive.

C has said you can not get to a front door when dogs are outside on property. C thinks they must keep dogs inside most of the time.

Will visit C's property today at 2pm to see where attack happened
d

Status Complaint - [REDACTED] - Arrived: 28/02/22 - 10.17 - Completed: 28/02/22 - 10.17

Details Spoke to alledged DO, she admits incident happened. Dog involved was Pepsi. She did not see Pepsi make contact with the sheep although admits it had a nose bleed (she thinks this could of been from the stress of being chased around)

Will complete interview today at approx. 2.30pm after completing C's

Status Complaint - [REDACTED] - Arrived: 28/02/22 - 14.50 - Completed: 28/02/22 - 15.15

Details Interview completed with [REDACTED]

Datacom from completed.

Datacom REF: MAC025646012953

Objective Dog Incident File REF: fA243965

Status Complaint - [REDACTED] - Arrived: 28/02/22 - 15.15 - Completed: 28/02/22 - 15.21

Details Interview with [REDACTED]

We had been advised by [REDACTED] was concerned with the dogs behavior.

[REDACTED] concerns.

- Constant barking (Which has now stopped)

- When we walk past the dogs bark aggressively at us. They cannot see us or get to us but they can hear us.

- For a few months the dogs would bark from 6.45 constantly for a few minutes.

- Doesn't was a dangerous dog living around that area as [REDACTED] has a kid and doesn't feel like

[REDACTED] should have to put a fence up to keep the dog out.

- Wants is noted [REDACTED] did not get asked permission for a extra dog permit.
it.

Request 2204261

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Actions cont..

- Status** Complaint - [REDACTED] - Arrived: 28/02/22 - 15.21 - Completed: 28/02/22 - 15.58
- Details** Interview completed with offending dog owner. Datacom from completed.
Images of where the incident happened, of Pepsi and of where Pepsi has potentially left the property taken.
All saved into Objective Dog Incident File.
Datacom REF: MAC025646014959
Objective Dog Incident File REF: fA243965
- Status** Complaint - [REDACTED] - Arrived: 28/02/22 - 16.30 - Completed: 28/02/22 - 16.30
- Details** Offending Dog Owner Called re SR 2204330
"Spoke with C. She was enquiring about how long she would have to reduce her dog numbers if that was one apart of the outcome in the investigation. SR 2204261. I advised it was either 14 or 30 Days.
She also wanted it noted that she is a certified Canine Behaviouralist."
- Status** Complaint - [REDACTED] - Arrived: 02/03/22 - 16.50 - Completed: 02/03/22 - 16.50
- Details** Interview completed with witness [REDACTED]
Datacom form completed.
Datacom REF: MAC025646189831
Dog incident objective file REF: fA243965
- Status** Complaint - [REDACTED] - Arrived: 03/03/22 - 13.31 - Completed: 03/03/22 - 13.31
- Details** Matrix completed to TL for review:
On 26/02/2022 Dog 210142 Pepsi escaped his property of [REDACTED] and got into the neighbour's property [REDACTED] Pepsi chased one of their sheep down the paddock while also nipping at the sheep. During this time the dog owner has noticed and has attempted to get Pepsi back. Pepsi cornered the sheep and then got caught by his owner and placed back onto a lead and back onto his property. It is my recommendation this dog owner receives an infringement under Dog Control Act 1996 section 52A Failure to keep dog controlled/confined, Her extra dog permit revoked and Pepsi gets classified as menacing under Dog Control Act 1996 section 33A.
- Status** Complaint - [REDACTED] - Arrived: 03/03/22 - 13.33 - Completed: 03/03/22 - 13.33
- Details** I also recommend DO receives a direction to improve fencing due to reports of all the dogs acting aggressively towards the fence live.
- Status** Complaint - [REDACTED] - Arrived: 07/03/22 - 12.36 - Completed: 07/03/22 - 12.36
- Details** Menacing
Compliance Team Leader Summary:
The incident has been investigated, the outcome is that the dog be classified - MENACING IAW the Dog Control 1996 Section 33A(b)(i) Territorial authority may classify dog as menacing. The owner is also to be given an INFRINGEMENT IAW Dog Control 1996 Section 52A Offence of failing to keep dog under control and a Warning Dog Incident Letter.
A property inspection is also to be made and a Direction to Secure the property or contain dog in kennel and run or tether the dog so that the dog cannot freely leave be submitted to the owner.
- Status** Complaint - [REDACTED] - Arrived: 07/03/22 - 13.36 - Completed: 07/03/22 - 13.36
- Details** CTL please can you advise if extra dog permit is to be revoked. Thanks

Request 2204261

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Actions cont..

- Status** Complaint - Ross McDonald - Arrived: 07/03/22 - 13.45 - Completed: 07/03/22 - 13.45
Details Yes
- Status** Complaint - [REDACTED] - Completed: 08/03/22 - 09.10
Details Janice Black has called to speak to either [REDACTED] or [REDACTED] please call on [REDACTED] no further information given.
- Status** Complaint - [REDACTED] - Arrived: 08/03/22 - 12.45 - Completed: 08/03/22 - 12.45
Details BS please classify dog Pepsi and menacing. Thank you
- Status** Complaint - [REDACTED] - Arrived: 08/03/22 - 16.16 - Completed: 08/03/22 - 16.16
Details BS please see above update. Please create the menacing paperwork and save that in SR then send SR to CO 50. Thank you
- Status** Complaint - [REDACTED] - Completed: 09/03/22 - 08.45
Details Dog Pepsi classified as Menacing - letter attached for you.
 Please advise if further BS action such as cancelling RDO thanks.
- Status** Enquiry - [REDACTED] - Arrived: 11/03/22 - 10.06 - Completed: 11/03/22 - 10.06
Details Hi yes please cancel extra dog permit and create letter and save in SR. Please also can you create a warning dog incident letter and a direction to improve fencing and save those in here too.
 Can you please save all these letter in OBJ too. Thank you
- Status** Enquiry - Business Support - Completed: 17/03/22 - 16.29
Details Saved into DO Obj file and this SR -
 -Warning Incident Letter for Pepsi
 -Direction to Fence Letter
 -Multiple Dog Permit Cancelled and Reduce Numbers Letter
 None sent to DO. Adv if any further action for BS thanks.
- Status** Enquiry - Cairo Quaife-Miers - Arrived: 18/03/22 - 16.29 - Completed: 18/03/22 - 16.29
Details CO 82 please deliver place the following letters into DO Janice Black's Letter box of [REDACTED]
 [REDACTED]
 - Menacing Dog Classification
 - Direction to improve fencing
 - Warning Dog incident Letter
 - Cancellation of Responsible Dog Owner Permit
 - Cancellation of Extra Dog Permit
 - Infringement under Dog Control Act 1996 section 52A Failure to Keep Dog Controlled/Confined.
 Thank you
- Status** Enquiry - [REDACTED] - Arrived: 18/03/22 - 17.42 - Completed: 18/03/22 - 18.04
Details Letters hand delivered as requested by CO44. Infringement also created under The Dog Control Act section 52A Failure to keep dog controlled or confined. Also delivered
- Status** Enquiry - [REDACTED] - Arrived: 22/03/22 - 10.38 - Completed: 22/03/22 - 10.38
Details Pushed for time
- Status** Enquiry - [REDACTED] - Arrived: 22/03/22 - 10.37 - Completed: 22/03/22 - 10.37
Details Change Officer

Request 2204261

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Actions cont..

- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.45 - Completed: 23/03/22 - 10.45
- Details** Update: C037 spoke to Offending dog owner (Janice) on phone to advise on her objection to classification (for Pepsi). During conversation Janice stated several points of interest in regard to Pepsi's behaviour - "If it's moving he chases it" "Pepsi has a high prey drive" "A high energy dog". When speaking to Janice in regard to reducing her dog numbers as directed I have agreed to put that on hold until the hearing is completed.
- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.45 - Completed: 23/03/22 - 10.45
- Details** ...I advised Janice that this does not mean that the permit for more than 2 dogs will not be cancelled and may still result in a direction to reduce dog numbers. I have been advised that Janice is making a number of improvements to the properties boundary fence and if there are no further issues in the meantime I will review the permit cancellation after the hearing. Janice will email a list of things she is doing to improve her boundary...
- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.46 - Completed: 23/03/22 - 10.46
- Details** ...Janice is concerned about rehoming Pepsi as he is a rescue dog that she has put in a lot of effort and has become connected with. She stated that the dog will need some time to adjust if she has to rehome and extra training to ensure the dog does not continue the behaviour that caused the incident. I agree with this assessment and will take this in to consideration should I decide to enforce the direction to reduce the dog numbers after the hearing...
- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.46 - Completed: 23/03/22 - 10.46
- Details** ...I noted that Janice' main concern is the labelling of the dog as menacing and how that could affect the rehoming of the dog. I encouraged Janice to not view the classification as a slight on her as a dog owner and went to explain that in this case it is the dogs behaviour and Councils duty of care to the community to ensure that there is not a further risk by ensuring that the dog is muzzled in public and suitably controlled and secured while at home. ...
- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.47 - Completed: 23/03/22 - 10.47
- Details** ...I advised that until such time as a hearing takes place the classification remains in effect, Janice acknowledged this and confirmed that she is complying with the classification. Hearing date to be applied for.
- Status** Complaint - [REDACTED] - Arrived: 23/03/22 - 10.48 - Completed: 23/03/22 - 10.48
- Details** See SR2205772

Dog Owner Enquiry

Page 1 of 2

Dog Owner: 08537

Janice Christa Black

Owner

Owner Name	Janice Christa Black	Date of Birth		Balance	0.00
Phone		Email			
Address					
Location					
Group	Current	Valuation		Area	Taupo/Kaingaroa
Notes	RDO cancelled 17/03/2022				

Dogs: 3

Record	Name	Breed	Colour	Sex	Neutered	Age	Class	Transfer out of District	Transfer to New Owner	Decease
210144	Frosty*	Collie, Border	White	M	Y	8.07	C All other dogs	T	N	D
210143	Stanley*	Retriever, Labrador	Black	M	Y	9.07	C All other dogs	T	N	D
210142	Pepsi*	Retriever, Labrador/Cross	Black	M	Y	2.08	Q Menacing Dog	T	N	D
Complaints		Infringements		Prosecutions		Warnings		Impoundings		
3		1		0		2		0		
22/03/22		26/02/22				17/03/22				
Reg Notice		Pen Notice								
27/05/22										

History (sorted chronologically)

Sort History by Type

22/03/22	Animal Care & Welfare	2205772 Objection Menacing Dog Classification received...
17/03/22	Permit	Cancelled
17/03/2022	Special Owner Policy	Cancelled
17/03/22	Warning Notice	SR 2204261 210142 : Pepsi
17/03/22	Warning Notice	SR 2204261
9/03/22	Menacing Dog	210142 : Pepsi Objection to classification received 21/03/2022
28/02/22	General Queries	2204330 C has called to speak to please call c when available...
28/02/22	Attack on person/animal/wildlife	2204261 Neighbours dog attacked my sheep on my property at...
26/02/22	Infringement	Failure to keep dog controlled/ Confined within lan 804156 : Balance Updated : 210142 : Pepsi : Retriever, Labrador/ : Black : M
1/06/21	File Note	210143 : Stanley Blue 2020 tag 20 8312 given to DO at the pound for Stanley due red tag hasn't arrived in the mail yet and DO and dog going away.
7/12/20	Roaming/Fouling	2019036 C has called as there are 2x dogs in a restricted access...
6/12/20	General Queries	2018962 RFS 887724 New After Hours RFS...
17/09/20	Replacement tag issued	202365 \$ 11.00 201912 Tag 201912 replaced by 202365.
23/06/20	Permit	Granted 157 Acacia Heights Drive, Acacia Bay
15/06/20	Permit Applications	2008849 Multiple dog permit application - handed in and paid for at...
25/05/20	Permit Applications	2007681 C has just adopted 3rd dog from the SPCA...
25/05/20	Permit	Sent Permit to keep more than 2 dogs
25/05/20	Transferred to new owner	194008 08537 Transferred 194008 Pepsi () from owner 3531 SPCA Taupo to 08537 Janice Christa Black.
30/05/19	File Note	2019 05 30 Tags mailed out today
26/09/18	Replacement tag issued	180423 \$ 10.00 181918 Tag 181918 replaced by 180423.
22/06/18	File Note	2018 06 22 Tag/s posted today. (Other)
12/06/17	File Note	Tags 1012 and 1013 posted today
14/01/17	Attack on person/animal/wildlife	1700813 RFS 632052 New After Hours RFS...
1/10/16	Attack on person/animal/wildlife	1615657 RFS 615305 New After Hours RFS...
4/07/16	Dog Transferred out	

<http://taupodc.taupodc.govt.nz/cgi-bin/dogs/dgoe?key=08537>

7/06/2022

Dog Owner Enquiry

Page 2 of 2

161075 : Frosty	
Gone to new owners in Auckland, as per NDD - [REDACTED]	
16/06/16	File Note
Tags sent today [REDACTED]	
30/03/16	Dog Transferred out
156636 : Frosty	
Transferred to Auckland - North Shore as per NDD notification	
* 27 history records located *	
Documents Saved	
By Unique Owner Number 0176112	
None found	
Notes	
Date	Author
Sort History by Type	
Current Year Registration Copy	
Print New Registration Form	
Unique number: 0176112	
Last NDD Change: 8/04/22 14.35	
Update Timestamp	

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<http://taupodc.taupodc.govt.nz/cgi-bin/dogs/dgoe?key=08537>

7/06/2022



Dog Incident Checksheet - Complainant

Reference number: MAC025646012953

Submitted on: 02/03/2022 12:29 p.m.

Service request number: 2204261

Investigating officer number: CO 50

Details

Complainant

Name: [REDACTED]

Residential address: [REDACTED]

Contact phone number: [REDACTED]

Name:

Residential address:

Contact phone number:

Animal Victim

Name of animal:

Type of animal:

Sheep

Breed:

Black faced sheep, female, 5 years old

Size:

Colour:

Sex:

Any distinguishing marks:

Other relevant details (tag number etc.):

Owner or Person in Control of the Offending Dog(s)

Did the dog owner give you their details?

No

Dog(s)

Dog name:

Breed:

Unknown

Sex:

Colour:

Black

Any distinguishing marks:

Any other relevant details:

Little black dog - around knee height. Floppy ears. Lean, well exercised. Long Tail.

Are you familiar with this dog?

Yes

If yes, what do you know about this dog?

When we go onto the back of our property where the boundary to theirs is and the dogs are out. they come straight at us, aggressively barking, on their haunches. teeth bared

Incident

Where were you when the incident happened?

Sitting in my arm chair at my house.

My [REDACTED] said theres someone in the paddock. I got up and saw someone running past in my paddock.

Where (walking on lead next to me, running in exercise area etc.) was your animal?

In my paddock

Where did the offending dog come from?

My neighbours property [REDACTED]

Was the incident in a public space or did the dog leave a private property?

Private

Where, precisely, was the dog when you first saw it?

My neighbours son was holding it down on his property

Was the dog on a lead/harness or muzzled?

No

How did the dog leave the property?

Unknown

When did it take place?

26 02 2022 - 08.15

What happened?

I went down from the house down to where there is a green screen on the fence and I saw the sheep by the other fence. I saw the dog owner by the sheep. I saw her son on the other side of the gate (on her property) holding the black dog down by lying on top of it. It was still growling my impression was it still wanted a peice of the sheep.

She said to me "it looks ok" to which I replied look at the blood coming out of its mouth - she didnt say anything after that.

The sheep were shawn in september 2021. I could not see any bite marks on the sheep. It had saliva and blood around its mouth area.

I made it quite clear to her that I was going to make a complaint, she acknowledged this. Then I asked how many dogs she had, she said 3 plus foster. I said but you are only allowed two, she then replied that she had a permit. I said you understand the consequences of your dogs actions and

she said yes. She said im going to find out where it got through and fix it.

Given that the neighbour was in my property when I came out I can not think of any reason for her to be in my property other than to be pulling the dog off my sheep

How did it happen? as above

Did you sustain any injuries as a result of this incident? No

Did your animal (if animal victim) sustain any injuries during the incident? Yes - I am unable to catch the sheep so i cannot have another look at the injuries. but the sheeps seems to be eating and drinking ok

Describe the nature of any injury: Hard to tell

How did the incident end?

What did you do?

Describe how the dog was behaving:

Why did that happen or why do you believe the dog made the attack?

What did the person who appeared to be in control of the dog do?

Was any person with the dog or appear to be in control of the dog?

Have you had a problem with this dog before if so describe the previous issues? Yes, it rushes aggressively at the fence

Did anyone (appearing to be in charge of the dog) say anything to you? Yes

Did you hear a person call the dog by name? What name? yes but can not remember the name

Did anyone come to your assistance and if so who? Yes - the owner and her son were there before i got there

Did the owner of the dog offer to help with any doctor or vet treatment?

Did you see anyone else in the area that may have witnessed the incident?

Yes my neighbour and her son. Contact details unknown

Witnesses

Name:

Residential address:

Contact phone number:

Victim Impact

How did you feel about the incident or after the incident?

Bloody annoyed. We will not let our grandchildren go down there (near the fence) due to their behaviour. Its left us feeling uneasy. This issue has been going on for months.

We also tend to carry something like a stick because we feel scared of the dogs.

Is the victim is likely to continuously suffer as a result of the attack and how?

Summary of Facts

Summary:



Dog Incident Checksheet - Witness

Reference number: MAC025646189831

Submitted on: 02/03/2022 04:42 p.m.

Service request number: 2204261

Investigating officer number: CO 44

Witness

Name:

Residential address:

Contact phone number:

Victim

Description:

Name:

Address:

Contact phone number:

Behaviour:

Animal Victim

Name of animal:

Type of animal:

Sheep

Breed:

Size:

Medium

Colour:

Sex:

Any distinguishing marks:

Other relevant details (tag number etc.):

Owner or Person in Control of the Offending Dog(s)

Description:

My mum and I - Janice Black

Behaviour:

Dog(s)

Dog name:

Pepsi

Breed:

Sex:

Male

Colour:

Black

Any distinguishing marks:

Any other relevant details:	I have never seen Pepsi act aggressively before. He usually just runs away
Are you familiar with this dog?	
If yes, what do you know about this dog?	This is our family dog

Incident

Date and time of incident:	Saturday 26/02/2022 around 17.00 - 18.00ish
Where were you when the incident happened?	We were in out yard
Where did the victim or dog(victim) come from?	There was some blood on his face, Looked to be on his chin
Was the dog (victim) on a lead/harness or muzzled?	N/A
Where did the offending dog come from?	Pepsi came from our property
Was the offending dog on a lead/harness or muzzled?	
What happened?	<p>We were outside letting the dogs have a run around when Pepsi started barking at the fence line we thought it was at a rabbit. Pepsi broke through our fence and was chasing our sheep, our sheep hid. Pepsi spotted the neighbour's sheep went into their paddock at the top of the fence line. He isolated one and brought it down to the bottom of the paddock. While he was chasing the sheep he was trying to nip at it. I watched him get the sheep's face a few times. I watched it from the paddock while mum jumped in to try and get Pepsi back under control how ever he was too focussed on what he was doing. When he got to the bottom the sheep stood up to him and was trying to bunt him. My mum then gained control of Pepsi.</p> <p>She handed him over the fence to me and as Pepsi is reactive towards me (Unsure Why) i had to hold him down. It was not a attempt to hold him down to stop him from getting the sheep. My mum came over the fence and regained control of Pepsi and he then he calmed down. We then took him inside.</p>
Describe the behaviour of the offending dog(s) e.g. aggressive, barking, growling, snarling, teeth bared etc.	Chasing the sheep and nipping at it
Describe what the offending dog(s) did e.g. dog rushed, bit, barked etc.	Chased the sheep and nipping at it
What did the victim or animal victim do (e.g. retaliate, ran away) during the incident?	Ran and then at the end when it was cornered the sheep was bunting Pepsi

Did anyone sustain any injuries as a result of this incident?

Did any animal (if animal victim) sustain any injuries during the incident?

The sheep may have as he had blood on his chin

Describe the nature of any injury:

How did the incident end?

My mum gained control of Pepsi

What did you do?

I grabbed him from my mum

What did the person(s) who appeared to be in control of the dog(s) do?

My mum tried chasing him and calling him. She then grabbed him

Why did that happen or why do you believe the dog made the attack?

I think he spotted a rabbit and was trying to get that and then lost the rabbit and his view went on the sheep

Did anyone (appearing to be in charge of the dog) say anything to you?

Did you hear a person call the dog by name? What name? Pepsi

Have you had a problem with this dog before if so describe the previous issues? No

Did you see anyone else in the area that may have witnessed the incident?

My neighbour. He saw the end

Witnesses

Name:

Our neighbour

Address:

Contact phone number:

Victim Impact

How did you feel about the incident or after the incident?

Its unfortunate. I don't believe he was acting malicious.

Is the victim is likely to continuously suffer as a result of the attack and how?

I think the sheep has already forgotten so no

Summary of Facts

Summary:

NOTES:

Q, We have had reports that the dogs act aggressively towards people at the fence line. Have you seen this?
Yes, But they're not aggressive they're just barking like dogs do. They're not nipping or anything.

A note [REDACTED] wanted:

My dog frosty got into the sheep paddock - the neighbour was in there with a stick. Same neighbour that was involved in this incident. Thats why our dogs dont like him. The sheep was un harmed. Frosty and the sheep then touched noses through the fence and were fine.

Pepsi has been doing well with mums guidance. It will be difficult to rehome him. I dont think he should be removed from the property due to one incident. Plus it is breaking my mums heart.



Dog Incident Checksheet - Offending Dog Owner

Reference number: MAC025646014959

Submitted on: 02/03/2022 04:45 p.m.

Service request number:

Investigating officer number:

CO 44

Dog Owner

Name: Janice Black

Residential address:

Contact phone number:

Owner number:

08537

Person in Control of the Offending Dog(s)

Same as above

Dog(s)

Dog registration tag number:

Dog name:

Pepsi

Breed:

Whippet x

Sex:

Male

Colour:

Black

Any distinguishing marks:

White mark on chest, one white front foot left

Any other relevant details:

Owned 2019, about 3 years old, very timid. Would only show aggression if cornered

Classified dog:

No

Type of classification, if applicable:

Dog surrendered:

No

Known to be dangerous:

No

Recurrence likelihood:

No

Trained aggression:

No

Breed characteristics:

Incident

Date and time of incident/Date and time you became aware of the incident:

Late afternoon 26th February 2022 Saturday

Location where incident occurred/allegedly occurred:

In the paddock

Where were you when the incident happened?

We (myself and my son) were down on the concrete part

	filling our trailer. We had stan and pepsi with us. I think frosty was inside.
Where (walking on lead next to me, running in exercise area etc.) was your animal?	Pepsi was in the flax bushes on our property
Was the incident in a public space?	Private
Where was the animal/human victim when you first noticed it/him/her?	At the top of the neighbours paddock
Was your dog on a lead or under control wearing a muzzle?	No
If your animal was not under your control how did your dog leave your property?	I think he went under a part in our fence
What happened?	<p>Pepsi was up in the flax bushes, barking so I grabbed a lead went up to see what he was doing. When I got through the flax bush Pepsi was in my paddock. I am unsure where Stan was. Pepsi was about a third of the way up the paddock when i saw him. I tried to call him back, he sort of looked then kept on going. I did not see at what point he got through into the neighbours fence. The sheep were at the top of the paddock. I ran across my paddock, Pepsi ran towards the sheep. There was one he was persuing, he chased it along the paddock and then down into the bottom corner. I was in the neighbours paddock by the time he got the sheep down to the bottom of the paddock.</p> <p>My son [REDACTED] was in our paddock. When Pepsi brought the sheep down to the bottom of the paddock. Before I caught him he was barking and the sheep was trying to head butt him. The sheep did this a couple of times. I then caught him and put pepsi on his and lifted him over the fence. Pepsi did not like this as does not like him and was struggling to get away from him.</p> <p>I did not see him actually make contact with the sheep. He was right beside the sheep when he was chasing it.</p> <p>I did not see the neighbour come over, he was just there once I had caught pepsi. The neighbour told me he was going to make a complaint. He was very civil but obviously pissed. I did not offer to pay vet bills but I am happy to pay if needed</p> <p>Whilst this was happening i was trying to stay calm and not yell as this would make him more wound up. Depsite trying to stay calm I was feeling somewhat stressed</p>
How did it happen?	Pepsi escaped my property and would not come back to me

Did you sustain any injuries as a result of this incident? no

Did your animal sustain any injuries during the incident? no, was limping a bit afterwards but i think that was his fault.

Describe the nature of any injury:

What did you do? I was running through the paddock trying to get to him and trying to call him

What did the person who appeared to be in control of the other dog do? n/a

Describe how your dog was behaving: He was barking and chasing the sheep. Unsure what his intent was

Describe how the other dog was behaving: n/a

Was anyone with the animal victim or seemed to be in control of the animal? neighbour came over when I had secured Pepsi

What did the person with- or who seemed to be in control of the animal victim say or do? We had a civil conversation. He said he was going to report the incident to the council

Did you hear a person call the dog by name? What name? n/a

Did you notice any injuries sustained by human victim as a result of this incident? N/A

Did you notice any injuries sustained by animal victim as a result of this incident? blood coming from the sheeps nose - This this is due from stress not pepsi

How did the incident end? I grabbed Pepsi and put him over the fence to my son who was then holding him

How did the victim leave the scene of the incident?

What did you do after the incident (e.g. assist victim, call for help etc.)? I took Pepsi home

Did you offer to help with any doctor or vet treatment? no but happy to if needed

Has your dog ever shown aggression towards any person or any animal before?

Did you see anyone else in the area that may have witnessed the incident?

My son [REDACTED]

Witnesses

Name:

Residential address:

Contact phone number:

Victim Impact

How did you feel about the incident or after the incident?

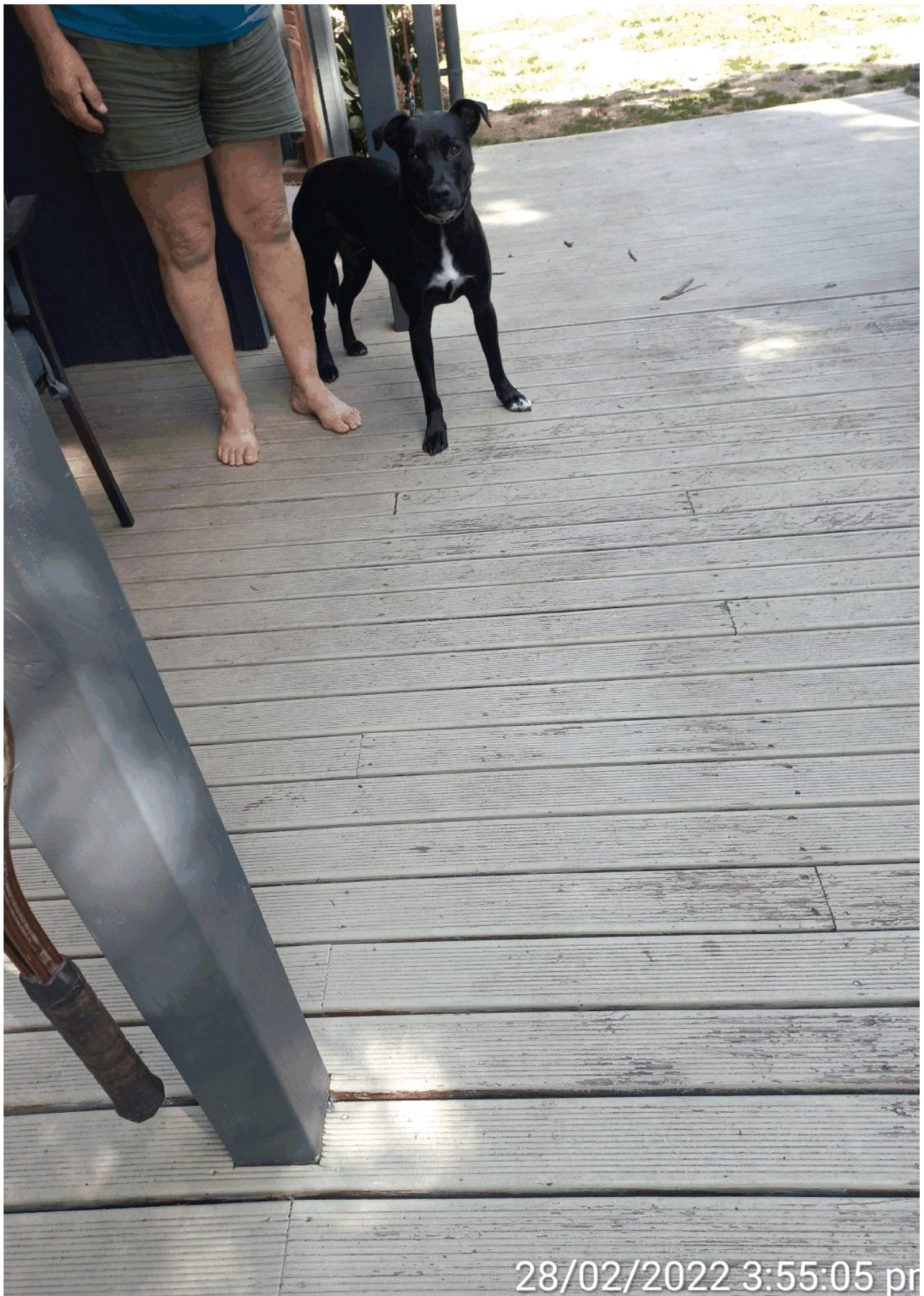
Is the victim is likely to continuously suffer as a result of the attack and how?

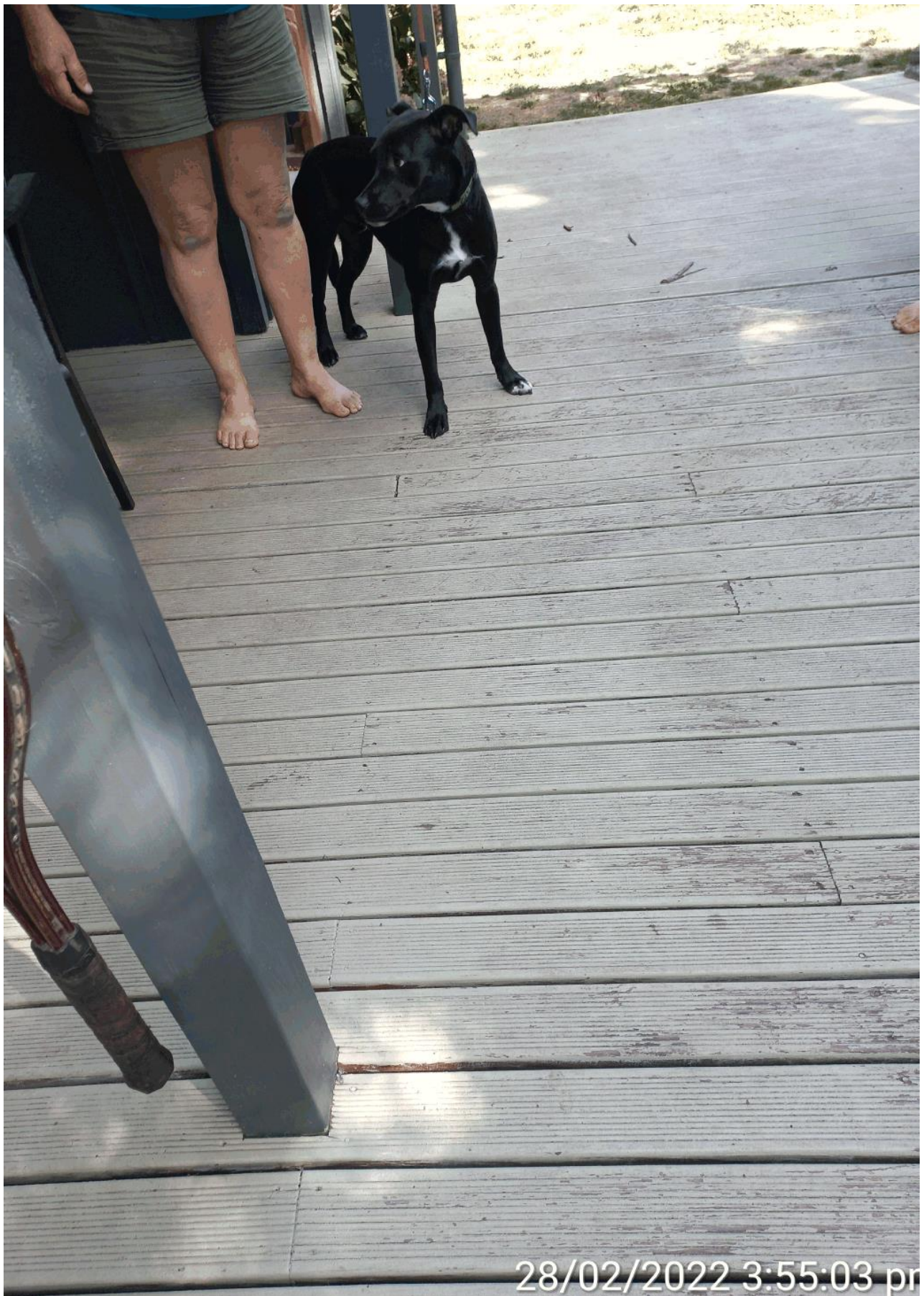
Summary of Facts

Summary:

File Checklist

Attack file Objective reference:	fA243965
Seizure number:	N/A
CO notes saved in Attack File:	True
Statement saved in Attack File:	True
Interview notes saved in Attack File:	True
Correspondence/Emails saved in Attack File:	True
Documents served and saved in Attack File:	True
Statement of service saved in Attack File:	True
Scene (maps, diagram, photos) saved in Attack File:	True
Copy of medical report saved in Attack File:	True
Copy of vet report saved in Attack File:	True
Other photos saved in Attack File:	True









Service Request/Information Form

Reference number: MAC025646178385

Submitted on: 02/03/2022 01:27 p.m.

Service request number: 2204261
Date: 2022-02-28
Time: 3:21 p.m.
Issue: Where offending Dog owner thinks Pepsi got under fence

Job Details:

Comments: Please see original photos and edited photos to shoe exactly where dog owner has shown us she believes Pepsi got through the fence.

Person spoken to onsite? Yes

Name: Janice Black

Contact number: [REDACTED]

Photos: (3 mb)

Photos: (3 mb)



Photos: (43 mb)



Officer name:

CO 44

Service Request Detail:

Enter details to update service request:







Taupo District Council Dog Classification Evaluation			
Service request number:		2204261	
Owner number, name and address:		08537 - Janice Christa Black, [REDACTED]	
Dog name and registration number:		Pepsi - 210142	
1	NATURE OF INCIDENT	Stock worried and or Attacked	12
2	PUBLIC INTEREST	Public interest is factored into report, remains constant	2
3	LEGISLATIVE INTENT	Legislative intent factored into report, remains constant	2
4	CLASSIFIED DOG	Dog not classified	0
5	VICTIM IMPACT	The victim is concerned about the outcome	2
6	DOG SURRENDERED or SEIZED	.	0
7	OBSERVED AGGRESSION	No sign of aggression	0
8	NEGLECT	Not the result of negligence of the owner	0
9	OWNER CO-OPERATION	Co-operative and forthcoming with information	0
10	DOGS PREVIOUS HISTORY	History with no aggression	1
11	DOG REGISTERED AT THE TIME OF THE INCIDENT	The dog is currently registered	0
12	RESTRAINT	The dog was not under control of a person or secured	1
13	KNOWN TO BE DANGEROUS	Known by the owner or council to have shown previous aggression	1
14	RECURRENCE LIKELIHOOD	Unable to determine	1
15	TRAINED AGGRESSION	Not trained to be aggressive	0
16	DAMAGES	No damages or damaged paid voluntarily	0
17	BREED CHARACTERISTICS	Not known for its aggression	0
TOTAL			22
OUTCOME		Warning notice and/or infringement: 9 - 23	
CLASSIFICATION		NONE	

<p>NOTES:</p>	<p>On 26/02/2022 Dog 210142 Pepsi escaped his property of [REDACTED] and got into the neighbour's property [REDACTED] Pepsi chased one of their sheep down the paddock while also nipping at the sheep. During this time the dog owner has noticed and has attempted to get Pepsi back. Pepsi cornered the sheep and then got caught by his owner and placed back onto a lead and back onto his property. It is my recommendation this dog owner receives an infringement under Dog Control Act 1996 section 52A Failure to keep dog controlled/confined, Her extra dog permit revoked and Pepsi gets classified as menacing under Dog Control Act 1996 section 33A.</p>
<p>OFFICER NUMBER:</p>	<p>Officer 44</p>

NOTE:
When saving in owner file ensure you have chaged to save as PDF .
The file name should be as follows:
TDC Dog Classification Evaluation Matrix SR111111 CO 00

SUMMARY OF RIGHTS

INFORMATION ABOUT DOG CONTROL ACT 1996 INFRINGEMENT OFFENCES

NOTE: If, after reading these notes, you do not understand anything in the notes, you should consult a lawyer immediately.

1. This Notice sets out an alleged infringement offence. In terms of Section 2 of the Dog Control Act 1996, you are liable as the owner of a dog if:
 - * you own the dog; or
 - * you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
 - * you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

PAYMENTS

2. If you pay the infringement fee within 28 days of the issue of this notice, no further action will be taken. Payment may be made at places indicated on the front of this notice.

DEFENCES

3. You have a complete defence against proceedings if the infringement fee was paid to the territorial authority at any of the places for payment shown on the front page of this notice before or within 28 days after you were served with a reminder notice. Note that late payment or payment at any other place will not be a defence.

FURTHER ACTION

4. If you wish to:
 - (a) raise any matter relating to the alleged offence for consideration by the territorial authority; or
 - (b) deny liability for the offence and request a court hearing (refer to paragraphs 5 and 9 below); or
 - (c) admit liability for the offence, but wish to have a court consider written submissions as to penalty or otherwise (refer to paragraphs 6 and 9 below),-
you should write to the territorial authority at the address shown on the front page of this notice. Any such letter should be personally signed.
5. You have a right to a Court hearing. If you deny liability for the offence and request a hearing, the informant will serve you with a notice of hearing setting out the place and time at which the matter will be heard by the Court (unless it decides not to start Court proceedings).
NOTE that if the Court finds you guilty of the offence, costs will be imposed in addition to any penalty.
6. If you admit the offence but want the court to consider your submissions as to penalty or otherwise, you should in your letter-
 - (a) ask for a hearing; and
 - (b) admit the offence; and
 - (c) set out the written submissions you wish to be considered by the Court.
 The territorial authority will then file your letter with the Court (unless it decides not to commence Court proceedings). There is no provision for an oral hearing before the Court if you follow this course of action.
NOTE that costs will be imposed in addition to any penalty.

NON-PAYMENT OF FEE

7. If you do not pay the infringement fee and do not request a hearing within 28 days after the issue of this notice, you will be served with a reminder notice (unless the territorial authority decides otherwise).
8. If you do not pay the infringement fee and do not request a hearing within 28 days after being served with the reminder notice, the territorial authority may file the reminder notice in the Court and you will become liable to pay **costs in addition to the infringement fee** under Section 21(5) of the Summary Proceedings Act 1957.

QUERIES/CORRESPONDENCE

9. When writing or making payment please include:
 - (a) The date of the infringement; and
 - (b) The infringement notice number; and
 - (c) The identifying number of the alleged offence and the course of action you are taking in respect of it; and
 - (d) Your address for replies.

NOTICE OF LIABILITY FOR CLASSIFICATION AS A PROBATIONARY OWNER OR A DISQUALIFIED OWNER

If you commit 3 or more infringement offences (not relating to a single incident or occasion) over a period of 24 months, the territorial authority may classify you as-

- * a probationary owner; or
- * a disqualified owner.

You will be treated as having committed an infringement offence if you-

- * have been ordered to pay a fine and costs under Section 78A(1) of the Summary Proceedings Act 1957, or are treated as having been so ordered under Section 21(5) of that Act; or
- * pay the infringement fee specified in the infringement notice.

Probationary ownership starts from the date of the third infringement offence in the 24 month period. Unless terminated earlier by the territorial authority, probationary ownership runs for a period of 24 months.

Disqualification as a dog owner starts from the date of the third infringement offence in the 24 month period. The length of disqualification is determined by the territorial authority but may be no longer than 5 years.

CONSEQUENCES OF CLASSIFICATION AS A PROBATIONARY OWNER OR DISQUALIFIED OWNER

During the period a dog owner is classified as a probationary owner, the person-

- * must not be or become the registered owner of any dog except a dog that the person was the registered owner of at the time of the third infringement offence; and
- * must dispose of every unregistered dog the person owns.

During the period that a person is classified as a disqualified owner, the person-

- * must not own or become the owner of any dog; and
- * must dispose of all dogs the person owns; and
- * may have possession of a dog only for certain purposes (eg, returning a lost dog to the territorial authority).

A person may object to being classified as a probationary or disqualified owner by lodging a written objection with the territorial authority. There is a further right of appeal to a District Court, if a disqualified person is dissatisfied with the decision of the territorial authority on his or her objection.

Full details of classification as a probationary owner or a disqualified owner, and the effects of those classifications, are provided in the Dog Control Act 1996.

FULL DETAILS OF YOUR RIGHTS AND OBLIGATIONS ARE IN SECTION 66 OF THE DOG CONTROL ACT 1996 AND SECTION 21(10) OF THE SUMMARY PROCEEDINGS ACT 1957.

NOTE: ALL PAYMENTS, ALL QUERIES, AND ALL CORRESPONDENCE REGARDING THIS INFRINGEMENT MUST BE DIRECTED TO THE INFORMANT AT THE ADDRESS SHOWN.

d1m0n1c4

Animal Control Section INFRINGEMENT NOTICE

(Issued under authority of Section 66
of the Dog Control Act 1996)



Owner Details: Janice Christa Black [REDACTED] [REDACTED] [REDACTED]		Infringement: 804156 Date of Birth: [REDACTED]
ALLEGED INFRINGEMENT OFFENCE DETAILS		
Date: 26/02/2022	Time: 8.15pm	Day of Week: Saturday
Place of Offence: [REDACTED]		Locality: Taupo
Offence: Failure to keep dog controlled/Confined within land Dog Control Act 1996 Section 52A did fail to keep a dog namely PEPSI under the direct control of a person or confined within land or premises in such a manner that it could not freely leave the land or premises.		Infringement Fee Payable: \$ 200.00
Reg. No or Description of Dog: 210142 Pepsi : Retriever, Labrador/Cross : Black : Male		
PAYMENT OF INFRINGEMENT FEE		
The infringement fee is payable within 28 days after: (Earliest date notice is delivered personally, or posted)		18/03/2022 Issuing Officer: 82
Taupo District Council 30 Tongariro Street Private Bag 2005 Taupo 3352 How to Pay: Pay Online To pay online, visit www.taupo.govt.nz Internet Banking Bank Account Name: Taupo District Council Bank Account Details: BNZ 02-0428-0220004-00 Bank Particulars: 804156 Bank Code: Janice Christa Black Bank Reference: DI Dog Infringements Credit Card Payments are only accepted via the Council website www.taupo.govt.nz . Please note bank charges is an additional service fee In Person At any Taupo District Council Office (Cash or Eftpos accepted) Taupo Office - 30 Tongariro Street, Taupo Monday to Friday: 9am - 4.30pm Saturday and Sunday: 10am - 1pm Turangi Office - 1 Ngawaka Place, Turangi Monday to Friday: 10am - 4pm Saturday and Sunday: 10am - 1pm Mangakino Office - 71 Rangatira Drive, Mangakino Monday to Friday: 10am - 12pm Monday to Friday: 12.30pm - 4pm It is recommended that you deal with this now before it becomes a problem. Costs could grow much larger if this goes to Court. Please ignore this notice if payment has already been made.		

IMPORTANT - PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF



GREAT LAKE TAUPŌ

Taupō District Council
30 Tongariro Street, Taupō 3330
Private Bag 2005, Taupō Mail Centre
Taupō 3352, New Zealand
T 07 376 0899
E info@taupo.govt.nz
www.taupo.govt.nz

17 March 2022

Janice Christa Black

[REDACTED]
[REDACTED]
[REDACTED]

Kia Ora Janice

Responsible Owner Policy - Cancellation

Your Reference: 08537

Location: [REDACTED]

In June 2020 you signed a declaration to meet certain obligations as a dog owner.

Your classification as an owner on the Responsible Owner Policy has been **CANCELLED** because:

- Impound, infringements, enforcement action or late registration payments/penalties.

You may reapply for the policy after 18 March 2024 provided there are no further incidents.

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz

Nga mihi

Compliance Team

Taupō District Council
CO-44



GREAT LAKE TAUPŌ

Taupo District Council
30 Tongariro Street, Taupo 3330
Private Bag 2005, Taupo Mail Centre
Taupo 3352, New Zealand
T 07 376 0899
E info@taupo.govt.nz
www.taupo.govt.nz

17 March 2022

Janice Christa Black
[REDACTED]
[REDACTED]
[REDACTED]

Kia Ora Janice

Permit Cancellation

Your Reference: 08537

Location: [REDACTED]

On the 15 June 2020 you were issued a permit to keep 3 dogs on your property.

You have not adhered to the permit requirements and your permit has been cancelled.

This is because:

- The fencing is no longer adequate
- There have been dog complaints or impounding's for dogs on your property

You are required to reduce your dog numbers to two within 14 days from receipt of this letter.

Failure to do so may result in an infringement notice and fee of \$300.

If you require further information, please do not hesitate to contact the office on 07 3760899.

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz

Ngā mihi

Compliance Team

Taupo District Council
CO-44

**GREAT LAKE TAUPŌ**

Taupō District Council
30 Tongariro Street, Taupō 3330
Private Bag 2005, Taupō Mail Centre
Taupō 3352, New Zealand
T 07 376 0899
E info@taupo.govt.nz
www.taupo.govt.nz

17 March 2022

Janice Christa Black
[REDACTED]
[REDACTED]
[REDACTED]

Kia Ora Janice

Dog Control Act 1996 Section 20
Section 19, Taupo District Council Control of Dogs Bylaw 2021
Dog Owner Reference: 08537

The Taupō District Council recently received a complaint that on 26/02/2022 on Acacia Heights Drive, your dog, 210142, Pepsi, Retriever, Labrador/Cross, Black, Male Neutered, was not under proper control or confined to the property where your dog is kept.

After an inspection of your property it has been established that the fencing (includes gates) at the address is not suitable to contain your dog(s) securely.

The Taupō District Council has at its discretion, under Section 19, Taupo District Council Control of Dogs Bylaw 2021 the ability to direct you to take such action as the Council deems necessary to minimise or remove the likelihood of further incidences.

Note: Before you undertake any work it is recommended that you call Council and request a Compliance Officer makes contact with you to discuss the suitability of any proposed improvements to ensure it is of a satisfactory standard to Council.

You are directed to construct suitable fencing within 28 days from the date of this letter to contain your dog on your property so that it cannot freely leave your property. Until such work is completed your dog(s) will need to be secured on your property by such means to stop the dog leaving freely (kennelling or chain and run etc.).

A property check will be undertaken to ensure compliance and failure to complete this fencing may result in a \$300 infringement for failure to comply with the Bylaw.

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz

Nga mihi

Compliance Team
Taupō District Council
CO-44



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17 March 2022

Janice Christa Black

[REDACTED]
[REDACTED]
[REDACTED]

WARNING NOTICE - In accordance with the Dog Control Act 1996 Section 57 and 57A

Owner No: **08537**

Dog Details: **210142, Pepsi, Retriever, Labrador/Cross, Black, Male Neutered**

Reference: **SR 2204261**

Kia Ora Janice

On the 26/02/2022 on Acacia Heights Drive, Taupō your dog was involved in an incident involving another animal.

As a result of the investigation carried out in relation to the incident above, this letter is a **Warning Notice** that further complaints may result in the following action:

1. Prosecution under the Dog Control Act 1996 Section 57 - if convicted you would be liable for a fine not exceeding \$3000 in addition to any liability that may incur for any damage caused by the attack.
2. If convicted of an offence under the Dog Control Act 1996 Section 57 you may be disqualified as an owner in accordance with the Dog Control Act 1996 Section 25 for a period up to 5 years.

You will receive the following:

- Warning in accordance with the Dog Control Act 1996 52A or 53.
- Infringement in accordance with the Dog Control Act 1996 52A or 53.
- Direction to Fence or Secure Property in accordance with Section 19, Taupo District Council Control of Dogs Bylaw 2021.

If you have any enquiries regarding this notice, please contact the Compliance Team on 07 3760899 or email info@taupo.govt.nz

Nga mihi

Compliance Team

Taupō District Council
CO-44

Janice Black
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

20 March 2022

Dear Compliance Team

I am writing to you today to appeal the menacing dog classification recently issued for my dog Pepsi.

Pepsi is a young neutered male dog who has lived on this property for the last 2 years. The recent incident is the first time in that 2 years that Pepsi has entered the neighbours sheep paddock.

Pepsi is a lively dog who can be tempted to chase. His favourite game is to chase balls and he finds running rabbits hard to resist. Pepsi has on two occasions accessed my paddock and chased my sheep, but he has never hurt them as it is just the running that he enjoys. On the day in question he did chase one of my sheep before entering the neighbours paddock and the reason he stopped was because the sheep stopped. He then ran past our goat and up to the top of the paddock. The neighbours sheep would have been obscured from his sight until he was further up the paddock. Unfortunately his run up the paddock alerted the sheep and they bolted, so he in turn gave chase.

I do understand the seriousness of the situation and I had taken steps to ensure that my dogs cannot enter either my paddock or the neighbours. Unfortunately on this occasion, that has proven insufficient.

I am not trying to excuse Pepsi's actions but he is a young dog that sometimes makes bad choices. Following the chase the neighbour's sheep did have a blood nose but I believe this was due to stress from being chased rather than an contact injury.

The basis for my opinion is that I have seen the same symptoms in my own sheep when we have herded them out of the paddock for shearing. I do not believe that Pepsi would physically attack a sheep. As soon as I had Pepsi on the lead he calmed down and made no further moves towards the sheep which was standing quietly about 3 feet away.

I believe that I am in a position to continue to work with Pepsi to ensure he becomes a canine good citizen. I am an experienced dog owner, and have been an obedience instructor and agility instructor for the past 3 years with the local dog club where I have also held the role of Treasurer for 5 years.

I have volunteered at the SPCA in Taupo for the last 6 years working with and training many dogs of various dispositions. I continue to develop my skills in dog behaviour modification and have recently completed the highly regarded Level 4 Advanced Canine Behaviour Diploma with the British College of Canine Studies and previously have completed a "Train the trainer" course with Mark Vette.

I have always understood that Pepsi, a rescue dog that I have fostered and subsequently owned since he was a puppy, would have a number of behavioural challenges to manage and I have always taken the utmost care in ensuring he is not put in situations that may unsettle him or situations that may cause disturbance to others. He is still a teenager and as such does not always make the best

decisions. However, I do not believe that he poses any more of a threat to any person, stock, poultry, domestic animal or protected wild life than the average dog.

It is my hope that you will take the time to consider my appeal.

Yours faithfully

[REDACTED]

From: Compliance
Sent: Monday, 21 March 2022 4:45 PM
To: [REDACTED]
Subject: Fwd: Ref 08537 & Infringement : 804156
Attachments: Pepsi Appeal Letter 08537.docx; Nigel Supporting Doc.pdf; Gary Supporting Doc.docx; Paws in hand Supporting Doc.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Janice Black <[REDACTED]>
Sent: Monday, March 21, 2022 4:43:03 PM
To: Compliance <compliance@taupo.govt.nz>; Tech Support <businesssupport@taupo.govt.nz>
Subject: Ref 08537 & Infringement : 804156

CAUTION: This email originated from outside of the organisation. Do not click links, open attachments, or respond unless you recognise the sender and know the content is safe

Attention [REDACTED]

Please refer to the attached letter to appeal the recent decisions re 08537

Also attached 3 supporting documents

In closing I am willing to take any steps that the council deems appropriate such as additional training and mediation with the neighbour and to advise that I have engaged a fencing contractor who will be over laying mesh on the paddock fence to further secure the property in the immediate future.

Regards
 Janice Black

From: Janice Black [REDACTED]
Sent: Tuesday, 17 May 2022 5:51 PM
To: [REDACTED]
Subject: Re: Pepsi Ref /08537
Attachments: 20220517_124633.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organisation. Do not click links, open attachments, or respond unless you recognise the sender and know the content is safe

Hi Ross

Just to bring you up to date. Pepsi completed the stock aversion training with the Dogman in Hawkes Bay on the 6th May 2022.

Please see copy of confirmation email below.

the.dogman
To me
To whom it may concern

4:00 PM (1 hour ago) ☆ ↩ ⋮

This is to confirm that Janice Black and her dog Pepsi attended some sheep aversion training with Alastair Needes The Dogman in Hawkes Bay on 6th May 2022.

Kind regards

Alastair Needes
The Dogman
xxx

Also I have completed some more alterations to the fencing between my yard and my paddock. I have attached chicken wire to the lower part of the fence and pegged it across the ground to prevent any undermining of the fence. Please see attached photo

Let me know if there is anything else you require

Regards

Janice

On Tue, Apr 12, 2022 at 7:13 AM Janice Black [REDACTED] wrote:

Hi [REDACTED]

Thank you so much, I will do my utmost to ensure that you never receive another complaint about my dogs
I will send through proof/verification of stock aversion training once it has been successfully completed.
With regards to the menacing classification I would still like to appeal - so if you could please go ahead with that
and I will continue to fulfill the classification requirements.

Kind regards
Janice Black

On Mon, Apr 11, 2022 at 3:23 PM [REDACTED] wrote:

Hi Janice

Thank for the update.

Please forward any certificate of proof you get after you are able to get stock aversion training.

At this stage I am satisfied with what you are doing to achieve the best for Pepsi and to mitigate any further incidents.

To that end I advise that you can keep your permit for extra dogs and retain Pepsi as long as we continue to have no complaints and you are continuing with the requirement of the classification.

At this point we still do not have a firm date for a hearing and I expect that it will not take place until June if you still wish to contest the classification.

Thank you for the update,

[REDACTED]

From: Janice Black [REDACTED]
Sent: Sunday, 10 April 2022 5:43 PM
To: Compliance <compliance@taupo.govt.nz>; Tech Support <businesssupport@taupo.govt.nz>
Subject: Fwd: Pepsi Ref /08537

CAUTION: This email originated from outside of the organisation. Do not click links, open attachments, or respond unless you recognise the sender and know the content is safe

Hi [REDACTED]

Just to bring you up to date with Pepsi, I am still trying to find a new home for him but am not having a lot of luck. I have had the fencer in and the mesh has been put on the fence between my paddock and the neighbours. Also I have secured the area in my fence between my yard and my paddock. I have also arranged for Pepsi to undergo some stock aversion training which is scheduled for May 6th with The Dogman in Hawkes Bay. Mark Vette proved to be unaffordable.

Regards Janice

----- Forwarded message -----

From: Janice Black [REDACTED]
Date: Tue, Mar 22, 2022 at 11:57 AM
Subject: Pepsi Ref /08537
To: <compliance@taupo.govt.nz>, <businesssupport@taupo.govt.nz>

Hi [REDACTED]

Nice talking to you this morning, I appreciate your time and candor and good to get some clarification. As a follow up I have contacted the fencer and he has confirmed that he has scheduled me in for this Thursday. He will be overlaying the current wire fence between my and the neighbours paddock with mesh. In addition he will be adding a wire strand between the wooden slats on the front fence. My dogs have never got through the front fence but the additional wire will give added security.

In addition I have enquired about getting Pepsi some stock aversion training with Mark Vette and I expect to hear back from them in 5 to 7 days. I have attended a course with Mark Vette previously and have great faith in his training. Cost may be a factor but I will follow this up and alternatively they may advise an alternative trainer that I could work with.

In the meantime I will continue to try and rehome Pepsi and will adhere to the requirements of the menacing (ratbag) classification.

I have also paid the infringement 804156 today

Regards

Janice Black



WARNING

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[REDACTED]
[REDACTED]
[REDACTED]

To Whom It May Concern:

Re: Janice Black

I have known Janice for the last four and a half years, since moving to Taupō. I have known her as a fellow Instructor and Committee member at the Taupō Dog Training Club (TDTC) and have also got to know her socially.

I have found Janice to be a dedicated Instructor, who assesses the needs and capabilities of both the dogs and the handlers in her classes and does her best to ensure that they meet success in their training. She dedicates a lot of time to the training and other commitments of the club, undertaking training classes two evenings per week as well as other club activities on many weekends during the year.

Janice is very concerned about the welfare and well-being of dogs, not just at the club, but also in the general community. She gives up her own time at weekends to volunteer at the SPCA kennels in Taupō, looking after dogs that have been handed in for rehoming or abandoned. She is a responsible dog owner who ensures that her own dogs are regularly exercised, fed, and well cared for.

I would be happy to provide further information or comment if required.

[REDACTED]
[REDACTED]

President TDTC

11 March 2022

To whom it may concern

I am an instructor at the Taupo Obedience Club and am on the committee with Janice.

I have known Janice Black for the last four years.

Janice is an instructor for the Taupo Obedience club. I have watched her work tirelessly within the club both with her obedience training and with her agility training, which she so obviously loves. Both the Agility and the Obedience training take a lot of her time which she freely donates several times each week, in the evenings to help the public train and enjoy their dogs.

Janice has also completed a course by Mark Vette, once again showing her dedication and desire to better herself and her training ability at her own cost and time.

Janice has done a sterling service to animals in all states of life including many years volunteering at the SPCA.

I understand there has been an incident with Janice's dog Pepsi. While I don't presume to know all of the details, I believe no one was hurt, and no animals were hurt. Pepsi somehow just got out, it could happen to anyone. While I'm not condoning what happened, I believe that if anybody would put 110% to make sure it doesn't happen again, it would be Janice. Pepsi is a family member to Janice and he has come a long way under her guidance and training. I believe rehoming Pepsi in this instance is not in Pepsi's best interest, and that he would continue to flourish with Janice. Janice is an experienced dog owner and has volunteered with the SPCA, this experience should be taken into consideration. This isn't just about a dog chasing sheep, please consider the psychological impact this would have on both Pepsi and Janice.

Finally Janice is a kind and caring person who would and often does drop everything to help others in need. I hope that this letter helps in any way at all.

Yours Sincerely



Vice President

Taupo Dog Obedience Club

21st March 2022

To whom it may concern.

I have known Janice Black for the last 6 years. I met her through my Behavioural business where she expressed her interest in learning more about Canine Behaviour.

Janice was and still is a volunteer with the SPCA and also a Trainer with the Taupo Dog Club where she puts in many hours a week for free to help both the abandoned, unwanted dogs at the SPCA and those at the Taupo Dog club for training and agility.

She is passionate about dogs and took this passion further by completing (with honours) a Level 4 accredited Advanced Canine Behaviour Diploma. Janice chose this course to be able to offer more knowledge and care to the dogs she comes in contact with.

I met Pepsi 2 years ago as the scared wee dog that didn't trust humans. Janice took her time with Pepsi to bring him slowly out of his shell to let him gain confidence and learn to trust. This has been a long road but today we see a somewhat more confident dog who now competes and wins in Obedience competitions with Janice.

The Incident that has now labelled Pepsi as a menacing dog:

I have to ask, has this been investigated thoroughly before labelling the dog as Menacing?

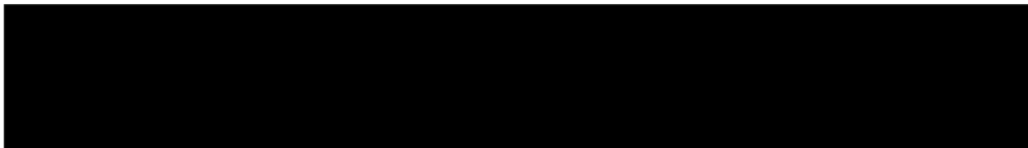
Has the council looked into any previous issues between these neighbours? The ruling seems to be going the neighbours way. Is this neighbour just anti Janice or her dogs?

Shouldn't Janice have been given the opportunity to rectify the situation first by installing better fencing and going through specific training with Pepsi to ensure this wouldn't happen again??

By labelling this young dog as a "Menacing Dog" and giving the owner 2 weeks to rehome the dog seems rather radical to say the least. How can someone be expected to find an appropriate loving, caring home for their dog with a label like "Menacing Dog". How can she ensure that Pepsi will receive the appropriate training to ensure he doesn't become just another Council statistic?

At least with Janice the dog has a better chance at receiving the appropriate training and guidance to ensure it doesn't happen again.

I strongly believe that at the very least the label of "Menacing Dog" should be removed and the owner should be given a more appropriate time to find a home for her dog.



Not only is this a distressing time for the owner but imagine what the dog is going through and how it's going to be trying to relocate and try to adapt to new humans. How can she ensure that Pepsi will get the training he needs to adapt?

Pepsi being classified as a "Menacing Dog" for life would seem overly harsh in this situation. I believe he should be on a 60 day probation period where he can continue with training and be re-assessed after 60 days.

Regards

[REDACTED]

Paws in Hand nz

[REDACTED]



K9 Behaviourist & Trainer

[REDACTED]