

**TAUPŌ DISTRICT COUNCIL
MINUTES OF THE ORDINARY DISTRICT DOG CONTROL COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, LEVEL 1, 67 HOROMĀTANGI STREET, TAUPŌ
ON THURSDAY, 30 APRIL 2026 AT 10.00AM**

PRESENT: Cr Kevin Taylor, Mayor John Funnell, Cr Hope Woodward

IN ATTENDANCE: Cr Nicola de Lautour (until 10.28am)

General Manager – Strategy and Environment (W Zander until 12.12pm), General Manager – People and Community Partnerships (H Tattle until 12.12pm), Environmental Services Manager (J Sparks), Compliance and Regulatory Manager (C Tait), Senior Compliance Officer (T Dobbyn), Compliance Team Leader (A Gradwell), Compliance Officer (R Klue), Compliance Officer (M Smith), Compliance Officer (N Marshall), Senior Committee Advisor (K Watts), Legal and Governance Coordinator (M Cammell)

MEDIA AND PUBLIC: 2 members of the public

1 KARAKIA

2 WHAKAPĀHA | APOLOGIES

DDC202604/01 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Mayor John Funnell

That the apology received from Cr Christine Rankin be accepted.

CARRIED

Note: All members present at the District Dog Control Committee meeting voted in favour of resolution DDC202604/01 above.

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 OBJECTION TO MENACING CLASSIFICATION- JONAH 256441

The Chair of the committee explained the process of District Dog Control Committees and how the meeting was going to run. Dog Control Committees were quasi-judicial and decisions were binding. There were four things to take into consideration; the evidence which formed the basis of the classification of the dog, any steps the owner had taken to prevent threat of safety to people or animals, matters the objector was relying on in support of their objection, and any other relevant matters they wished to address. Nothing outside of the four things that the statute required would be considered. The objector would be given plenty of opportunity to present and question as the meeting went on.

The first objection to menacing was for Jonah, registration number 256441.

The Compliance and Regulatory Manager introduced himself and the Senior Compliance Officer. He outlined the purpose of the classification and its application. He highlighted that the classification was a behavior tool meant to prevent risk. The dog had not yet met the threshold to be classified as dangerous and this menacing classification had allowed them to step in early.

The Senior Compliance Officer then described the incident in May 2025 that resulted in the menacing classification. The dog, Jonah, had attacked another dog that was tethered to its property while he was roaming. The Compliance team felt that behavior presented a clear risk to other dogs in application of Section 33A(1)(b)(i) of the Dog Control Act 1996 (the Act). The Senior Compliance Officer did note that the dog's owner had made improvements to their property to prevent the dog from pushing through the gate and roaming again.

In response to the compliance team's evidence, the committee members queried the following:

- The matrix that the compliance team used to classify the dog as menacing was developed by the New Zealand Institute of Animal Management.
- To classify a dog as dangerous, the compliance team would have to gather sworn evidence regarding the dog's behaviour. The witnesses in this case would not provide more evidence in order to do so but the scoring on the matrix was within the threshold to classify the dog as dangerous.

The objector then had an opportunity to ask questions of the compliance team. In response to queries, the following was clarified:

- There were two matrixes in the agenda. One matrix scored Jonah at 23 points and the menacing classification applied to dogs scoring between 24-27 points. The matrix was a guide- not a rule. It was meant to remove bias. The matrixes were reviewed by a more senior compliance officer and there was often a discrepancy in scoring.
- The completion date of 1 January 2025 on one of the matrixes was an administrative error. It would have predated when the incident occurred.
- At the time of the incident, the victim dog owner did not want to proceed with providing a statement because the objector was going to pay the vet bills for the victim dog. When this did not happen, they decided to give a statement.
- The witness statements were not taken together. The Senior Compliance Officer took the statement for the victim and a colleague took the other.
- When a compliance officer referred to closing something off they were referring to "closing off" an internal service request- not an investigation. An investigation could be reopened at any time with any information the team felt was relevant.

Before the time to question the compliance team ended, the committee members had a few follow up questions. In response to queries, the following was clarified:

- Without a statement from a witness, Council would not have evidence of the observed or reported behaviour per the Act required to classify a dog as menacing and the investigation would not have moved forward.
- In some cases, compliance officers could classify a dog owner as probationary and they would have to attend obedience classes but that result did not apply to cases such as this. Compliance officers also complete property inspections and make suggestions as to things dog owners could do to make sure there was not another incident. This was done in this case; however, the onus was on the dog owner to be aware of their responsibilities.
- The compliance team did not have the resourcing to ensure all menacing classifications were complied with, however, there were provisions in the Act for failing to comply. If a dog with a menacing classification was seen in public unmuzzled they could be fined or Council could hold the dog in custody until the owner complied.

The Chair then invited the objector to present any steps they had taken as the dog's owner to prevent threat of safety to person or animal. The objector highlighted that she did offer to pay the vet bill at the time of the incident but an invoice from the vet was not provided to her. She had also requested a copy of the photos of the victim dog's injuries because she questioned whether her dog, an 8-year-old American bulldog with no teeth, could have caused them. She claimed that Jonah had one lower fang that was chipped, no top fangs and rotten teeth in general.

The Chair asked the objector if she had photos of the dog's teeth to provide the committee to which she stated that they were not printed but on her phone. The Chair requested that the objector send the photos via email to the Environmental Services Manager and asked whether the objector was arguing that it was not her dog that caused the injury to the victim dog.

The objector noted that there were differences in the witness statements and that some of the fencing was chain link which could have been the cause of the victim dog's injuries if he jumped the fence.

The following was discussed:

- The report from the vet stated that there were lower teeth punctures of the gum of the victim dog and two teeth puncture holes on the left-hand side gum. It did not say the injuries were caused by wire.
- While the vet was told the injuries were caused by a dog attack, the committee could not presume to know what the vet was thinking or if they had considered that the injuries could have been caused by anything else.
- The compliance team was not told at the time of the incident that Jonah did not have teeth.
- The objector described Jonah as brown with white patches, blind with a bulging eye and quite large. The Chair pointed out that this description matched that of one of the witness statements.
- The objector referenced a witness statement on page 14 paragraph 5 that did not say anything about the attacking dog or which of the neighbours dogs attacked to which the Chair pointed out that the paragraph above that provided further detail.
- The objector was not arguing that her dog was not there during the incident but believed that Jonah was not the aggressor, he was on property that the other dogs do not live on and both dogs had gone over the fence.
- The Chair noted that the victim dog was chained and not moving at the time of the incident to which the objector said the dog was not chained when she saw it.
- There was some debate over whether the dogs were on the neighbour's property or the victim dog's property. It was established that the victim dog's owner and the neighbouring home were family members so it would not be uncommon for family members to have each other's dogs on their properties.

The objector had some technical difficulties with sending the photos of her dog's teeth via email. Instead, a member of the committee took a picture of the picture on her phone, showed it to the Chair and also sent it to the committee member who was online via text message. The objector described the photos as being of the side view of Jonah's upper and lower teeth.

The objector then asserted that all the dogs were on the wrong property and dogs were pack animals and she did not believe the fight was one-on-one. When questioned by a member she stated that there were no other marks on any other dogs.

The following was discussed:

- The objector had seen the photos of the victim dog which led to the question of how could Jonah do that damage when he had half of one fang.
- She once again referred to the chain link fence and stated that she had seen injuries caused by chain link fences on animals when she lived on a farm.
- The Chair and the objector once again discussed what was stated in the vet report about the cause of the victim dog's injuries.

The Chair then asked if there were any other matters the objector would like to put to the committee to consider. The objector once again stated that all of this came about because of the unpaid bill. She did not believe her dog had attacked the victim dog and it was more likely to have happened because of dogs going over fences and being on the wrong properties in her opinion. She felt that there was no proof that the injuries on the victim dog were caused by Jonah and the witnesses had too much time between the incident occurring and statements being made which could have led to fabrication of details.

The mother of the objector was also present and stated that she had seen the dogs being driven around in the back of a ute soon after the incident occurred which she had found suspicious.

The objector then informed the committee that the offending dog, Jonah, no longer lived on her property. He had been sent to live in Tolaga Bay. The Chair questioned the dog owner history that was included in the attachments on the agenda in which there were several reports relating to the objector's dog ownership. The objector acknowledged that Jonah often took himself for walks and went roaming but she was not aware of

any other incidents.

The Chair wrapped up this portion of the meeting by asking for any other questions of the objector. Members asked a few questions of clarification:

- The victim dog's owner was not present and would not address the committee.
- In response to this incident, the objector sent Jonah to Tolaga Bay and had reinforced the gate on her property so dogs were no longer able to escape.

The Chair then adjourned the meeting from 11.25am to 12pm so that members could deliberate in private.

The meeting was reconvened at 12pm. The Chair reminded all present that no recording or photography was allowed. He then described the committee's responsibilities according to the Act. The law was two-fold regarding menacing dog classifications and could be invoked for two reasons. One being behaviour of the dog and the risk it might pose to people or animals or virtue of its breed. The second condition was not being considered- just the dog's behavior was taken into account. There were four matters the committee was required to consider; the evidence presented, any steps taken by the owner to mitigate behaviour, matters relied on in support of the objection and any other relevant matters. The Chair confirmed that the committee had read the evidence and heard from the compliance team. They had also heard from the owner and thanked her for attending and the information she presented. Based on what they had heard, the committee was satisfied that Jonah had been adequately identified in terms of the balance of probabilities as being the dog involved in the incident and based on witness statements stating that they had seen a white and brown dog.

In response to issues raised by the objector, the Chair addressed the following:

- Addressing the variances in the matrixes, the Chair noted that the original matrix put the dog into the "dangerous" classification but that had been downgraded by a more senior staff member. The second number put it marginally below the standard for classifying a dog as menacing but the matrix was only one of the tools used to determine classifications.
- In regard to the vet bill and what the vet may or may not have been told about the incident, the committee did not have independent information to verify so they had to take what was presented at face value. The vet described puncture wounds and tooth marks. The committee was satisfied that a dog attack was what happened to the victim dog.
- Motivation (for submitting witness statements) was also challenged but it was not a matter upon which the committee could rely to make a determination about this classification.
- The objector also brought up a variance in statements. The committee respectfully felt that rather than being suspicious, it added credibility to the statements; unless they were completely contradictory. If statements were identical it was likely that people had colluded and agreed on what statement they would provide.
- The objector also brought up that the injuries on the victim dog could have been caused by the chain link fence, however, photographs were shown to the committee that confirmed that Jonah had at least one fang with which he could cause injury. The standard in this case is not to prove "beyond a reasonable doubt" such as would be required in a criminal jurisdiction. The committee did not have to judge things on that basis here and they were comfortable that Jonah had been involved in the incident and that the injuries sustained on the victim dog were the result of an attack. They were also comfortable that the matrix was an accurate reflection of the event that day.

The committee acknowledged the work done on the part of the objector to improve the fencing on her property and move Jonah out of the district. They also acknowledged how difficult it was to come before a committee such as this in a foreign environment.

The committee then voted on the resolution.

DDC202604/02 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Mayor John Funnell

That the District Dog Control Committee upholds the menacing dog classification for Jonah

CARRIED

Note: All members present at the District Dog Control Committee meeting voted in favour of resolution DDC202604/02 above.

The meeting was adjourned at 12.11pm and reconvened at 12.13pm.

5.2 OBJECTION TO MENACING CLASSIFICATION - ROXY 257286

The Chair introduced the next item on the agenda which was an objection to menacing classification for Roxy. He briefly described the process of this committee and how it works. He once again described the four things that the committee would consider in the objector's appeal to the classification; the evidence which formed the basis of the classification of the dog, any steps the owner had taken to prevent threat of safety to people or animals, matters the objector was relying on in support of their objection, and any other relevant matters they wished to address.

This process was a quasi-judicial hearing; like a courtroom but at a lower level. In that respect the standard they used was the civil standard which was the balance of probabilities. This standard was different than the criminal standard which was "beyond a reasonable doubt."

The Compliance and Regulatory Manager then gave the same introduction that he had for the previous agenda item. He also noted that there was a small mistake in the "Background" section of Roxy's report. It should state that the "owner then untied the dog and walked to her vehicle with her unleashed dog."

The Senior Compliance Officer then described the incident. In February 2026, while tethered and unattended outside of Pak n Save, Roxy bit a person. The Compliance team felt that the dog's behaviour in a public setting presented a clear risk to people in application of Section 33A(1)(b)(i) of the Dog Control Act 1996 (the Act). The dog's owner had acknowledged that the dog was unattended in a public area and had taken steps to indicate change.

The committee members were then allowed to ask questions of the compliance team. In response to queries, the following was clarified:

- The dog was sitting calmly outside the store prior to being approached by the victim.

Committee members felt it would be helpful to then view CCTV footage (A3937992) of the incident which was shared to the screens in the Chambers via a compliance team member's laptop.

Following the viewing of the CCTV footage a member asked the dog owner what steps had been taken since the incident.

In response to queries, the following was clarified:

- Since the incident, the dog had been muzzled in public and the owner had not taken it back to Pak n Save.
- Another biting incident had not occurred since February 2026. The dog's owner had people approach her and ask to pet the dog. She always assessed her first to see if she was ok with being pet. Some people asked permission to pet the dog or they just ignored her.

The Chair noted that the committee had jumped ahead of procedure a bit and now was the time to ask questions of the compliance team rather than the objector.

The objector was then allowed to ask questions of the compliance team.

In response to queries, the following was clarified:

- The objector was issued a \$300.00 fine for having an unleashed dog in a public area. Pak n Save's carpark was privately owned but still considered a public area for the purposes of this infringement.

The objector felt that her dog should not receive a consequence for human error. She stated that she should not have left her where she did but the victim had invaded the dog's privacy. As soon as she came out of Pak n Save, Roxy was happy to see her and was under control when she walked her to her van.

The Chair referred to the four areas to be addressed and asked if the objector had any other evidence to present. The objector referred to the video that showed that her dog was calm and not upset.

When asked if she had taken any steps to prevent an incident like this from happening in the future, she noted again that she had muzzled Roxy in public and had not brought her back to Pak n Save. Even though

she was not yet required to muzzle Roxy she had already done so for their walks along the lakefront.

The Chair asked if there was any other information that the objector would like the committee to take into consideration. The objector stated that this was a one-off mistake caused by the dog feeling threatened. She had never done something like this before. Roxy was registered and chipped and had been to puppy school. The objector stated that she did not see the justification for having Roxy spayed as part of the menacing classification.

A member asked some follow-up questions of the compliance team. In response to queries, the following was clarified:

- The risk factors ticked on page 111 of the agenda were taken into account when reviewing the incident. The injury severity was not considered serious, the dog initiated the encounter in terms of aggressive behaviour, there was not another dog involved, the incident occurred in a public place, the dog was left in an area where it could be approached by members of the public.
- While the owner had cooperated, there was a likelihood of recurrence based on posts on the objector's Facebook page that depicted the dog on the lakefront unleashed and unmuzzled.
- There was no indication in the statement of the witness whether the pat was friendly.

The Chair then asked if there was anything else the objector would like to share with the committee. The following was discussed:

- The objector was hopeful that the committee would take the last 3 years without any incidents into consideration.
- The objector did not believe spaying Roxy was justified based on human error.
- While the objector did not believe the victim was at fault, she also thought that the victim could have had anything in her hands.
- The objector had purchased a sign for Roxy's leash that said "please ask before you approach." She was motivated to purchase it so that a similar incident would not happen again as she felt that Roxy would be watched closely. The Chair asked if the sign on the leash indicated that the objector had concerns about Roxy's potential for another incident. The objector noted that she had qualms with humans who thought they could approach someone else's dog.
- Once again it was noted that the objector now muzzled Roxy in public.
- Having the dog spayed was a consequence of the menacing classification.

The Chair then adjourned the meeting from 12.52pm until 1.22pm to allow the committee to deliberate in private.

When the committee returned the Chair thanked the objector for her patience and noted that the reason they took longer than 20 minutes was that they take these matters very seriously. He said that he would be speaking to the matters legally and look at what they'd heard from the objector and compliance team. He was not going to give an indication of which way they were going until they put it to a vote.

In summary, the Chair stated that in regard to agenda item 5.2 Objection to Menacing – Roxy 257286, the committee had heard from the compliance team and the objector. Prior to hearing from the team the committee had received the agenda with matters relating to the incident. He thanked the objector for attending and presenting. There were four matters to take into account:

- The first was the evidence which formed the basis for the classification. There was no argument that this incident involved Roxy. There was also no argument that the victim was bitten (the chair also noted that the objector had referred to Roxy as a victim as well).
- Secondly, they had to consider the steps the owner had taken to prevent an incident like this from occurring again. The Chair acknowledged that the objector had muzzled Roxy in public, was intending to buy a coat or collar with a sign that said "check before petting" or "check with mum." The Chair also acknowledged that the objector had said she would not leave Roxy in that position again. This incident was caused by human error on the objector's part and human error on the part of the person who pet the dog. While CCTV was very unclear and from a distance, it was evident that Roxy was tied up outside Pak n Save and it was a public place.
- Next was matters the objector relied upon in support of the objection. In the objector's mind, the dog made a mistake, it was human error and the mitigating factor for the objector was the victim who was bitten should not have approached a dog they did not know. The Chair said that this matter, specifically, was discussed by the committee in deliberation.

- As far as other relevant matters, the Chair said he was struggling to find something in terms of what they had heard and read that could be considered relevant. There would be some knock-on consequences if the classification remained but that was not something they could take into consideration. The fact remained, the dog did bite someone and there were injuries.

The Chair acknowledged that the decisions of this committee affected people and he did not take that lightly. He then read the recommendation.

DDC202604/03 RESOLUTION

Moved: Cr Kevin Taylor

Seconded: Mayor John Funnell

That the District Dog Control Committee upholds the menacing classification for Roxy

In Favour: Cr Kevin Taylor, Mayor John Funnell

Against: Cr Hope Woodward

CARRIED

6 NGĀ KŌRERO TŪMATAITI | CONFIDENTIAL BUSINESS

Nil

The meeting closed at 1.35pm.

The minutes of this meeting were confirmed at the Ordinary District Dog Control Committee Meeting held on 28 May 2026.

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CHAIRPERSON