



**I give notice that
an Ordinary Meeting of District Dog Control Committee will be held on:**

Date:	Thursday, 28 May 2026
Time:	11.45am
Location:	Council Chamber Level 1, 67 Horomātangi Street Taupō

AGENDA

MEMBERSHIP

Chairperson	Cr Kevin Taylor
Members	Mayor John Funnell Cr Christine Rankin Cr Hope Woodward
Quorum	2

**Julie Gardyne
Chief Executive**

Auditory Announcement

Please note that one of today's meeting participants has hearing loss. To support clear communication, please use the microphones, speak clearly, and keep your mouth visible to assist with lip-reading.

Reports Not Council Policy

The reports included in this agenda are provided for consideration only and do not represent Council policy unless or until they are formally adopted. If you require further information about any report, please contact the Chief Executive, the Chairperson, or the Deputy Chairperson.

Public Forum

Members of the public are welcome to address the Council or committee during the public forum at the start of the meeting. To participate, please complete the public forum request form available on Council's website by 4.00pm on the day prior to the meeting.

Livestreaming and Recording

Meetings held in the Council Chamber are livestreamed on Council's YouTube channel, and recordings are uploaded shortly after the meeting.

Karakia Timatanga – opening prayer gifted by Iraia Bailey of Ngāti Tūwharetoa to Taupō District Council

Tuia ki te mauri o te whenua	Connect to the life essence of the land
Tuia ki te mana o te tangata	Connect and respect to all
Tuia ki te pono, te aroha	Be honest and compassionate
Kia piki, kia eke	(As we seek) to improve, to exceed
Ki te taumata	Expectations
Hui e, Tāiki e	To aim/reach for the summit
	(As we) come together

Karakia Whakamutunga – closing prayer gifted by Iraia Bailey of Ngāti Tūwharetoa to Taupō District Council

Unuhia te rito o tēnei hui	Remove any angst/stress that may have arisen during this gathering
Kia wātea i runga	To be free of anything that impacts your wellbeing
Kia wātea i raro	
Aro ki te tika	That we will act with integrity
Aro ki te pae	As we pursue our goals
Hui e, Tāiki e!	(As we) come together

Order Of Business

- 1 **Karakia**
- 2 **Whakapāha | Apologies**
- 3 **Ngā Whakapānga Tukituki | Conflicts of Interest**
- 4 **Whakamanatanga O Ngā Meneti | Confirmation of Minutes**
 - 4.1 Ordinary District Dog Control Committee Meeting - 30 April 20264
- 5 **Ngā Kaupapa Here Me Ngā Whakataunga | Policy and Decision Making**
 - 5.1 Objection to Menacing Classification - Emmaus 2559225
- 6 **Ngā Kōrero Tūmataiti | Confidential Business**

Nil

4.1 ORDINARY DISTRICT DOG CONTROL COMMITTEE MEETING - 30 APRIL 2026

Author: Molly Cammell, Legal and Governance Coordinator

Authorised by: Jessica Sparks, Environmental Services Manager

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

That the minutes of the District Dog Control Committee meeting held on Thursday 30 April 2026 be approved and adopted as a true and correct record.

NGĀ TĀPIRIHANGA | ATTACHMENTS

- 1. District Dog Control Committee Meeting Minutes - 30 April 2026**

5.1 OBJECTION TO MENACING CLASSIFICATION - EMMAUS 255922

Author: Cameron Tait, Compliance and Regulatory Manager

Authorised by: Jessica Sparks, Environmental Services Manager

TE PŪTAKE | PURPOSE

This item is presented to the Committee for consideration of whether to uphold or rescind the menacing dog classification issued for “Emmaus,” following an objection lodged by the dog’s owner.

WHAKARĀPOPOTOTANGA MATUA | EXECUTIVE SUMMARY

Officers are seeking the District Dog Control Committee’s decision on whether to uphold or rescind the menacing classification issued to “Emmaus,” a female American Bulldog, following an objection from his owner under Section 33B of the Dog Control Act 1996.

The classification was issued on 9 March 2026 after an incident on 1 January 2026 in which “Emmaus” left its property and attacked another dog being walked on lead in a public place, causing significant injury and requiring forceful intervention to stop.

Under the Act, a menacing classification is applied where a dog’s behaviour poses a threat to people, animals, or wildlife. The classification imposes enforceable obligations on the owner, including muzzling the dog in public, keeping it under control at all times, and desexing it. Breaches may result in infringements, seizure, or prosecution.

The owner has objected to the classification and no further incidents have been reported since.

Two options are available:

1. **Rescind** – removes the restrictions but may expose the public to future risk and criticism of Council’s preventative measures.
2. **Uphold** – reinforces Council’s commitment to public safety and responsible dog ownership but places ongoing restrictions on the owner.

Given the circumstances, the Compliance team recommends upholding the classification. This aligns with the Dog Control Act 1996 and the Taupō District Council Dog Control Policy objectives to minimise danger, distress, and nuisance caused by dogs, and to protect public safety.

NGĀ TŪTOHUNGA | RECOMMENDATION(S)

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

TE WHAKAMAHUKI | BACKGROUND

The proposal has not been presented previously.

On 1 January 2026 at approximately 10.30am, an incident occurred in Omori, involving the dog “Emmaus,” owned by the objector.

At the time of the incident, Emmaus was on its property in Omori but was not under effective control. The dog left the property boundary and entered a public area, where it engaged with a dog “Harry” being lawfully walked on lead by its owner.

During this interaction, Emmaus bit and held the other dog, resulting in significant injury requiring veterinary treatment. The complainant also sustained injuries while attempting to separate the dogs.

An investigation was undertaken by Taupō District Council and was guided by the relevant provisions of Sections 57 and 53 of the Dog Control Act 1996. The investigation confirmed that Emmaus was not under proper control, had left the property, and engaged in aggressive behaviour causing injury.

After the investigation was completed by the Compliance Officer it was then reviewed by the Senior Compliance Officer. After this review, a recommendation was made to the Compliance and Regulatory

Manager that Emmaus be classified as menacing under s33A(1)(b)(i) of the Dog Control Act 1996 and that the person in charge of the dog receive an infringement under s53 of the Dog Control Act 1996, Failure to keep dog under control. The recommendation was adopted by the Compliance and Regulatory Manager and Emmaus was classified Menacing on the 9 of March 2026.

The owner has exercised their right to object to this classification under Section 33B of the Act.

NGĀ KŌRERORERO | DISCUSSION

Statutory Framework – Section 33A and 33B of the Dog Control Act 1996

The proposal has been evaluated with regards to a range of legislation. The key legislation applicable to the proposal is the Dog Control Act 1996, in particular section 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 matter 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) Reasons for its determination.

The objectives of the Act are to make better provisions for the care and control of dogs. The Act also imposes obligations on dog owners designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person.

Should a dog, by action or observed behaviour, be considered to pose a threat, then section 33A of the Act allows the territorial authority to classify a dog as menacing, and section 33B allows the owner to object to the classification and to be heard in support of the objection.

Evidence which formed the basis for the classification – Section 33B(2)(a)

1. On the 2/01/2026, Council received a complaint that a dog attacked another dog.
2. From statements collected from witnesses and the complainant, the offending dog has been identified as Emmaus.
3. Emmaus was not under proper control at the time of the attack.
4. The victim dog was identified as “Harry” and it has been established that its sustained multiple injuries as a result of the attack.
5. The complainant also sustained injuries while intervening.

During the investigation, a classification matrix was completed. This is based on the information gained from witness interviews, previous history, and evidence found during the investigation. The matrix forms part of the decision to classify a dog as menacing. In this case the classification matrix from the investigating officer did support a menacing classification for the dog.

Steps taken by the Owner to prevent any threat to the safety of persons or animals – Section 33B(2)(b)

Since the reported incident, there have been no further reports to Council in relation to Emmaus. The Investigating Officer did conduct a property inspection and deemed the containment in which Emmaus is kept as compliant.

Matters relied upon in support of the objection – Section 33B(2)(c)

The dog owner has objected to the menacing classification but has not made any comment to Council in support of her objection.

Other relevant matters – Section 33B(2)(d)

Given the subjective nature of dog attacks and the process of classifying a dog, each incident although seemingly similar will vary as will the enforcement action/options. The outcome is based on evidence that has been presented, the likelihood of reoccurrence, history of the dog, negligence on the part of the person in control of the dog at the time and ensuring the safety of our community from further harm.

Following a review of the file and in accordance with section 33A of the Dog Control Act 1996, a territorial authority may classify a dog as menacing if it considers the dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife due to observed or reported behaviour. It is determined that a menacing classification was both warranted and appropriate in this case.

Based on this information it is considered that there are two options:

1. Rescind the menacing classification; or
2. Uphold the menacing classification

NGĀ KŌWHIRINGA | OPTIONS

Analysis of Options

Option 1. Rescind the menacing classification

Advantages	Disadvantages
<ul style="list-style-type: none"> • Council is seen to have a fair and robust process when considering an objection. • The dog owner will not have to abide by the effects of the classification, including not having to muzzle her dog in public. 	<ul style="list-style-type: none"> • Potential for another incident with the dog unmuzzled in public. • Should there be another incident, Council may be criticised for not taking all actions available to prevent harm by upholding the menacing classification to ensure the dog is not a threat to the public or other animals.

Option 2. Uphold the menacing classification

Advantages	Disadvantages
<ul style="list-style-type: none"> • Council is seen to take any incident seriously when it comes to uncontrolled dogs or owners not abiding by their obligations under the Act. • Council can impose stronger enforcement options should further incidents occur 	<ul style="list-style-type: none"> • The dog owner will be required to abide by the effects of the classification and muzzle her dog in public.

Analysis Conclusion:

The preferred option is option 2, that the menacing classification is upheld by the Committee.

NGĀ HĪRAUNGA | CONSIDERATIONS

Ngā Aronga Pūtea | Financial Considerations

There are no financial considerations.

Ngā Aronga Ture | Legal Considerations

Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of [Section 10](#) of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that social wellbeing is of relevance to this particular matter.

Ngā Hīraunga Kaupapa Here | Policy Implications

Taupō District Council Dog Control Policy 2021

This policy outlines the legal, financial, and practical consequences a dog owner may face when their dog is involved in an attack on a person, in breach of the policy and the Dog Control Act 1996. These implications apply to all dog owners within the Taupō District.

The policy sets out the following relevant objectives:

Objective 2 – To minimise the fear of dogs attacking or intimidating people;

Objective 4 – To minimise danger, distress and nuisance caused by dogs.

Dog owners are expected to take all reasonable steps to prevent harm to others under the policy and the Act.

Te Kōrero tahi ki te Māori | Māori Engagement

Taupō District Council is committed to meeting its statutory obligations including in relation to Te Tiriti o Waitangi/Treaty of Waitangi principles, consideration of Māori interests and meaningful engagement with Māori. In meeting its statutory obligations, Council is committed to acting reasonably and in good faith and consistently with a partnership-based approach. Te Tiriti/Treaty principles include but are not limited to active protection of Māori interests, informed decision-making and enabling effective Māori participation in Council processes.

The author has considered this and determines that engagement with Māori on this issue is not required.

Ngā Tūraru | Risks

If the classification is rescinded, there is a risk to Council if Emmaus was to be involved in another incident of similar nature. This risk is a reputational one i.e. that Council did not use all of its tools to prevent future harm as well as the potential risk to the public.

TE HIRANGA O TE WHAKATAU, TE TONO RĀNEI | SIGNIFICANCE OF THE DECISION OR PROPOSAL

Council's Significance and Engagement Policy identifies matters to be taken into account when assessing the degree of significance of proposals and decisions.

Officers have undertaken an assessment of the matters in the [Significance and Engagement Policy \(2022\)](#), and are of the opinion that the proposal under consideration is of a low degree of significance.

TE KŌRERO TAHI | ENGAGEMENT

Taking into consideration the above assessment, that the decision is of a low degree of significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

TE WHAKAWHITI KŌRERO PĀPAHO | COMMUNICATION/MEDIA

Direct communication has been/will be carried out with affected parties/key stakeholders but no wider communication is considered necessary.

WHAKAKAPINGA | CONCLUSION

It is the responsibility of every dog owner to ensure their dog is always properly controlled and in accordance with the Dog Control Act 1996. Owners must understand and meet their obligations—particularly their obligation to prevent their dog from causing harm or nuisance to others through aggressive or uncontrolled behaviour.

This incident occurred as a direct result of Emmaus not being under effective control, which allowed the behaviour that led to the complaint.

Based on the available evidence, the Council's Compliance team considers that the classification of Emmaus as a menacing dog is justified under the Act. The Act provides that a territorial authority may classify a dog as menacing if the dog's behaviour has been observed or reported as posing a threat to any person, animal, or protected wildlife.

If the dog owner complies with the requirements of the classification and ensures Emmaus is kept under effective control, the risk of future incidents will be significantly reduced, and the intent of the legislation will be met. However, failure to comply may result in further enforcement action, including financial penalties and additional classifications, as permitted under the Act.

NGĀ TĀPIRIHANGA | ATTACHMENTS

1. Dog Control Act 1996 s33A
2. Request for service details REQ2026-000206
3. Terms of Reference REQ2026-000206
4. Statement from victim dog owner
5. Statement from person in control of Emmaus
6. Seizure Notice Emmaus
7. Injury Diagrams
8. Dog injury photo 1 of 4
9. Dog injury photo 2 of 4
10. Dog injury photo 3 of 4
11. Dog injury photo 4 of 4
12. Complainant injury photo 1 of 9
13. Complainant injury photo 2 of 9
14. Complainant injury photo 3 of 9
15. Complainant injury photo 4 of 9
16. Complainant injury photo 5 of 9
17. Complainant injury photo 6 of 9
18. Complainant injury photo 7 of 9
19. Complainant injury photo 8 of 9
20. Complainant injury photo 9 of 9
21. Vet Invoice 1 of 2
22. Vet Invoice 2 of 2
23. Location of Incident
24. Interaction Log from Investigating Officer
25. TDC Dog Classification Evaluation Matrix CO48
26. TDC Dog Classification Evaluation Matrix CO82

27. Summary of facts REQ2026-000206
28. TDC Dog Attack Investigaton review checklist REQ2026-000206
29. Animal Enforcement - Warning Notice - Following Incident (Sec 57 or 57A)
30. Animal Enforcement - Menacing by Action - Notice of Classification (Sec 33A)
31. Animal Enforcement - Acknowledge Objection to Menacing Dog Classification - (Sec33B)
32. Image of dog Emmaus
33. Image 1 of 3 Emmaus containment
34. Image 2 of 3 Emmaus containment
35. Image 3 of 3 Emmaus containment
36. Inspection of fencing

RESOLUTION TO EXCLUDE THE PUBLIC

I move that the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
<p>Agenda Item No: 5.1 Objection to menacing classification – Emmaus 255922</p>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>Section 48(1)(a)(i)- the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7</p>	<p>The committee needs to deliberate in private and will provide a summary of decisions when the meeting moves out of public excluded.</p>