



DOG CONTROL HEARING COMMITTEE

HEARING MINUTES

MINUTES OF THE DOG CONTROL HEARING COMMITTEE HEARING
HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA
ON THURSDAY 29th FEBRUARY 2024 COMMENCING 10 AM.

1. MEMBERS PRESENT AND APOLOGIES

Chairperson	Her Worship the Mayor
Members:	Deputy Mayor Cassin
	Cr Davidson

Quorum – 3 Members

STAFF PRESENT

T. Cook, Group Manager, Regulatory, Planning and Community Services; C. Lomax, Animal Control Officer; P. Coleman, Governance Administrator;

MEETING STARTED 10.07 AM.

OTHERS IN ATTENDANCE

Nil. Objector not present.

NGĀ WHAKAPAAHA APOLOGIES

Nil.

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated and there were no changes to the Register.

3. HEARING OF OBJECTION PURSUANT TO SECTION 33B CLASSIFICATION OF DOG AS MENACING UNDER THE DOG CONTROL ACT 1996

- Hearing Procedure
- Report to Hearing Committee
- Appendix 1 – Section 33 Dog Control Act

- Appendix 2 – Impounded Dog
- Appendix 3 – Victim Impact Statement
- Appendix 4 – Clinical Summary
- Appendix 5 – Notification of Classification
- Appendix 6 – Section 33B Dog Control Act
- Appendix 7 – Objections email to Menacing Classification
- Appendix 8 – Legal Objection to Menacing Dog

- To consider the following:
 - (i) **Objector – Nikki-Leigh Wilson-Beazley Condon**
Objection to the menacing classification of the dog Brooklyn, lodged by Nikki-Leigh Wilson-Beazley Condon (Appendix 7 and 8 to the Council Officer’s Report)

 - (ii) **Westland District Council**
Group Manager Regulatory, Planning & Community Services – Te Aroha Cook
Animal Control Officer – Clare Lomax

Committees’ decision is to Uphold or Rescind the Classification of the dog as Menacing.

Dog Control Act, Section 33A, Territorial authority may classify a dog as menacing.

1. This section applies to a dog that
 - (b) a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of –
 - (i) any observed or reported behaviour of the dog; or
 - (ii) any characteristics typically associated with the dogs breed or type

Dog Control Act, 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 matters relied on in support of the objection; and
 - (d) any other relevant matters.

4. OBJECTOR RIGHT OF REPLY

5. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI

RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Moved Deputy Mayor Cassin, seconded Cr Davidson and **Resolved** that the Committee move into the Public Excluded section and confirm that the public were excluded from the hearing in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 10.12 am.

The general subject of the matters to be considered while the public are 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 the resolution are as follows:

Item No.	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
1.	Dog Control Hearing Decision	Good reason to withhold exist under Section 7	That 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 exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1	Protect the privacy of natural persons, including that of deceased natural persons; (s. (7)(2)(a))
1	To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; (s. 6(a))

Moved Cr Davidson, seconded Deputy Mayor Cassin and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 10.32 am.

**DATE OF NEXT HEARING – TBC
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA**

HEARING CLOSED AT 10.32 AM

Confirmed by the Dog Control Hearing Committee

Mayor Helen Lash
Chair

Date:

UNCONFIRMED