

## Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Dog Control Hearings Panel will be held on:

**Date:** Wednesday 24 August 2022  
**Time:** 12.00pm  
**Meeting Room:** Committee Room 1 and Audio Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Lance Vervoort  
Chief Executive

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## Dog Control Hearings Panel OPEN AGENDA

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### Membership

**Chairperson** Cr Ewan Wilson  
*Heamana*

**Members** Cr Maxine van Oosten  
Cr Mark Donovan  
Cr Angela O'Leary (Alternate)  
Cr Rob Pascoe (Alternate)

**Quorum:** Three members

**Meeting Frequency:** As required

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Amy Viggers  
*Mana Whakahaere*  
Governance

**26 July 2022**

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## **Purpose**

The Dog Control Hearings Panel is responsible for:

1. To conduct fair and effective hearings and make determinations on objections under the Dog Control Act 1996.

***The Panel is delegated the following Terms of Reference and powers:***

## **Terms of Reference:**

1. Hear and determine any objections under the Dog Control Act 1996.

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**1 Apologies – *Tono aroha***

**2 Confirmation of Agenda – *Whakatau raarangi take***

The Committee to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipaaanga***

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

# Council Report

Item 4

**Committee:** Dog Control Hearings Panel      **Date:** 24 August 2022  
**Author:** Tyler Gaukrodger      **Authoriser:** Amy Viggers  
**Position:** Governance Advisor      **Position:** Governance  
**Report Name:** Confirmation of the Dog Control Hearings Panel Open Minutes 4 June 2021

<b>Report Status</b>	<i>Open</i>
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## **Staff Recommendation - *Tuutohu-aa-kaimahi***

That the Dog Control Hearings Panel confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 4 June 2021 as a true and correct record.

## **Attachments - *Ngaa taapirihanga***

Attachment 1 - Dog Control Hearing Panel Unconfirmed Open Minutes - 4 June 2021

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## Dog Control Hearings Panel OPEN MINUTES

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Minutes of a meeting of the Dog Control Hearings Panel held in Kauri Room, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Friday 4 June 2021 at 9:26am.

### PRESENT

**Chairperson** Cr E Wilson  
*Heamana*  
**Members** Cr M van Oosten  
Cr R Pascoe

**In Attendance** Kelvin Powell - City Safe Unit Manager  
Susan Stanford - Animal Control Manager  
Peter Crocker - Animal Control Team Leader

**Governance Staff:** Tyler Gaukrodger – Governance Advisor

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- 1. Apologies – *Tono aroha***  
**Resolved:** (Cr Pascoe/Cr van Oosten)  
That the apologies for full absence from Cr O’Leary are accepted.
- 2. Confirmation of Agenda – *Whakatau raarangi take***  
**Resolved:** (Cr van Oosten/Cr Pascoe)  
That the agenda is confirmed.
- 3. Declarations of Interest – *Tauaakii whaipaanga***  
No members of the Council declared a Conflict of Interest.
- 4. Confirmation of the Dog Control Hearings Panel Open Minutes 14 December 2020**  
**Resolved:** (Cr Pascoe/Cr van Oosten)  
That the Dog Control Hearings Panel confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 14 December 2020 as a true and correct record.
- 5. Objection to menacing classification - Timi Tapara**  
  
Timi Tapara and Dani Paonga spoke in opposition to the menacing classification of Ka Maia and Marama. They spoke of the investigation process taken by staff to date, a previous incident with the dogs, the background of the animals, and the incident. The responded to questions from Members concerning previous incidents, dog training, the property, the incident, breed prey drive, exercise, and the Dog Control Act.  
  
The Animal Control Manager and the Animal Control Team Leader spoke to their report, noting shortfalls in the investigation, the classification of menacing, and the staff process. They

responded to questions from Members concerning the shortfalls in the investigation, the classification of menacing, correspondence with the dog owners, process, inspection of the property, muzzling dogs, the dog control act, and infringement notices.

**6. Resolution to Exclude the Public**

**Resolved:** (Cr Pascoe/Cr van Oosten)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject 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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Dog Control Hearings Panel Public Excluded Minutes - 14 December 2020	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
5. Objection to menacing classification - Timi Tapara	)	

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

- Item C1. to prevent the disclosure or use of official information for improper gain or improper advantage Section 7 (2) (j)
- Item 5. to protect the privacy of natural persons Section 7 (2) (a)

**The meeting went into a public excluded session at 10.50am**

*During the public excluded session of the meeting the panel resolved the following:*

**Item 5: Objection to menacing classification - Timi Tapara**

That the Dog Control Hearings Panel:

- a) receives the report;
- b) determines that the classification of Ka Maia as a menacing dog is upheld;
- c) determines that the classification of Marama as a menacing dog is overturned;
- d) notes that the panel has recommended to Timi Tapara that Marama take suitable reconditioning training to overcome prey drive tendencies; and
- e) approves the above decision be released to the public via these open minutes of this meeting.

**The meeting was declared closed at 11.41am**

# Council Report

**Committee:** Dog Control Hearings Panel      **Date:** 24 August 2022  
**Author:** Susan Stanford      **Authoriser:** Kelvin Powell  
**Position:** Animal Control Manager      **Position:** City Safe Unit Manager  
**Report Name:** Objection to disqualification from dog ownership - Crystal Han

<b>Report Status</b>	<i>Open</i>
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## **Purpose - *Take***

1. To seek a determination from the Dog Control Hearings Panel on the disqualification from dog ownership of Crystal Han.

## **Staff Recommendation - *Tuutohu-aa-kaimahi***

2. That the Dog Control Hearings Panel:
  - a) receives the report; and
  - b) determines that the disqualification from dog ownership of Crystal Han is upheld.

## **Executive Summary - *Whakaraapopotanga matua***

3. Section 25 of the Dog Control Act 1996 notes that a territorial authority must disqualify a person from being a dog owner if they have received three infringements in a 24-month period or committed an offence under the following acts:
  - i. The Dog Control Act 1996
  - ii. Part 1 or Part 2 of the Animal Welfare Act 1999
  - iii. Section 26ZZP of the Conservation Act 1987 or
  - iv. Section 56I of the National Parks Act 1980.
4. Crystal Han has received four infringements for three separate events in a 24-month period.
5. Staff recommend that the Dog Control Hearings Panel uphold the disqualification for the recommended period, as detailed in the options section below.
6. The nature of the infringements may seem minor but the circumstances surrounding their issue is significant enough the Animal Education and Control (AEC) believe disqualification of the dog owner is warranted.
7. The dogs in the care of Crystal Han have created nuisance in the form of barking and roaming which has not improved over time. Neighbours have also reported welfare concerns with the living conditions and behaviour of the dogs (distressed barking and howling).
8. AEC found the dogs to be living in substandard conditions. The environment was unhygienic, multiple dogs were being kept for long hours in small crates without access to water, they lacked grooming and it was evident that these dogs had limited human contact and no training. Their basic needs for cleaning and grooming, exercise and socialisation were not being met.



9. There has been significant input from three organisations (Hamilton City Council, Waikato District Council and the SPCA) in efforts to educate the dog owners, reduce ongoing nuisance and improve the living conditions of the dogs.
10. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

### **Background - Kooreo whaimaarama**

11. In December 2017 Animal Education and Control/AEC received their first complaint regarding the dogs at the residence of Crystal Han ("the Owner"). Since then, there have been a further 11 complaints. The nature of the complaints ranges from barking and roaming to a dog attack. The frequency of the complaints escalated with most of the complaints (9 out of 12) being received in 2020 and 2021. Complaint outcomes include advice given, written warning, impounding's, and infringements (**Attachment 1** – full complaint history).
12. On 28 October 2020 Animal Education and Control Officer (AECO) D37 was following up on information provided by the SPCA that there were 8 dogs now living at the Owners residence. Environmental Health had also been contacted by the SPCA and on 29 October 2020 at 10am AECO D37 and an Environmental Health Officer attended the Owners residence. (**Attachment 2** – CRM207306/2020).
13. No one was home when they attended the property but AECO D37 observed several Siberian Huskies in crates, one of which was partially collapsed so the dog inside could not sit up. It was also noted that the inside of the house was a mess, and a strong odour could be smelt. Faeces, urine pads and extreme untidiness could also be seen. It was a hot day and the animals observed appeared to have no access to water.
14. Due to the unhygienic conditions, the temperature, the dog in the collapsed crate, and the number of dogs not registered to the property seen, AECO D37 decide to seek a warrant and the assistance of the Police to remove all unregistered dogs from the property.
15. A warrant was issued and in the afternoon of 29 October 2020 four AECO's and one police Officer returned to the property to uplift the unregistered dogs. No one was home and the warrant was executed, 13 Siberian Huskies and a rabbit were found in the house and garage. The condition of the house that the animals were being kept in prompted the Police Officer to invoke his powers under the Animal Welfare Act and request that AEC remove all animals at the property.
16. Of the 13 dogs removed from the property only five had animal records with HCC and were registered. The remaining eight dogs were not registered, four had microchips but these were not linked to either HCC's database, the National Dog database, or the Companion animals database.
17. Environmental Health issued Crystal (Yufei) Han with a cleansing order as they found the premises to be in such an insanitary condition that cleansing was necessary for preventing danger to health and to make the premises fit for human occupation, included in CRM 207306/2020.
18. AEC housed the dogs while the police decided what their next steps would be. Due to the demeanour and behaviour of the dogs along with their general unkempt condition AEC completed admission sheets for each of the dogs to record their condition and behaviour. The dogs were treated for worms and many of the younger dogs had a heavy worm burden (**Attachment 3** – admission sheets).

**Item 5**

19. After the dogs had been in AEC’s care for approximately a week, it was decided to have an animal behaviour expert come and assess the dogs. Dr Clare Browne came and assessed each of the dogs and found significant behavioural issues with 10 of the 13 dogs (**Attachment 4** – Dr Clare Browne’s report).
20. The police decided not to prosecute the dog owners and notified AEC on 12 December 2020. The dog owners were then issued an impound letter and instructions to collect all dogs by 22 December 2020. All dogs were collected between 14 – 22 December averaging a 6.5-7.5 week stay at AEC for these dogs.
21. The dogs, although all residing at the Owners residence when seized by AEC, belonged to several people. The five registered dogs belonged to Crystal Han, Aaron Huang, Austin Lui and Yichen Zhang. Crystal Han and Aaron Huang are the owner/occupiers of the property attended to.
22. AEC worked with the owners, to ensure only two dogs were returned to the property. HCC met with Crystal Han, Aaron Huang, and Peter O’Neill (private investigator retained by the dog owners to mediate an outcome) on two occasions. An agreement was negotiated and drafted as a result of these meetings and included limiting the number of dogs at the property to two (as per the bylaw), monthly inspections of the property by AEC, desexing the two female huskies and ongoing education with AEC. However, the owners did not sign the agreement and moved most dogs out of Hamilton (**Attachment 5** – Private investigators notes).
23. When released from HCC pound the three dogs belonging to Austin Lui and Yichen Zhang, now Shirley Lin, were released to their owners. Austin Lui arranged for his dogs to go into kennels. However, these three dogs have all found their way back into the care of Crystal Han and reside at the Pukemoremore property. It would appear on the surface that Austin Lui and Shirley Lin are dog owners in name only and the primary care for these dogs falls to Crystal Han. The table below notes the registration of the dogs in the 2020/21 and 2021/22 years; dogs that were unregistered when seized have not been included in the 2020/21 year.

20/21 HCC Registration			
Dogs name	Owner name/s	Address	Owners’ residence if different to registration form
Miska	Austin Lui	Flagstaff - Hamilton	
Ulva	Austin Lui	Flagstaff - Hamilton	
Kavik	Yichen Zhang	Hillcrest - Hamilton	Currently in China – collect by Shirley Lin and taken to Auckland
Mocha	Crystal Han and Aaron Huang	Rototuna North - Hamilton	
Akira	Crystal Han and Aaron Huang	Rototuna North - Hamilton	
21/22 HCC registration			
Dogs name	Owner name/s	Address	Owners’ residence if different to registration form
Mocha		Rototuna North - Hamilton	
Akira		Rototuna North - Hamilton	
21/22 WDC registration			
Dogs name	Owner/s names	Address	Owners’ residence if different to registration form
Miska	Austin Lui Crystal Han	Pukemoremore	Austin resides at: Flagstaff Hamilton

Ulva	Austin Lui Crystal Han	Pukemoremore	Austin resides at: Flagstaff Hamilton
Kavik	Shirley Lin	Pukemoremore	Resides in Auckland
Mocha	Crystal Han and Aaron Huang	Pukemoremore	Rototuna North Hamilton
Akira	Crystal Han and Aaron Huang	Pukemoremore	Rototuna North Hamilton
Ice	Crystal Han	Pukemoremore	Rototuna North Hamilton
Skye	Crystal Han	Pukemoremore	Rototuna North Hamilton
Milo	Crystal Han	Pukemoremore	Rototuna North Hamilton
Lobo	Crystal Han	Pukemoremore	Rototuna North Hamilton
Willow	Crystal Han	Pukemoremore	Rototuna North Hamilton
Molly	Crystal Han	Pukemoremore	Rototuna North Hamilton
Meeko	Crystal Han	Pukemoremore	Rototuna North Hamilton
Oso	Crystal Han	Pukemoremore	Rototuna North Hamilton

24. The dog owners purchased a property in Pukemoremore (Waikato District Council territory) to house the remaining dogs. Two infringements were issued to Crystal Han (12463 and 12460) because of this event.
25. Four of the complaints about the dogs and conditions at the Rototuna North property were lodged in 2021, after most of the dogs were moved to Pukemoremore. On 3 March 2021 AEC found there to be more than two dogs at the Owners residence and issued a further infringement (13051). See **Attachments 6 and 7** for all complaints (excluding CRM207306/2020) received by HCC.
26. Since moving the dogs to Pukemoremore in December 2020, Waikato District Council (WDC) have received six complaints about the dogs kept there. The complaints relate to barking, roaming dogs and dogs fighting. The fighting dog's complaint was referred to the complainant (SPCA) as it involved welfare concerns. There have also been concerns expressed about the living conditions the dogs are kept in
27. On 27 January 2021 a complaint (DOGS2043/21) was received about one of the Siberian huskies out roaming and WDC issued an infringement (Q75080) to Crystal Han for this event. On 1 September 2021 another of the Huskies was out roaming and an infringement (J55479) was issued to Shirley Lin the registered owner of the dog Kovac (**Attachments 8, 9, and 10** WDC complaints and photos).
28. It has been noted by a couple of WDC complainants that the dogs have little human interaction, that no one lives at the house and people only come once a day to the Pukemoremore property to feed the dogs.

29. The SPCA have received six complaints from 17 August 2020 to 30 August 2021 regarding the dogs at the Rototuna North and Pukemoremore properties. The complaints have been in relation to distressed barking, dogs fighting, the living conditions and welfare of the Huskies kept at these addresses. These complaints have resulted in multiple visits to both addresses by the SPCA, at times the SPCA noted some improvement in the dogs' living conditions, but these do not seem to be sustained and quickly deteriorate once a complaint is closed. For full SPCA complaints and photo's see **Attachment 11**.
30. During event planning with WDC HCC became aware of the infringement issued to Crystal Han in January. This meant four infringements across 3 events had been issued to Crystal Han and she was eligible to be disqualified as a dog owner (**Attachment 12** – infringements). HCC initiated the disqualification process; disqualification documentation was served on Crystal Han on 2 July 2021 (**Attachment 13** – disqualification documentation).
31. HCC are aware that since 1 September 2021 WDC have received a further eight complaints, primarily for barking and the huskies were seized for breach of an abatement notice that was issued in August 2021. A further LGOIMA request has been sent to WDC for information relating to these complaints but at the time of writing the report the information is yet to be received. Once received the information will be made available to all parties.
32. On 12 July an objection to disqualification was received from Crystal Han via Counsel Martin Dillon. Crystal Han objects to disqualification from dog ownership on the following grounds:
- i. The infringements were all for minor matters which have now been “cured” and she was not aware they could lead to disqualification.
  - ii. That disqualification is out of proportion to the gravity of the infringements.
  - iii. That the infringement notices were not properly issued to Ms Han in all cases.
  - iv. That Council could have shown discretion and made Ms Han a probationary owner under s21 of the Dog Control Act 1996.
  - v. The keeping of 13 dogs in Rototuna was problematic so Ms Han purchased a lifestyle block in Pukemoremore.
  - vi. Failing to register one dog was an oversight which Ms Han remedied.
  - vii. The WDC infringement in January 2021 for the roaming Husky was for the dog belonging to Austin Liu who had come to visit.
  - viii. Up to the date of the submission there have been no further escapes.
  - ix. That the extra dog Kavik was at the Rototuna address for surgery and recovery and that this had been discussed with Peter D25.
- (**Attachments 14 and 15** – Han submissions)

### **Discussion - Matapaki**

33. In considering their decision, panel members should consider:
- i. the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
  - ii. the competency of the person objecting in terms of responsible dog ownership; and
  - iii. any steps taken by the owner to prevent further offences; and
  - iv. the matters advanced in support of the objection; and
  - v. any other relevant matters.
34. Disqualification from dog ownership is based on the past behaviour of the dog(s) and/or owners that resulted in three or more infringements in a 24-month period. It is not founded on what the future behaviour of the dog/owner may be.

35. The Dog Control Act 1996 is quite clear in noting when a territorial authority must disqualify a person from dog ownership. Upon receiving three or more infringements in a 24-month period a territorial authority must disqualify that person from dog ownership unless the circumstances of the offence/s do not warrant disqualification. AEC believe there are no circumstances in any of the incidents resulting in the issuing of the three infringements that would make disqualification not warranted.
36. In considering their decision there are several factors the panel must take into consideration, one of these is the competency of the person objecting in terms of responsible dog ownership. AEC believe that Crystal Han has demonstrated that she is not a responsible or competent dog owner. The dogs in her care have caused disruption to other residents and continue to cause disruption resulting in further customer complaints, they have been and continue to be housed in poor conditions and their basic needs are not met. The dogs are fed and have access to water, but their social and psychological needs are not seen to. There is limited human interaction and no training appears to have been undertaken with these dogs.
37. Huskies are high energy intelligent dogs that need lots of training and activities to keep them mentally well and alert. These dogs are left largely by themselves with little human interaction beyond feeding. The absence of human presence at the property has even been noted by neighbours/complainants and left one barking respondent to question if this was a puppy mill or hoarder situation. This lack of human interaction and training would result in boredom for these dogs which is possibly why they frequently bark and howl and fighting breaks out amongst them.
38. It was evident when they were seized by HCC from the Owners residence, that these dogs had not been walked or exercised on a lead. They were unkempt and smelled strongly of urine and faeces indicating a lack of bathing and grooming. Dogs with such thick coats like Huskies require regular grooming to remove moulting fur and prevent matting and overheating.
39. The report by Dr Browne also highlighted the lack of interaction these dogs had with people and the negative consequences of this on the dogs, they are fearful and do not exhibit "normal" dog behaviours. The ongoing lack of human interaction, training and socialisation will only have compounded the issues/behaviours exhibited by these dogs since they were assessed by Dr Clare Browne.
40. The territorial authority must also consider the circumstances of the offence. While failure to register a dog and breach of a Hamilton City bylaw are relatively low-level offences the circumstances which led to those infringements, the number of complaints and the welfare needs of the dogs, were of a significant enough nature that HCC believe the disqualification from dog ownership of Crystal Han is warranted.
41. A mediated outcome which included issuing two infringements to each of the dog owners and a number of conditions to improve the circumstances of the dogs and prevent ongoing nuisance and pregnancies was negotiated and agreed upon with the dog owners during a meeting with Peter O'Neill but after the meeting the dog owners chose not to sign the agreement.
42. The general circumstances have not improved, and complaints continue to be received by both territorial authorities and the SPCA regarding these dogs the offending is ongoing. The most recent complaints are in September 2021.
43. Another aspect the territorial authority must consider in making its decision is any actions the owners have taken to prevent any further offences.

44. In moving the dogs to Pukemoremore the dog owner has not improved the dog's behaviour or living conditions but rather transferred the problem to another territorial authority. The number of complaints WDC has received in the nine months the dogs have resided at Pukemoremore up until late August 2021 and the notable similarities to the complaints HCC was receiving before the dogs were moved would indicate that the owner has done little to prevent further offences. The further eight complaints, mostly for barking, that WDC since 1 September 2021 clearly indicate that despite facing disqualification the dog owner has taken little action to prevent ongoing nuisance created by their dogs.
45. When the dogs were released from HCC in December 2020 the dog owners said they were going to hire a dog trainer to work with the dogs, but this never came to fruition and the dogs are still left unattended for hours on end resulting in numerous complaints to WDC. HCC are still receiving barking complaints even though there are only two dogs now registered to the Rototuna North address.
46. In addressing Crystal Hans competency as a dog owner, the submissions provided note they are good dog owner as they have taken steps to remedy the situation. They bought a property to house 11 of their dogs so they were compliant with HCC's bylaw, however, this has not fixed or removed the nuisance these dogs cause. Both HCC and WDC have continued to receive barking and roaming complaints about these dogs, the most recent complaints coming September 2021.
47. Ms Han also noted in paragraph 31.1 of their submissions that "She has attended to registration of the one overlooked dog among 13". The fact was eight out of 13 were not registered and as the dogs were impounded, they were unable to be released from the pound without being registered. If the dogs had not been seized by HCC the dogs may have remained unregistered.
48. Veterinary care has been provided when needed but basic care such as providing a hygienic environment, regular worming (as evident by worm burden when impounded), bathing and grooming, and human interaction and training are largely missing from the care of these Huskies. Neglecting these aspects of care means Ms Han is failing in her responsibilities as a dog owner under both the Dog Control Act 1996 and the Animal Welfare Act 1999.
49. As noted in the submission in paragraphs 20-23 Ms Han notes she is not the owner of the dog yet the registration records from WDC show Crystal Han as the second owner of the dogs Miska and Ulva of which Austin Lui is the primary owner. The dogs also reside at Pukemoremore a property owned by Crystal Han and Aaron Huang. Austin Lui lives in Flagstaff, Hamilton. The dogs are not registered to any address in Hamilton.
50. In paragraph 26 of Ms Hans submissions, it is notes that she believed a conversation had occurred between her husband and Peter (D25) regarding this. No such conversation was had.
51. Significant time and resource by three agencies, two territorial authorities (HCC/WDC) and the SPCA, has been spent on responding to complaints about the behaviour and living conditions of these dogs. All agencies have attempted to work with the dog owners to improve the life and conditions of these dogs and prevent further offences with limited success. The lack of actions to improve the behaviour or welfare of the dogs suggests that the dog owner either does not understand their responsibilities as a dog owner and what the needs of domestic dogs are, or they do not care. Providing shelter and food alone does not meet all the obligations of a dog owner or the basic welfare needs of a dog.

### Options - *Kōwhiringa*

52. Under the Dog Control Act 1996, territorial authorities have three potential outcomes/options in determining an objection to disqualification. They are:
- I. uphold the disqualification for the recommended period
  - II. uphold the disqualification but bring the termination date forward
  - III. terminate the disqualification immediately.
53. Staff recommend option one because of the history of barking and roaming complaints and the ongoing concerns for the welfare of the dogs which, to date has involved multiple visits from three separate agencies and not seen any significant change or improvement in the living conditions of the dogs.
54. Crystal Han has not demonstrated responsible dog ownership in that little action appears to have been taken to prevent ongoing barking and meet her obligations under the Dog Control Act 1996 and the Animal Welfare Act 1999 as a responsible dog owner. A new property was purchased but this only shifted the problems from one territorial authority to another.

### Financial Considerations

55. This is a regular operating activity funded through the 2021-2031 Long Term Plan.

### Legal and Policy Considerations

56. [Section 25](#) of the Dog Control Act 1996 notes that a territorial authority must disqualify a person from being a dog owner if they have received three infringements in a 24-month period or committed an offence under the following acts:
- i. The Dog Control Act 1996
  - ii. Part 1 or Part 2 of the Animal Welfare Act 1999
  - iii. Section 26ZZP of the Conservation Act 1987 or
  - iv. Section 56I of the National Parks Act 1980.
57. [Section 26](#) of the Dog Control Act 1996 sets a person's right to object to disqualification from dog ownership and the territorial authorities' responsibilities in considering that objection.
58. If a dog owner is dissatisfied with the outcome from the territorial authority's hearing process under [section 27](#) of the Dog Control Act, they may appeal to the District Court.
59. Staff confirm that the disqualification and options provided for the Dog Control Hearings Panel comply with Council's legal obligations under the Dog Control Act 1996.

### Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

60. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
61. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
62. The recommendations set out in this report are consistent with that purpose.
63. Staff considers from a social perspective that the keeping of animals can enhance the quality of life and well-being for individuals and families; however, staff also have a responsibility to ensure responsible dog ownership and to protect the community from unreasonable animal nuisances  
– families, whanau, iwi, haapu, and communities should be safe from dangerous animals.

64. There were no Economic, Environmental, and Cultural wellbeing considerations identified in the creation of this report.

**Risks - *Tuuraru***

65. Should the disqualification be overturned AEC, believe there will be ongoing barking and roaming complaints and that the basic obligations of a dog owner will not be met. The dogs will continue to live in unhygienic conditions, have little human interaction and no training or socialisation.

**Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

66. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.
67. Given the low level of significance determined, the engagement level is low. No engagement is required.

**Attachments - *Ngaa taapirihanga***

Attachment 1 - History - HCC WDC SPCA

Attachment 2 - CRM 207306

Attachment 3 - Admission check sheets

Attachment 4 - Report by Dr Clare Browne

Attachment 5 - Private investigators notes

Attachment 6 - HCC complaints up to August 2020

Attachment 7 - HCC complaints in 2021

Attachment 8 - WDC complaints (1)

Attachment 9 - WDC complaints (2)

Attachment 10 - WDC photos

Attachment 11 - SPCA complaints

Attachment 12 - Infringements (all)

Attachment 13 - Disqualification documentation

Attachment 14 - Han Submissions

Attachment 15 - Han - Vet invoices



## History

## Hamilton City Council

Date & job number	Complaint	Actions and outcome
20/12/2017 CRM 159864	<b>Barking complaint</b>	<ul style="list-style-type: none"> <li>Complainant spoken to and sent barking record sheets</li> <li>Dog owner informed of complaint and given some advice</li> <li>Complainant contacted, barking record sheets not returned but they have noted some improvement in the barking</li> </ul> <p><b>Outcome</b> Advice given</p>
22/6/2018 CRM 167544 CRM 167561	<b>Dog attack</b> Dog v dog Dogs from [A2] have come across road one dog has attacked victim dog and the other has been hit by a car while crossing the road	<ul style="list-style-type: none"> <li>Received two calls about this attack, one from the victim dog owner and one from a witness</li> <li>Victim dog was taken home, minor injuries</li> <li>Dog hit by car taken to the vets</li> <li>AECO spoke to all parties – both victim dog owner and witness noted a lack of control over the offending dogs by the dog owner</li> <li>Offending dog owners advised to seek some assistance with dog training to gain better control and that a warning only would be issued in this instance due to minor nature of the attack</li> </ul> <p><b>Outcome</b> Written warning issued</p>
21/4/2020 CRM 195416	Barking dogs	<ul style="list-style-type: none"> <li>Complainant wants to be anonymous</li> <li>Dog owner informed of complaint</li> </ul> <p><b>Outcome</b> Advice given</p>
17/6/2020 CRM 197853	Roaming dog Being contained by member of the public	<ul style="list-style-type: none"> <li>Dog collected from member of the public</li> <li>Dog scanned, microchip came back to [A2]</li> <li>Called to address, no one home so returned to AEC with the dog</li> </ul> <p><b>Outcome</b> Dog impounded</p>
17/6/2020 CRM 197863	Unregistered dogs 4 unregistered dogs being kept at [A2]	<ul style="list-style-type: none"> <li>Dog owner contacted</li> </ul> <p><b>Outcome</b> Dogs registered</p>
11/9/2020	Barking dogs	<ul style="list-style-type: none"> <li>Dog owner contacted re barking</li> <li>6 dogs at the property – owner noted due to Covid has had difficulties rehoming the puppies</li> </ul>

		<ul style="list-style-type: none"> <li>Dog owner informed of obligation to reduce the barking and to remove excess dogs from the property</li> </ul> <p><b>Outcome</b> Advice given AECO to return to property to follow-up on number of dogs being kept</p>
29/10/2020 CRM 207306	Insufficient food/water/shelter Multiple dogs being kept on the property. Dogs noted in small crates through window with no access to water on a hot day.	<ul style="list-style-type: none"> <li>See attachment xx for full details</li> </ul> <p><b>Outcome</b> Dogs seized by AEC and NZ Police Infringements 12460 and 12463</p>
3/3/2021 CRM 220071	Multiple unregistered dogs	<ul style="list-style-type: none"> <li>See attachment xx for full details</li> </ul> <p><b>Outcome</b> Infringement 13051 issued</p>
22/4/2021 CRM224784	Barking dogs	<ul style="list-style-type: none"> <li>Barking log sheets sent to complainant but none returned</li> </ul> <p><b>Outcome</b> No further action</p>
25/5/2021 CRM 227636	Roaming dogs 2 dogs from [A2] in neighbour's backyard	<ul style="list-style-type: none"> <li>Dogs collected prior to AECO arrival</li> </ul> <p><b>Outcome</b> No further action</p>
30/8/2021 CRM235296	Barking dogs	<ul style="list-style-type: none"> <li>CRM remains open/under investigation</li> </ul>

Full CRM documentation see attachments x, x, x,

**Waikato District Council**

Date & job number	Complaint	Actions and outcome
26/1/2021 DOGS2043/21	Roaming dog	<ul style="list-style-type: none"> <li>Dog had been contained by time ACO arrived</li> </ul> <p><b>Outcome</b></p> <ul style="list-style-type: none"> <li>Infringement Q75080</li> </ul>
14/5/2021	Barking A complainant who contacted WDC regarding kennels having been constructed to close to the boundary also reported to the compliance officer that one of the dogs had been out and the dogs barked constantly.	<ul style="list-style-type: none"> <li>Compliance officer verbally notifies ACO team re barking at [A3]</li> <li>ACO posts barking survey to neighbouring properties to confirm if there is a barking issue or not.</li> <li>Returned surveys attached to customer requests DOGS0529/22 and DOGS0584/22</li> </ul>

21/8/2021 DOGS0529/22 DOGS0584/22	Barking Two complaints received re ongoing barking	<ul style="list-style-type: none"> <li>Returned survey results from May/June attached to these barking complaints</li> <li>Dog owner contacted re obligations to mitigate the barking and potential consequences if barking continues</li> <li>A notice of requirement was issued to all registered owners of dogs kept at [A3] to abate the barking</li> <li>These complaints remain open</li> </ul>
1/9/2021 DOGS0598/22	Roaming dog	<ul style="list-style-type: none"> <li>Statement from complainant sought and received</li> <li>Dog owner is [B1]</li> <li>[C1] person present and in charge of dog on the day</li> </ul> <p>Outcome</p>
7/9/2021	Dogs fighting SPCA have received reports of dogs fighting at 8 [A3]	<ul style="list-style-type: none"> <li>Referred back to SPCA for welfare issues</li> </ul>

For full CRM documentation see attachments x, x, x,

#### SPCA

Date & Job number	Complaint	Actions and outcome
17/8/2020 306008	Neglect – unhygienic environment	<ul style="list-style-type: none"> <li>Inspector visited</li> <li>Sighted 6 Huskies inside house</li> <li>Living area clean, puppy pads on floor changed daily</li> <li>Access to shelter and water</li> </ul>
16/10/2020 310883	Physical/Health/Behaviour  5/6 Huskies confined inside, never seen outside. No one has been seen at property for a few days	<ul style="list-style-type: none"> <li>Property visited by Inspector on 19 and 28 October 2020.</li> <li>No-one home on 19/10/2020</li> <li>On second visit walked through house with owner</li> <li>Faeces on floor and smudged on vertical surfaces such as kitchen cabinets.</li> <li>strong odour present throughout house</li> <li>loud barking – had to speak to owner outside</li> <li>7 dogs sighted</li> <li>Plan to be developed may need to include other agencies</li> <li>HCC Environmental Health were contacted</li> </ul>
23/2/2021 322398	Physical/Health/Behaviour	<ul style="list-style-type: none"> <li>Property visited by an inspector five times between 24/2/2021 and 26/5/2021</li> <li>House found to be in various states of cleanliness but improvement noted.</li> </ul>

8/3/2021 323695	Physical/Health/Behaviour  3 Huskies at property, no water access noted, smells horrendous	<ul style="list-style-type: none"> <li>Inspector visited three times between 9/3/2021 and 20/4/2021</li> <li>House shut up, dogs have no access to outside</li> <li>Sighted 2 Huskies</li> <li>Faeces on carpet and in second room seen, pee pads on floor. Diarrhoea noted on floor during second visit.</li> <li>No water access seen</li> <li>Dog owner home on third visit – pointed out smell to them - advice given re ventilation and dog having access to outside</li> </ul>
29/7/2021 335038	Physical/Health/Behaviour  6 Huskies in pen outside never let out, owners hardly ever there. Dogs fight all day	<ul style="list-style-type: none"> <li>Inspector visited on 3/8/2021</li> <li>1 dog sighted in garage with cone around its neck.</li> <li>Garage covered in faeces and urine</li> <li>Huskies penned outside either had no obvious water source or the water was dirty</li> </ul>
30/8/2021 337392	Physical/Health/Behaviour  Huskies locked in house howling nonstop, not sure if anyone there, strong smell of faeces	<ul style="list-style-type: none"> <li>Dog owner has been disqualified by HCC</li> <li>Inspector visited property on 30/8/2021</li> <li>No one home, sighted 2 dogs through window, window open 1cm, couldn't smell faeces</li> <li>Called dog owner on 31/8/2021</li> <li>Dog owner noted she stays at the property and there is no build up of faeces</li> </ul>

## Animal Complaint Record 207306/2020

<b>COMPLAINANT</b>		<b>Officer</b>	D37
<b>Complaint Received</b>	10/29/2020 1:00:00 PM	<b>Home Phone 1</b>	
<b>Name</b>	AECU Animal Education and Control Unit	<b>Home Phone 2</b>	
<b>Address</b>	217 Ellis Street Frankton Hamilton 3204	<b>Mob Phone</b>	

**PROPERTY**

<b>Property Address</b>	[A2]	<b>Safety Alert</b>
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**ANIMAL DETAILS**

<b>Animal Number</b>	233100	<b>Animal Name</b>	[A4]	<b>Tattoo</b>	953010002 078516
<b>Animal Location</b>	[A2]	<b>Color</b>	GRY /WHI	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723
<b>Animal Number</b>	233101	<b>Animal Name</b>	[A5]	<b>Tattoo</b>	953010002 081620
<b>Animal Location</b>	[A2]	<b>Color</b>	BRO /GRY	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723
<b>Animal Number</b>	238984	<b>Animal Name</b>	[D2]	<b>Tattoo</b>	982126054 047175
<b>Animal Location</b>	[A2]	<b>Color</b>	GRY /WHI	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[D1]	<b>NAR No.</b>	1117121
<b>Animal Number</b>	238985	<b>Animal Name</b>	[D3]	<b>Tattoo</b>	982126054 047217
<b>Animal Location</b>	[A2]	<b>Color</b>		<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[D1]	<b>NAR No.</b>	1117121

**REQUEST DETAILS**

<b>Offence Date</b>		property at [A2] multiple dogs contained in the house, no water, howling.
<b>Major Category</b>	Animal Control (heading only)	
<b>Minor Category</b>	Dogs - Offences (heading only)	
<b>Category 3</b>	Dogs - Ranging Offences Detected By Officer (heading only)	
<b>Category 4</b>	Dogs - Ranging - Insufficient Food/Water/Shelter	

**INVESTIGATION DETAILS**

<b>Officer</b>	D37	281020 @ 1338 - Phone call made to dog owner [A1] explaining that we had heard from the SPCA today that there were now eight (8) Husky dogs at their address of [A1]. I had previously advised this dog owner that she needed to reduce the number of dogs on her property as she would not be considered for a permit due to the complaints our unit has received regarding dogs at her property. [A1] told me she had been unable to rehome the puppies as her partner and herself work long hours. She also told me she was looking after a Husky for someone who has had a head injury. I let her know that I would be dropping off a letter
<b>Start Date</b>	10/29/2020 1:00:00 PM	
<b>Finish Date</b>	4/16/2021 1:12:00 PM	
<b>Outcome</b>	Animals - Seized	
<b>Task</b>	Investigation	

this afternoon that explained her requirement to remove dogs from her property. [A1] put her partner [C1] on the phone and I explained the requirement to remove dogs to [C1]. He was struggling to understand me, I struggled to understand him due to the language barrier.

I looked at the number on the two other records from the same address with a different name of [D1], it was the same phone. I phoned it again and [A1] answered the phone. I asked why she had registered two dogs to the same address under a different name. She could not answer me and hung up.

1500 - I delivered the letter by hand to [A1] at [A2], I had two separate letters - one in the name [A1] and the other in the name of [D1] I asked her again if she could explain the two different names we have on our database. She pointed at the envelope for [D1] and said she did not know who that was and she would ask someone. I gave her the envelope for [A1] and she took the other one too saying she better have both letters. Our records for [A2] are:

AN238985 registered to [D1] DOB [A6]

AN238984 registered to [D1]

AN233101 registered to [A1] DOB [A6] and [C1] DOB [C2]

AN233100 registered to [A1] and [C1]

D25 requested I delivered a notice of remove dogs to the dogs owners at [A2]. 29102020 @ 1000 - I attended [A2] with Environmental Health Officer Asvir [REDACTED]. On approaching the front door, there was a very strong odour. One (1) Husky dog could be seen through a window off the side of the garage. I heard at least one (1) dog inside the garage. We went through the gate to the rear of the property; the yard and property were in very poor condition with obvious signs of multiple dogs living at the address. I sighted empty bowls, new packages containing dog crates, used dog bedding and used pee pads that had been ripped and shredded around the yard. The house was covered in dried mud from dogs jumping at the windows and doors. There was a very strong odour of dogs. Looking through the window of the house, I could see three (3) adult Husky dogs inside the living room. Looking through another window, I saw two crates in the area off the kitchen. One crate and two young Husky dogs with little room to move and empty food bowls and an empty water bottle attached to the side of the crate. Inside, underneath the crate to the side of it, I could see a lot of faeces and urine. Both dogs were lying down, I tapped the glass door to see if I could get a response from them, I had to knock loudly three times before they responded by lifting their heads to look at me. Then they rested their heads down again. This is an unusual response from dogs seeing someone at the door. I was very concerned about the condition of these two young dogs. The second crate in this room also had two young Husky dogs, the top of this crate was inside the crate on an angle preventing one of the dogs from moving, the other was sitting on the top of it. Both of these two young dogs looked distressed and I was very concerned for the physical health of the trapped dog. On this visit, I sighted eight (8) dogs and could hear at least one further dog in the garage area. I returned to our Animal Control unit and discussed my findings with my team leader. We were advised that the SPCA would not be responding to this property until next Tuesday at the earliest. I had real concerns for the wellbeing and welfare of the dogs today and proceeded to get a search warrant for the property with the intent to remove any unregistered dogs. I returned to [A2] with three of my colleagues and one police officer. We door knocked - there was no answer. We entered through the gate to the side of the house and made our way around the rear of the house to find an entry point. I sighted two firearms in a bedroom on the side of the house and pointed these out to the police officer. We entered the property via the open door of the garage. In the garage, we

found four dog crates containing five (5) adult Husky dogs. The crates had faeces and urine inside and at the bottom of the crates and the odour in the garage was very strong. None of the dogs had bedding and they were directly on the metal rods that make up the bottom of the crates. There was no access to water for any of these dogs.

We entered the house through the garage/Laundry area which had urine and faeces on the floor. There was one dog in the Laundry that we moved into the first bedroom so we could look further into the house, in this room there were two firearms on the bedroom floor. The bathroom had a large adult rabbit, there was a large amount of rabbit urine and droppings in the bathroom. There was a rabbit litter container that was approximately 10cm high and full of droppings. The hall area floor was covered in faeces and urine. In the area off the kitchen, we found one dog loose, this was the young Husky that was sighted sitting on the fallen top of one of the crates earlier in the day. The second dog in that crate was still trapped. There was an extremely large amount of dog faeces and urine inside this crate, it appeared that it had been there for quite some time. The second crate had two further young Husky dogs, these two dogs were also lying on top of faeces and urine with little room to move and no access to water. All four of these young Husky dogs had urine stained hair. The smell in this room was overwhelming and one of my colleagues had to open the door for air.

In the living room, we found three (3) adult Husky dogs, there was no access to water in this room and the temperature was very warm. There was urine and faeces on the floor throughout this room. The smell in this room was very strong.

In total, we found 13 Husky dogs and one (1) Rabbit. After discussion with the Police Constable, a decision was made to seize all the animals due to welfare concerns. The Police Officer engaging his powers under the Animal Welfare Act. I phoned my team leader to confirm. All 13 Husky dogs were poled from the house for our safety as they showed signs of fear aggression.

A seizure notices and the search warrant were left on the front door of the property. All dogs were scanned for microchips and kennelled on return to the unit. 30102020 @ 0930 -

I called to [A7] to make enquiries, door knocked - no answer. Phone call made to [E1] on Animal Records on two of the Husky's. Message left.

Phone call received from another number - [E2] - A male tells me he is [E1] and he is the owner of two of the Husky dogs removed from [A2] yesterday. Dogs names are [E3] and [E4]. This male tells me that he is a friend of the breeders. He tells me that he purchased the dogs about a month ago and then returned them to the breeders one week ago to be looked after as his wife was going to give birth

I asked [E1] if he was aware of the conditions the dogs were living at [A2]. [E1] did not seem interested and told me he had never been inside the house.

[E1] tells me that he did not go to the property of [A2] to meet the dogs, he met them in a public park at [F1]. He tells me they did this as he did not want to be around the other dogs, just the nice two.

[E1] wanted to know how to get his dogs back, he tells me he can't have them at home right now but will kennel them until he can have them at home. I advised [E1] that the police will now be investigating this case and we will be able to let him know more information next week.

0950 - Called to [G2] to make enquiries as one (1) of the dogs removed from [A2] had been registered to this address

[G2] is made up of townhouses, I spoke to the resident in the first town house who said there are no Husky dogs living in any of the town houses.

Phone call made to the number on record for [G1] - no answer, text sent. (Abbey [REDACTED] - 09/09/2021)

K29, KR 47986 - 934 000 090 232 544 - Male - Not in any database

K28, KR 47888 - 934 000 090 232 545 - Male - Not in any database  
K27, KR 47989 - 934 000 090 232 546 - Female - Not in any database  
K26, KR 47990 - AN 236914 - [G3] K31, KR  
47991 - AN 238982 - [E4] K24, KR 47992 - AN  
233100 - [A4] K23, KR 47993 - AN233101 -  
[A5] K25, KR 47994 - 934 000 090 232 559 -  
Female - Not in any database K22, KR 47995 - AN 238983 - Ulva  
K30, KR 47983 - No microchip  
K34, KR 47984 - No microchip K33, KR 47985 -  
No microchip K21, KR 47987 - No microchip  
(Abbey [REDACTED] - 10/09/2021)

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28/10/2020

1.38pm

Phone call made to D/O [A1], explaining that we had heard from the SPCA today that there were now 8 Husky dogs at their address of [A2].

I had previously advised this dog owner that she needed to reduce the number of dogs on her property, as she would not be considered for a permit due to the complaints our unit has received regarding dogs at her property. [A1] told me she had been unable to rehome the puppies as her partner and herself work long hours. She also told me she was looking after a Husky for someone who has had a head injury. I let her know that I would be dropping off a letter this afternoon that explained her requirement to remove dogs from her property.

[A1] put her partner [C1] on the phone and I explained the requirement to remove dogs to [C1]. He was struggling to understand me, I struggled to understand him due to the language barrier. I looked at the number on the 2 other records from the same address with a different name of [D1], it was the same phone. I phoned it again and [A1] answered the phone. I asked why she had registered two dogs to the same address under a different name. She could not answer me and hung up.

3pm I delivered the letter by hand to [A1] at [A2], I had two separate letters one in the name of [A1] and the other in the name of [D1]. I asked her again if she could explain the two different names we have on our database. She pointed at the envelope for [D1] and said she did not know who that was, and she would ask someone. I gave her the envelope for [A1] and she took the other one too saying she better have both letters.

Our records for [A2] are

AN# 238985 registered to [A1] DOB [A6]

AN# 238984 registered to [D1]

AN# 233101 registered to [A1] DOB [A6] and [C1] DOB [C2]

AN# 233100 registered to [A1] and [C1]

D25 requested I delivered a notice to remove dogs to the dog owners at [A2].

29/10/2020

10am

I attended [A2] with Environmental Health officer Asvin [REDACTED].

On approaching the front door, there was a very strong odour.

1 Husky dog could be seen through a window off the side of the garage

I heard at least 1 dog inside the garage

We went through the gate to the rear of the property; the yard and property were in very poor condition with obvious signs of multiple dogs living at the address. I sighted empty bowls, new packages containing dog crates, used dog bedding and used pee pads that had been ripped and shredded around the yard. The house was covered in dried mud from dogs jumping at the windows and doors. There was a very strong odour of dogs.

Looking through the window of the house I could see three adult Husky dogs inside the living room.

Looking through another window, I saw two crates in the area off the kitchen. One Crate had two young Husky dogs with little room to move and empty food bowls and an empty water bottle attached to the side of the crate. Inside, underneath the crate and to the side of it I could see a lot of faeces and urine. Both dogs were lying down, I tapped the glass door to see if I could get a response from them, I had to knock loudly three times before they responded by lifting their heads to look at me. Then they rested their heads down again. This is an unusual response from dogs seeing someone at the door, I was very concerned about the condition of these two young

dogs. The second crate in this room also had two young Husky dogs, the top of this crate was inside the crate on an angle preventing one of the dogs from moving, the other was sitting on the top itself. Both of these two young dogs looked distressed and I was very concerned for the physical health of the trapped dog.

On this visit I sighted eight dogs and could hear at least one further dog in the garage area.

I returned to our Animal Control Unit and discussed my findings with my team leader. We were advised that the SPCA would not be responding to this property until next Tuesday at the earliest. I had real concerns for the wellbeing and welfare of the dogs today and proceeded to get a search warrant for the property, With the intent to remove any unregistered dogs.

I returned to [A2] with three of my colleagues and one police officer  
We door knocked, there was no answer.

We entered through the gate to the side of the house and made our way around the rear of the house to find an entry point.

I sighted two firearms in a bedroom on the side of the house and pointed these out to the police officer.

We entered the property via the open door of the garage.

In the garage we found four dog crates containing five adult Husky dogs. The crates had faeces and urine inside and at the bottom of the crates and the odour in the garage was very strong. None of the dogs had bedding and they were directly on the metal rods that make up the bottom of the crates. There was no access to water for any of these dogs.

We entered the house through the garage/Laundry area which had urine and faeces on the floor. There was one dog in the Laundry that we moved into the first bedroom, so we could look further into the house, in this room there were two firearms on the bedroom floor.

The bathroom had a large adult rabbit, there was a large amount of rabbit urine and droppings in the bathroom. There was a rabbit litter container that was approximately 10 cm high and full of droppings.

The hall area floor was covered in faeces and urine

In the area off the kitchen we found one dog loose, this was the young Husky that was sighted sitting on the fallen top of one the crates earlier in the day. The second dog in that crate was still trapped. There was an extremely large amount of dog faeces and urine inside this crate, it appeared that it had been there for quite some time.

The second crate had two further young Husky dogs, these two dogs were also lying on top of faeces and urine with little room to move and no access to water. All four of these young Husky dogs had urine stained hair.

The smell in this room was overwhelming and one of my colleagues had to open the door for air. In the living room we found three adult Husky dogs, there was no access to water in this room and the temperature was very warm. There was urine and faeces on the floor throughout this room. The smell in this room was very strong.

In total we found 13 Husky dogs and 1 rabbit

After discussion with the police constable a decision was made to seize all the animals due to welfare concerns. The police officer engaging his powers under the Animal welfare act.

I phoned my team leader to confirm

All 13 Husky dogs were poled from the house for our safety as they showed signs of fear aggression.

A seizure notice and the search warrant were left on the front door of the property.

All dogs were scanned for microchips and kennelled on return to the unit.

30/10/2020

9.30am

I called to [A7] to make enquiries, door knocked, no answer.

Phone call made to [C1] of Animal records of 2 of the Husky's, message left.

Phone call received from another number [E2] A Male tells me he is [E1] and he is the owner of two of the Husky dogs removed from [A2] yesterday.

Dogs named [E3] and [E4]

This male tells me that he is a friend of the breeders

He tells me that he purchased the dogs about a month ago and then returned them to the breeders 1 week ago to be looked after as his wife was going to give birth.

I asked [E1] if he was aware of the conditions the dogs were living in at [A2]. [E1] did not seem interested and told me he had never been inside the house.

[E1] tells me that he did not go to the property of [A2] road to meet the dogs, he met them in a public park at [F1]. He tells me they did this as he did not want to be around the other dogs, just the nice two.

[E1] wanted to know how to get his dogs back, he tells me he can't have them at home right now but will kennel them until he can have them at home.

I advised [E1] that the Police will now be investigating this case and we will be able to let him know more information next week.

9.50am

Called to [G2] to make enquires as 1 of the dogs removed from [A2] has been registered to this address.

[G2] is made up of townhouses, I spoke to the resident in the first town house who said there are no Husky dogs living in any of the town houses.

Phone call made to the number on record for [G1], no answer, text sent.

28 October 2020

[A1] & [C1]

[A2]

Dear [A1] & [C1]

**RE: KEEPING MORE THAN TWO DOGS ON A PROPERTY**

The purpose of this letter is to advise we have received information that you currently have seven dogs on your property of [A2]. Under the Hamilton City Council Dog Control Bylaw you cannot have more than two dogs on your property without a Multiple Dog Permit, due to your recent history of excess barking and other complaints Hamilton City Council Animal Education & Control will not be issuing you with a Multiple Dog Permit.

Council hereby requests that:

You remove excess dog(s) within 7 days from the date of this letter and in doing so, you are required to notify Hamilton City Council in writing of the new owner's full name, address and telephone number to avoid an infringement notice or prosecution.

Failure to comply with this request can result in further enforcement action being taken against you.

If you have any further queries, please telephone (07) 838 6632.

Yours faithfully

**ANIMAL EDUCATION & CONTROL OFFICER TEAM LEADER.**

28 October 2020

[D1]

[A2]

Dear [D1]

**RE: KEEPING MORE THAN TWO DOGS ON A PROPERTY**

The purpose of this letter is to advise we have received information that you currently have seven dogs on your property of [A2]. Under the Hamilton City Council Dog Control Bylaw you cannot have more than two dogs on your property without a Multiple Dog Permit, due to your recent history of excess barking and other complaints Hamilton City Council Animal Education & Control will not be issuing you with a Multiple Dog Permit.

Council hereby requests that:

You remove excess dog(s) within 7 days from the date of this letter and in doing so, you are required to notify Hamilton City Council in writing of the new owner's full name, address and telephone number to avoid an infringement notice or prosecution.

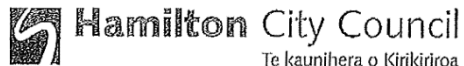
Failure to comply with this request can result in further enforcement action being taken against you.

If you have any further queries, please telephone (07) 838 6632.

Yours faithfully

**ANIMAL EDUCATION & CONTROL OFFICER TEAM LEADER.**

AC/F24  
Version 3  
15.2.05



## MULTIPLE DOG PERMIT CONDITIONS

Te kaunihera o Kirikiriroa

Private Bag 3010  
Hamilton 3240  
New Zealand

Phone 07 838 6699  
Fax 07 838 6599

info@hcc.govt.nz  
www.hamilton.co.nz

1. All requirements of the Dog Control Act 1996 and Hamilton City Councils Bylaws **MUST** be met at all times.
2. Any permit issued is specific to one property. Any move to a new property requires a new permit application with the relevant fee.
3. A portion of the property must be fenced. The fences must be able to contain and retain all dogs on the property. In addition to this there must be unrestricted access to at least one door at the dwelling. This is so that no person is likely to be endangered, threatened or inconvenienced by the keeping of more than two dogs.
4. All dog faeces are to be removed on a regular basis and disposed of in a lawful manner. The property is to be kept in a clean state.
5. Ensure that the dogs receive proper care and attention and are supplied with proper and sufficient food, water and shelter.
6. Where the dogs are not normally confined inside a dwelling house, adequate kennelling of sufficient size to meet the needs of the dogs must be provided.
7. The property must be open to inspection by an authorised council officer at any reasonable time as deemed necessary by council.
8. All dogs on the property of a greater age than three months must be registered for the current year. Should dogs not be registered, or any new unregistered dogs found on the property – your application may be declined or your permit may be revoked.
9. All deaths, sales or transfers of dogs (including pups born on the property) are to be notified in writing to the council within 14 days. Failure to do so may result in an infringement notice being issued and the permit being revoked.
10. The permit is only valid for the dogs specified on the permit (one dog can not be swapped for another), once it is issued. Any changes will require applying for a new permit with the relevant cost.
11. The permit must be renewed annually, ON OR BEFORE THE EXPIRY DATE. FAILURE TO DO SO WILL RESULT IN THE DOG OWNER HAVING TO RE-APPLY IN FULL AND PAY THE FULL APPLICATION FEE.

IN THE DISTRICT COURT  
HAMILTON

REF:

IN THE MATTER

of an application under  
Subpart 3 of Part 4 of the  
Search and Surveillance  
Act 2012 and;

Sec. 14 (1)-(3) Sec. 42(2)  
Dog Control Act 1996.

---

APPLICATION FOR SEARCH WARRANT

DATED: 29/10/2020

---

Hamilton City Council  
Animal Education & Control Unit  
217 Ellis Street  
Frankton  
Hamilton

Contact Officer: Trudi

Phone: [07] 838 6632

Fax: [07] 838 6915

Email: *Trudi.* @*hcc.govt.nz*

APPLICATION FOR SEARCH WARRANT

To: An Issuing Officer of the District Court at Hamilton.

I, Trudi, a Dog Control Officer employed by the Hamilton City Council states as follows:

1. I am a Dog Control Officer, employed by Hamilton City Council and appointed in accordance with section 11 of the Dog Control Act 1996.
2. This application is made pursuant to Sec. 14 (1) (3), and sec. 42(2) against DCA 1996.  
To search the dwelling and any vehicle on the property of [A2] for at least 4 unknown, unregistered Siberian Huskies, possibly more.
3. The grounds for this application are as follows:

3.1 On 29<sup>th</sup> of October 2020 at 10.30am, I have gone to the property of [A2] with an environmental health officer following up on a report of multiple dogs at the address of [A2] and the condition the dogs were being kept in.

3.2 Upon arrival at [A2] , I looked through the windows and sighted 8 dogs which in my opinion were in distress. And were not reacting normally. I have taken photos. Refer appendix 1, 2, 3, 4, 5, 6, 7

3.3 I believe I could also hear additional dogs in the garage, but I did not sight these.

3.4 I did see at least 4 husky type dogs that are not registered on the Hamilton City Council Database.

3.5 The Hamilton City Council Database does have 4 husky type dogs currently registered to [A2] , not 8 or more.

3.6 It is offence contrary to Sec.42 of the Dog Control Act 1996 for a person to be in possession of an unregistered dog over the age of 3 months of age.



3.7 Sec.14(3) of the Dog Control Act 1996 requires a Dog Control Officer to be in possession of a search warrant issued in accordance with the search and Surveillance Act 2012

3.8 The warrant is to search for and seize any unregistered Husky type dogs at the address of [A2] .

3.9 It is requested that this warrant be valid for 14 days and shall be exercised on 1 occasion.

3.10 To the best of my knowledge and belief and following reasonable enquiries within the Animal Education and Control Unit, no application for a search warrant has been made within the preceding 3 months in respect of [A2] .

I confirm the truth and accuracy of the contents of this application. I am aware that it is an offence to make an application containing any assertion or other statement known by me to be false.

Signature of applicant:

Print full name: Trudi

Date:





Item 5

Attachment 2





Item 5

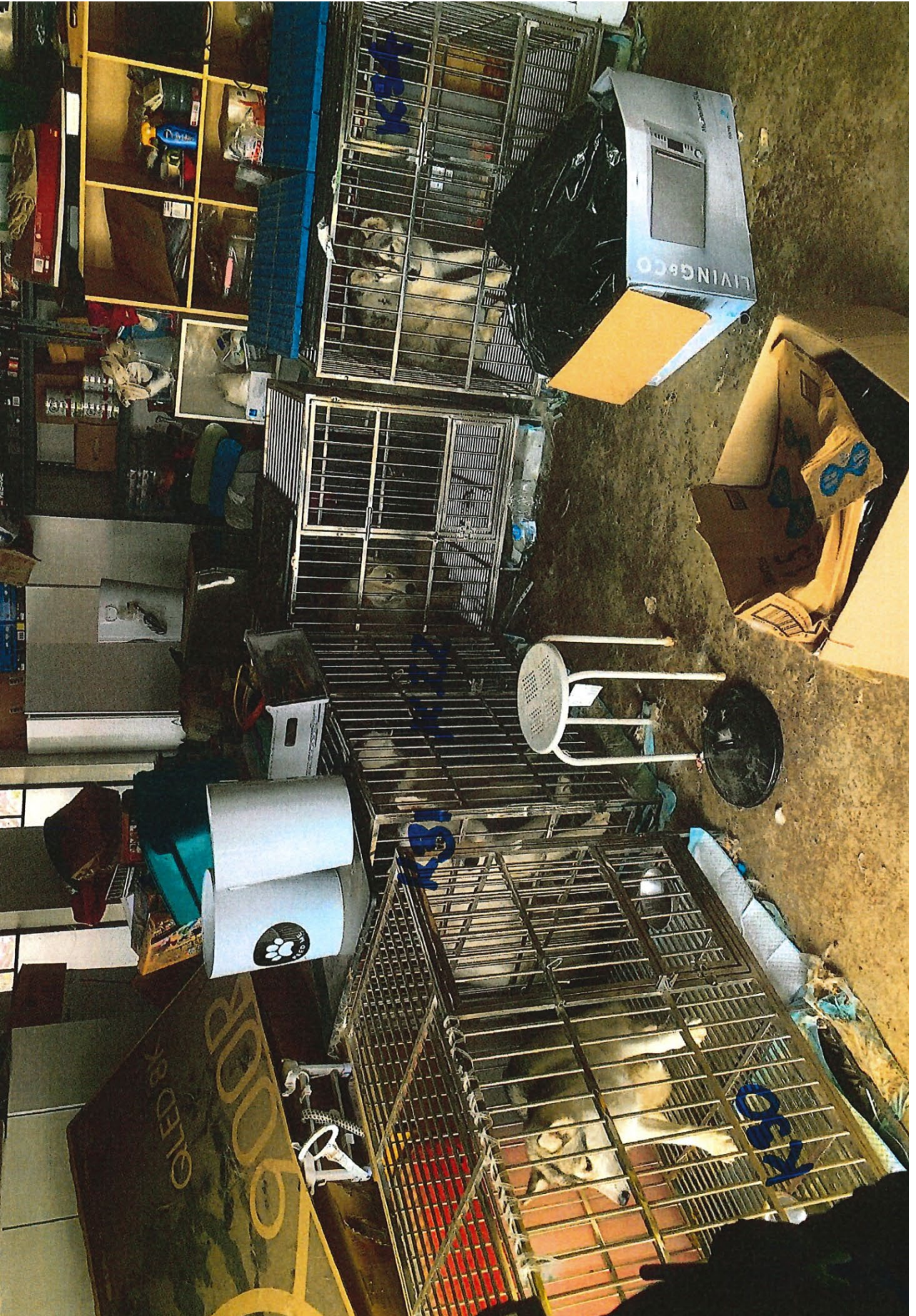
Attachment 2





Item 5

Attachment 2



Attachment 2

Item 5





Item 5

Attachment 2



Attachment 2

Item 5

COPY



Private Bag 3010 TEL 07 838 6699  
Hamilton 3240 FAX 07 838 6599  
New Zealand EMAIL info@hcc.govt.nz  
hamilton.govt.nz

## CLEANSING ORDER

Issued under Section 41 of the Health Act 1956

---

To: [D1] ('owner')  
[A2]

- 
1. **The location to which this cleansing order applies is:**  
[A2] (main dwelling - 'the premises')  
Legal Description: [A2]
  2. **Hamilton City Council ('the Council') orders that you must take the following action:**
    - (a) Cleanse the premises by removing all dirt, grime and filth from the walls, floors, ceilings and fittings in a manner suitable for the purpose, including by sweeping, washing, scrubbing and other methods of cleaning.
    - (b) Disinfect the walls, floors, ceilings and fittings using suitable disinfectants.
    - (c) Engage a professional cleaning company to carry out the above works.
  3. **The reasons for this order are:**

An inspection of the premises on 6 November 2020 found the premises to be in such an insanitary condition that Hamilton City Council ('Council') is of the opinion that the cleansing of the premises is necessary for preventing danger to health and to render the premises fit for occupation.
  4. **You must comply with this Order on or before:**

Friday 13 November 2020
  5. **This Order shall cease to have effect when Council is satisfied that all the terms of this Order have been met and is satisfied that the premises has been cleaned and disinfected in a professional manner.**
  6. **Every person who contravenes or fails to comply in any respect with any of the provisions of this order commits an offence and is liable to a fine not exceeding five**

---

Version 4.0 March 2020

COPY

hundred dollars (\$500) and to a further fine not exceeding fifty dollars (\$50) for every day on which the offence continues.

- 7. **Hamilton City Council authorised the Environmental Health Officer who issued this order.** Its address is:

Hamilton City Council  
 Municipal Offices  
 Garden Place  
 Hamilton

- 8. **The Environmental Health Manager is acting under the following authorisation:**

Section 41 of the Health Act 1956 and a warrant of authority pursuant to Section 28 of the Health Act 1956 issued by Hamilton City Council.

- 9. **This Order is signed and dated by:**

Peter



.....  
**Environmental Health Manager**  
**Hamilton City Council**

6 November 2020

.....  
 [Date]

# NOTICE OF SEIZURE AND REMOVAL OF DOG

To: The New owners Offence Date: 29/10/2020

Of: [A2] Our Ref: \_\_\_\_\_

Dog/s: 2 G/W Husky + 1 white Husky,  
1 G/W Husky + 1 G/W Husky  
(G/W = Grey + White)  
1 x Grey + white Husky - Blue

This is to notify you that the above dog/s have been seized and removed from this address under Section 42 of The Dog Control Act 1996.

<input checked="" type="checkbox"/>	Section 28(7)	Disqualification of Dog owner
<input checked="" type="checkbox"/>	Section 42(2)	Failing to register dog
<input type="checkbox"/>	Section 52	Failing to control dog (2A) (3A)
<input type="checkbox"/>	Section 52A(4)	Failing to confine or control dog on owner's property
<input type="checkbox"/>	Section 56(2)	Removal of barking dog causing distress
<input type="checkbox"/>	Section 57(5)	Dog attacking persons or animals
<input type="checkbox"/>	Section 57A(3)	Dog rushing at persons, animals or vehicles
<input type="checkbox"/>	Section 72 A	Dog released from custody

The details of the offences are listed on the reverse of this notice.

You may apply for the return of the dog and should contact the Animal Education and Control Centre, 217 Ellis Street, Hamilton on (07) 838 6632 or visit between 12.30 and 4.30 pm within 7 days of the date of this notice.

You may be required to pay any fees incurred with the seizure, custody, sustenance and transport of the dog.

Note: The dog may be sold, destroyed or otherwise disposed of unless the dog is claimed and all fees owing are paid within seven (7) days from the date of this notice. Disposal of the dog may not exempt the owner from fees owing or from possible prosecution.

Fees can only be paid by cash, Eftpos or credit card. Cheques are not accepted.

[Signature]  
Signature of Dog Control Officer

2:30pm 29/10/2020  
Date/Time of Service

AC/F17  
Version 5  
22.10.2014

Item 5

Attachment 2

Date: 17 November 2020  
Time: 11am  
Location: 217 Ellis Street, Frankton

Meeting with dog owners [A1] & [C1]  
Also present was Peter O'NEIL Investigator employed by the dog owners.

Purpose of the meeting was to discuss possible outcomes if Police choose not to continue with their prosecution of the owners [A1] & [C1]

Council's recommendations are:

that dog owners [A1] & [C1] can only own two dogs;

these dogs will reside at [A2] with the owners;

these two dogs are to be de-sexed to avoid any further litters.

Animal Education & Control would carry out monthly property inspections to ensure the dog owners do not find themselves in a similar situation to what they are in currently.

Animal Education & Control staff would like to offer on-going education to both dog owners, so they better understand their responsibilities as dog owners and to ensure the welfare of the two dogs is managed correctly.

Both [A1] & [C1] agreed to the conditions put to them from Council and were willing to work with us going forward.

The dog owners indicated they would like to take the two older female Huskies back [A5] 3 years 3 months and [A4] 3 years 3 months.

Two dogs are owned by [E1] both dogs are males 10 months of age named [E3] & [E4], these dogs can be returned to [E1] and are not to be at [A2] at any stage.

A male Husky named [G3] 2 years 3 months is owned by a [G1] who is currently in China and cannot return due to COVID-19. [G3] will go to a friend of [G1] in Auckland and cannot return to [A2] at any time.

The remaining 8 dogs can be signed over to Hamilton City Council Animal Education & Control by the owners if they wish however they need to understand some of the dogs have severe behavioural issues and cannot be rehomed through our adoption programme.

If dog owners [A1] & [C1] wish to rehome these dogs themselves, they would need to organise the new owners before they could be released from the kennels. These dogs are not to be in the care of [A1] & [C1] at any time and cannot return to [A2].

The dog owners indicated they would prefer to try and rehome the dogs themselves as they did not want any euthanised.

Investigator Peter O'NEIL suggested his clients should consider Animal Education & Controls offer.

Meeting ended 12.05pm now awaiting Police decision as to whether they will continue with the intended prosecution. Decision is due 25 November 2020.

Peter - Animal Education & Control Team Leader

We got the offer of the [A3], and the vendor sign the agreement on Saturday. 1.6 hectare property is fenced, also come with nice large shade, There are two large mature trees providing shade for warm summer as well.







We going to hire someone with good knowledge about dog health and dog behaviour training to give them a good look after on each day, also [A1] will work with this person together to give them a good time schedule of exercising, training, having food also make sure the always have enough daily water especially on those warm summer day.

We going to install the more water station with autofill for them daily water supply to make sure they can have enough water during them free run exercise time.

And we find a building team to improve the fence and to build up “play house” with good shade for their sleep place for each of them.

This property come with good air condition, and a large pet door which is large enough for them to entry, when they feel too hot during the summer, also too cold at the night they can stay inside of the house.

We plan to get settlement done before Christmas, because Hamilton all the lawyer holiday start on 23<sup>rd</sup> Dec 2020 and come back on 18 Jan 2021  
If the settlement couldn't get done before Christmas we going to rent this property from vendor until 18<sup>th</sup> we settlement. To make sure we can move to the [A3] earlier no need to wait till the final settlement date.



Agreement conditions for Dog Owners [A1] & [C1]:

On 29 October 2020 Animal Education & Control with assistance of Police seized 13 Siberian Huskies from the property of [A2]. These dogs have been held at 217 Ellis Street Frankton for Police while they considered possible prosecution of the dog owners under the Animal Welfare Act.

On the 9 December 2020 Animal Education & Control received confirmation from the Police prosecutor that they would not be prosecuting the dog owners [A1] & [C1] and the dogs can now be released.

In November Animal Education & Control met with the dog owners [A1] & [C1] to discuss the future of the 13 Huskies being held on behalf of the Police, also present was Peter O'Neil who is representing the dog owners.

A discussion took place regarding what would happen with the dogs should the Police decided not to prosecute. The following was agreed to by all parties present at the time.

- Two Huskies ([A5] & [A4]) could return to [A2]
- [A1] & [C1] are not to have any more than two dogs at the address at any time
- Animal Education & Control to carry out monthly property inspections
- Both [A5] & [A4] are to be de sex to prevent any more litters
- De-sexing certificates to be provided to Animal Education & Control
- On going education to both dog owners by Animal Control staff to help prevent further issues.

The two dogs belonging to [E1] are to be returned to the owner and are not to reside at [A2]. The dog belonging to [G1] who is currently in China is to go to a friend of the dog owners who resides in Auckland and is not to return to [A2]

The remaining eight dogs are to be rehomed prior to release and cannot return to the property of [A2]. The option has been given to the dog owners to sign any remaining dogs over to Animal Education & Control.

Dog owners are required to pay a seizure fee for each dog prior to the dog being released, also from 10 December 2020 any dogs remaining in the care of Animal Education & Control will incur a daily fee of \$19 per dog for sustenance and care. Any dog that is unregistered must be registered prior to release, any dog that is not micro chipped must be micro chipped before it can be released. Registration and micro chipping is a legal requirement.

Both dog owners [A1] & [C1] will receive two infringements each totalling \$600 per owner, one infringement each for having unregistered dogs the second

infringement for a breach of a Hamilton City Council Bylaw, having more than two dogs on there property without a permit.

Agreement Signed by

Dog Owners

[A1] \_\_\_\_\_ Date: \_\_\_\_\_

[C1] \_\_\_\_\_ Date \_\_\_\_\_

Animal Education & Control

Peter \_\_\_\_\_ Date \_\_\_\_\_

Susan [REDACTED]

**From:** [H1] <[H1]> Saturday, 12 December 2020 6:14 am  
**Sent:**  
**To:** Susan [REDACTED]  
**Subject:** [A2]

Hi Susan,

As per our phone call the other day.

Unfortunately, Police are unable to take this prosecution. After multiple attempts and contacting with our legal teams in Wellington. Their decision was that Police are unable to take this matter.

As such, I leave the follow up for the normal procedures animal control would follow had we not been involved.

If you do happen to need me for anything relating to this matter, let me know. I am more than happy to do anything to support your team with anything that they need.

Thank you for your support with this matter, I apologise that we are unable to take this case. I had really hoped we would have been able to.

Regards,

[H1]

Hamilton

=====

WARNING

The information contained in this email message is intended for the addressee only and may contain privileged information. It may also be subject to the provisions of section 50 of the Policing Act 2008, which creates an offence to have unlawful possession of Police property. If you are not the intended recipient of this message or have received this message in error, you must not peruse, use, distribute or copy this message or any of its contents.

Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately

### Dog admission check sheet

Kennel Number: K 21

KR Number: 47987

AN: N/A

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Female

Colour: White



Body and Coat condition on arrival:

coat is discoloured in places. looks to be from urine, as is yellow looking.

Any injuries or illnesses:

Limping back left. not fully weight bearing.

Behaviour/temperament:

Yellow flagged on arrival. Dog barks a lot in its kennel. Could exercise right from day one. But cannot get close enough to put a lead on.

Other Notes:

Wormed 2 November

# Dog admission check sheet

Kennel Number: K22

KR Number: 47995

AN: 238983

Microchip: \_\_\_\_\_

Dogs Name: **[E3]** \_\_\_\_\_

Breed: Husky

Sex: Male

Colour: Black/white



Body and Coat condition on arrival:

Seems ok. but can't get close enough to check weight/body condition.

Any injuries or illnesses:

None noticed

Behaviour/temperament:

Dog was Red Flagged on arrival. Can exercise without the dog showing aggression. But cannot handle or put a lead on.

Other Notes:

Wormed 2 November

### Dog admission check sheet

Kennel Number: 1K23  
KR Number: 47993  
AN: 233101  
Microchip: \_\_\_\_\_

Dogs Name: [A5]  
Breed: Husky  
Sex: Grey/white  
Colour: female



Body and Coat condition on arrival:  
looks in good condition.

Any injuries or illnesses:  
None noticed.

Behaviour/temperament:  
Fine to handle since arrival. Shown no aggression

Other Notes:  
Wormed 2 November



# Dog admission check sheet

Kennel Number: K 24  
KR Number: 47992  
AN: 233100  
Microchip: \_\_\_\_\_

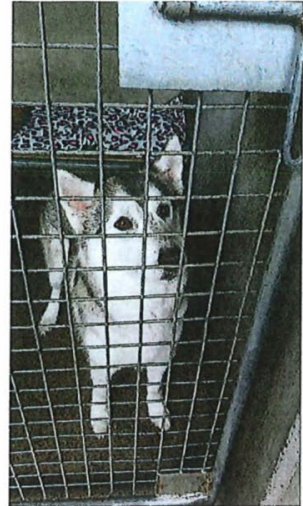
Dogs Name: [A4]  
Breed: Husky  
Sex: Female  
Colour: Grey/white

Body and Coat condition on arrival:  
looks in good condition

Any injuries or illnesses:  
None noticed

Behaviour/temperament:  
Fine to handle since arrival. Shown no aggression

Other Notes:  
Wormed 2 November



### Dog admission check sheet

Kennel Number: K25

KR Number: 47994

AN: N/A

Microchip: \_\_\_\_\_

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Female

Colour: Black/white

**Body and Coat condition on arrival:**

Can't get close enough to check body condition. Coat especially legs are stained yellow from what looks like urine/feeces puppy smells very bad.

**Any injuries or illnesses:**

None noticed

**Behaviour/temperament:**

Very stressed. panted a lot and buried her head in the back of the kennel on day one. as at day 4 can get her out of the kennel she is still very timid and will only let you briefly touch her before running away. Hasnt shown any aggression

**Other Notes:**

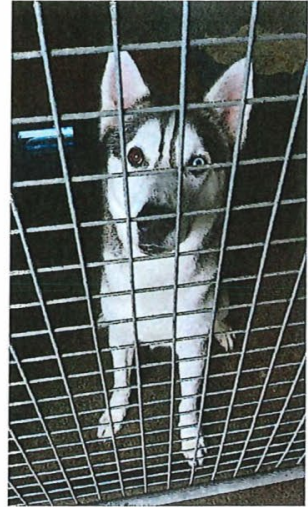
Wormed Friday 30 October. - Saturday 31 October large amounts of worms in feeces.



# Dog admission check sheet

Kennel Number: K26/A6  
KR Number: 47990  
AN: 236914  
Microchip: \_\_\_\_\_

Dogs Name: **[G3]**  
Breed: Husky  
Sex: Male  
Colour: Grey/white



Body and Coat condition on arrival:  
Good condition. looks groomed.

Any injuries or illnesses:  
None noticed.

Behaviour/temperament:  
Nice temperament. Easy to handle.

Other Notes:  
Wormed 2 November

### Dog admission check sheet

Kennel Number: K27

KR Number: 47988

AN: N/A

Microchip: \_\_\_\_\_



Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Female

Colour: Grey/White

**Body and Coat condition on arrival:**

OK body condition. Coat is covered in urine & faeces  
puppy smells very bad. Yellow staining on legs/feet.

**Any injuries or illnesses:**

None noticed.

**Behaviour/temperament:**

Very timid. Hiding under her bed on day 2 can exercise  
and have limited handling. As at day 4 now up at  
kennel bars licks hand can briefly touch before runs off.

**Other Notes:**

Wormed Friday 30 October - Saturday 31 October large  
amounts of worms in faeces.

# Dog admission check sheet

Kennel Number: K 2 8

KR Number: 47988

AN: NIA

Microchip: \_\_\_\_\_

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Male

Colour: Grey/white



**Body and Coat condition on arrival:**

ok body condition. Coat is covered in urine and faeces puppy smells very bad. Yellow staining on legs/feet.

**Any injuries or illnesses:**

Has dew claws. Noticed this puppy "walking funny" when first let out on Friday seemed stiff and like the back legs didn't work properly. As at day 4 (Monday) dog is moving more freely.

**Behaviour/temperament:**

Very timid. Hiding under her bed on Day 1 can exercise but allows limited handling. As at Day 4 (Monday) now up at kennel bars seems happier. But won't let me put a lead on him still very timid and only allows limited touching.

**Other Notes:**

Wormed Friday 30 October - Saturday 31 October large amounts of worms in faeces.

### Dog admission check sheet

Kennel Number: K29

KR Number: 47986

AN: N/A

Microchip: \_\_\_\_\_

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Female

Colour: Grey/white



**Body and Coat condition on arrival:**

ok body condition. Coat is covered in urine & faeces. She smells very bad. She has urine staining on her legs and is red between her toes.

**Any injuries or illnesses:**

She was very stiff and sore when let out of her kennel on the first few days. She did look better after walking around for a bit.

**Behaviour/temperament:**

Timid. Was hiding under bed on day 1 (Friday) but came out to be exercised and allowed limited handling. Can only pat from underneath. If you try to touch her on the head she cowers - As at Monday she is now allowing more handling and allowed me to take her for a walk. She is not used to a lead and for multiple times to back out of her collar and "death rolling"

**Other Notes:**

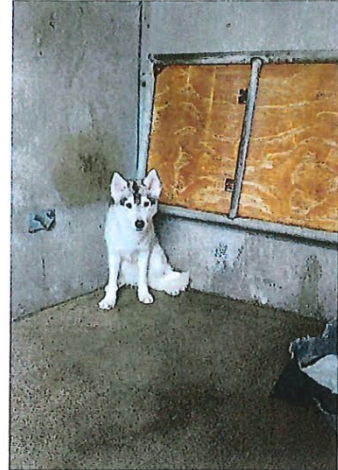
Wormed Friday 30 October. 31 October large amounts of worms in faeces.

Vaccinated 10/11/20

# Dog admission check sheet

Kennel Number: K30  
KR Number: 47983  
AN: N/A  
Microchip: None

Dogs Name: \_\_\_\_\_  
Breed: Husky  
Sex: Female  
Colour: Grey/white



Body and Coat condition on arrival:  
Can't get close enough to check body condition. but looks slightly <sup>unc</sup> <sub>we</sub>  
Coat looks ok.

Any injuries or illnesses:  
None noticed

Behaviour/temperament:  
Very timid. Can get out of kennel to be exercised. But cannot  
handle.  
As at monday - still haven't been able to touch her.

Other Notes:  
Wormed Friday 30 October. 31 October large amount  
of worms in faeces.

Item 5

Attachment 3

### Dog admission check sheet

Kennel Number: K31

KR Number: 47993

AN: 238982

Microchip: \_\_\_\_\_

Dogs Name: **[E4]**

Breed: Husky  
Female

Sex: \_\_\_\_\_

Colour: White.

Body and Coat condition on arrival:

looks ok but can't handle to check body condition.  
=> on closer inspection dog is underweight. Can see hips

\_\_\_\_\_

Any injuries or illnesses:

None noticed.

\_\_\_\_\_

Behaviour/temperament:

Red flagged on arrival. Shows aggression. Growls and barks.

As at Monday. Still can't handle shows aggression.

\_\_\_\_\_

Other Notes:

Wormed 2 November

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# Dog admission check sheet

Kennel Number: K34

KR Number: 47984

AN: \_\_\_\_\_

Microchip: None

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Male

Colour: Grey/white



**Body and Coat condition on arrival:**

Can't get close enough to check body condition, but looks ok. Coat is in poor condition, needs to be groomed, doesn't look to be done in some time.

**Any injuries or illnesses:**

None noticed.

**Behaviour/temperament:**

On Friday 30 October was able to get him out of his kennel. He was very flighty & timid. We couldn't get him into his kennel when approached with a lead lashed out at the lead.

Now Red flagged (Monday 2 November) has begun growling in his kennel.

**Other Notes:**

Wormed November 2

### Dog admission check sheet

Kennel Number: K33

KR Number: 47985

AN: \_\_\_\_\_

Microchip: None

Dogs Name: \_\_\_\_\_

Breed: Husky

Sex: Male

Colour: White



**Body and Coat condition on arrival:**

Can't handle to check body condition.  
Coat is very unkept has a lot of undercoat tufts. doesn't  
look to have been groomed recently. Also has some  
yellow staining that looks to be from urine.

**Any injuries or illnesses:**

None noticed

**Behaviour/temperament:**

Yellow flagged on arrival. Can be exercised. but can't  
handle him. timid and flighty  
As at Monday. Has settled a bit was happier to see us  
and came up for a quick hand lick before running  
off.

**Other Notes:**

Wormed 2 November

[I1]

Animal Behaviour Consultant  
Browne Dog Consulting Ltd.

M [I2]

E hello@brownedog.co.nz

W www.brownedog.co.nz



## REPORT TO HAMILTON CITY COUNCIL, ANIMAL EDUCATION & CONTROL: Dog Behaviour Assessments for Uplifted Siberian Huskies

This report contains the findings from basic (i.e., not full, comprehensive) behaviour assessments conducted with 13 Siberian huskies in the care of Hamilton City Council Animal Education & Control, in November 2020. These dogs had been taken into the care of Animal Education & Control a week prior to these assessments. The assessments aimed to determine the behavioural health/welfare status of these dogs, and if the dogs were potentially suitable for rehoming in their current states.

### Tests used for the behaviour assessments

Behaviour assessments of dogs (AKA temperament tests) have been researched for some years, and the consensus is that there is no perfect predictor of dogs' behaviour in all situations. Aggression can be particularly difficult to assess, since it doesn't usually occur very often and it may take place in very specific situations only (Mornement et al., 2015). Canine scientists also emphasise that no behaviour test can predict a dog's (or any animal's) future behaviour with 100% certainty (Valsecchi et al., 2011). These assessments are based on a small sample of the dogs' behaviour and in this case, were conducted in the kennel/yard context only – so naturally they do not necessarily allow for observation of each dog's entire behavioural repertoire. However, there were practical constraints to consider (e.g., reducing stress for the dogs, human safety, and time) and thus the testing was conducted as well as possible within these boundaries.

The tests used to assess these dogs were selected from a published scientific study:

Mornement, K. M., Coleman, G. J., Toukhsati, S., & Bennett, P. C. (2014). Development of the behavioural assessment for re-homing K9's (B.A.R.K.) protocol. *Applied Animal Behaviour Science*, 151, 75-83.

This research by Mornement et al. (2014) was conducted on the assessment of dogs being re-homed from shelters into homes, and it has been published in the peer-reviewed scientific literature. The tests within this study included activities such as dogs being approached and interacted with in various ways, as well as dogs being exposed to a variety of noises/activities. These assessments were deemed appropriate for use with these huskies, given the above-described circumstances and constraints.

[I1] assessed all of the dogs. Notes were taken at the time of assessment, and some video footage was recorded for later review if required.

**Limitation:** This report has been prepared on behalf of, and for the exclusive use of [I1]s and Browne Dog Consulting Limited's client, and is subject to, and issued in accordance with the provisions of any contract and relevant instructions between [I1] or Browne Dog Consulting Limited and the client. [I1] and Browne Dog Consulting Limited accept no liability or responsibility whatsoever for, and in respect of, any use of, or reliance upon, this report by any third party.

## Summary of Behaviour Assessments

The tables below summarise the findings of the behaviour assessments. Initial assessments were conducted with the dogs in their kennels (**Table 1**), and the second assessments were performed largely with selected dogs in a yard, but with some dogs remaining in their kennels (**Table 2**).

### Colour coding within the tables:

**Red** = welfare concerns based on observed behaviours at the time of assessments.

**Green** = no welfare concerns based on observed behaviours at the time of assessments.

**Table 1.** The 13 dogs' responses to in-kennel assessments of their behaviour on Wednesday 4 November 2020. Each assessment lasted between 5-15 minutes, as appropriate (i.e., if a dog appeared too distressed by the assessor's presence, assessments were terminated as soon as it was deemed sufficient information was recorded).

Kennel / Dog	Body language at the start	Approach & crouch	5 s eye contact	Call over, interact if possible/ safe	Play invitation (with toy – ball on rope)	Body language at the end	Additional comments	Welfare concerns?	Suitable for rehoming at time of assessment?
<b>K21 / White female.</b> Age unconfirmed, approx. 11 months. Yellow flagged.	Frequent barking. Weight centred towards back legs. Tail low. Pacing.	Barking reduced, and dog crawled under the ledge/seat, where it continued barking.	After ~1 s – barked (a lot).	Did not approach. Rolled treats towards dog: crawled partially out from under ledge to eat first treat, then ate two more after some barking.	Moved further back under the ledge.	When I moved away from the kennel door, the dog came back to the front of kennel and barked.	Abnormal levels of barking and avoidance, behaviours indicative of fear/anxiety.	Yes	No
<b>K22 / [E3] Black and white male.</b> Age 11 months. Red flagged.	Frequent barking, a little growling at me. Made direct eye contact during vocalisations. Tail low.	Quiet, with some growls, escalating to woofs. Sniffed me, moved away.	After ~1 s – barked (a small amount).	The dog was already at door. Sniffed treats and didn't eat.	N/A	Similar, but with tail held further under body.	Head held a bit lower after sustained crouching by the door. Tail held low. Abnormal behaviours displayed.	Yes	No

Table 1 continued.

Kennel / Dog	Body language at the start	Approach & crouch	5 s eye contact	Call over, interact if possible/safe	Play invitation (with toy – ball on rope)	Body language at the end	Additional comments	Welfare concerns?	Suitable for rehoming at time of assessment?
K23 / [A5] Grey and white female. Age 3.5 years.	At front of the kennel, soliciting attention from me.	Sniffed me, licked, barked, pushed against kennel door.	Broke eye contact to interact with me/make physical contact.	The dog was already interacting with me.	Attended to toy somewhat, but preferentially interacted with me directly.	Same.	Wagging tail, pushing at the kennel door. Upon making eye contact, ear posture changed indicating high friendliness. Normal social behaviours.	No	Yes
K24 / [A4] Grey and white female. Age 3.5 years.	At front of kennel, soliciting attention with vocalisations, whines, sitting, standing, wagging tail.	Sniffing me, poking with nose, pawed me. Ears held back strongly (friendly).	Achieved this with no problem.	The dog was already interacting with me. Ate treats offered.	Attended to toy a little bit, but spent more time interacting with me directly.	Same.	Relatively quiet. Upon making eye contact, ear posture changed indicating high friendliness (friendliness confirmed with other behaviours). Normal social behaviours.	No	Yes
K25 / Black and white female. Age unconfirmed, approx. 6 months.	Sitting, hunched in a C-shape, in back corner of kennel. Head held very low. Body hunched/curled up so tightly that hind legs lifted off ground.	Very tense – my approach & crouch increased the dog's body tension and its frequency of looking away.	Looked away, increased tension seen in body language.	N/A	N/A	Same.	Didn't try to feed. This puppy is exhibiting signs of extreme distress and fear. Extremely abnormal behaviour.	Yes <i>Significant welfare concerns</i>	No

Table 1 continued.

Kennel / Dog	Body language at the start	Approach & crouch	5 s eye contact	Call over, interact if possible/ safe	Play invitation (with toy – ball on rope)	Body language at the end	Additional comments	Welfare concerns?	Suitable for rehoming at time of assessment?
<b>K26 / [G3] Grey and white male. Age 2.4 years.</b>	At the front of kennel, wagging tail, soliciting attention.	Sniffed me, tail wagging. Pacing. Emitting small whines.	Achieved this, fine. Sat down. Friendly and happy behaviour.	The dog was already interacting with me. Licked me.	A small amount of play, including a play bow.	Very happy and friendly looking.	Behaviours indicating a high level of friendliness, and other normal social behaviours.	<b>No</b>	<b>Yes</b>
<b>K27 / Grey and white female. Age approx. 6 months.</b>	At the front of kennel (note: staff were present) but very low posture, much pacing.	Approached the front, almost sniffed me. Hyperactive pacing.	Not possible to achieve.	Rolled treats to the dog: ate the first two, but not the third.	Looked at the toy, moved away.	Same.	Hyperactive pacing, very low-slung body language. Displayed abnormal and fearful/stressed behaviours.	<b>Yes</b>	<b>No</b> Note: behaviour change may be possible with appropriate and significant behavioural rehabilitation, but expect this would be v. challenging.
<b>K28 / Grey and white male. Age approx. 6 months.</b>	Sitting at the back. Looking up but head held low. Quiet. Lay down as I watched.	Watched me. Was lying down but sat up at my approach and crouch.	Broke eye contact after ~1 s.	Dog remained stationary. Rolled a treat to it: mouthed it but didn't eat.	Looked at the toy and looked away.	Same.	The dog averted its gaze from me frequently. Abnormal behaviours.	<b>Yes</b>	<b>No</b>
<b>K29 / Grey and white female. Age approx. 6 months.</b>	At the door, wagging, soliciting attention.	Approached me, wagging tail, licked me.	Broke off.	The dog was already interacting with me.	Mouthed toy, was moving around a lot. Attempted to gain toy later during interaction.	Similar – possibly slightly more friendly.	Some hyperactive pacing, and moved to back of kennel at times. Ear and tail positions indicated high friendliness (albeit with low tail at times), but with some behavioural abnormalities indicating some stress/anxiety.	<b>Yes Some</b>	<b>Yes</b> Caveat: some nervousness/ anxiety present, would need appropriate behavioural rehabilitation.

Table 1 continued.

Kennel / Dog	Body language at the start	Approach & crouch	5 s eye contact	Call over, interact if possible/safe	Play invitation (with toy – ball on rope)	Body language at the end	Additional comments	Welfare concerns?	Suitable for rehoming at time of assessment?
<b>K30 / Grey and white female. Age unconfirmed, possibly 11 months.</b>	Sitting at the back of kennel. Low posture. Quiet.	Stationary, but less hunched. Sniffing in the air towards me. Quiet.	Looked away slightly after ~1 s.	Didn't move. Ate a piece of thrown food, slowly. Did not eat the second piece.	Looked at toy and sniffed in air. Did not move.	Similar, slightly more relaxed.	Displayed abnormal and fearful/stressed behaviours.  <i>* Also observed in a yard this day, see note below table.</i>	<b>Yes</b>	<b>No</b> Note: behaviour change may be possible with appropriate and significant behavioural rehabilitation, but expect this would be v. challenging.
<b>K31 / [E4] White female. Age 11 months. Red flagged.</b>	At front of kennel, tail held high. Barking at me. Growled.	Dog stepped back, very tense, looking away a lot.	Barking.	N/A	N/A	Same.	Possibly dangerous. I conducted the 'approach & crouch' at a distance from the bars. When I moved closer, she backed off and circled and continued barking. Abnormal displays of aggression.	<b>Yes</b>	<b>No</b>
<b>K34 / Grey and white male. Age unconfirmed, approx. 11 months. Red flagged.</b>	Under the ledge/seat. Mouth closed. Very tense. Quiet.	Pushed further under the ledge in response.	Broke eye contact after 1-2 s, tried to move further away in response.	Stayed right under the ledge. Watched me, then looked away.	N/A	Same.	Threw food right to him, he licked it. Watching me the whole time. Displayed abnormal behaviours indicating high levels of tension and fear. This dog was very scared.	<b>Yes</b> <b>Significant welfare concerns</b>	<b>No</b>

Table 1 continued.

Kennel / Dog	Body language at the start	Approach & crouch	5 s eye contact	Call over, interact if possible/safe	Play invitation (with toy – ball on rope)	Body language at the end	Additional comments	Welfare concerns?	Suitable for rehoming at time of assessment?
K35 / White male. Age unconfirmed, approx. 11 months. Yellow flagged.	Standing at front of kennel. Tail down. Mouth closed.	Sniffed towards me at the kennel gate, interested. Active, moving a lot.	Broke eye contact after ~3 s, fine.	Willing. Took food. No tail wag.	Sniffed the toy only. Moved around the kennel a lot.	Same.	Pacing a lot, hyperactive. Quite a lot of barking, a low whine. This dog displayed some friendliness, but also abnormal levels of fear/stress-like behaviours.  <i>* Also observed in a yard this day, see note below table.</i>	Yes	No Note: some fear/anxiety present; behaviour change may be possible but would need appropriate and significant behavioural rehabilitation, and this may be v. challenging.

*\* In addition to these in-kennel observations, two dogs were also let into a yard for further observations on the same day. Present in the yard was a staff member and myself. Observations:*

- **K30:** An abnormal amount of (constant) pacing, hyperactive. Closed mouth, low tail – indicating stress. The dog appeared interested in people in terms of it making eye contact and approaching, but it remained at a distance of ~2-3 m at all times, indicating an abnormal lack of confidence/presence of fear. After this in-yard observation, this dog was deemed less suitable for rehoming at the time of assessment, due to its high levels of stress.
- **K35:** Much pacing. The dog approached the staff member willingly with some friendly and even playful body language, but the dog also moved away a lot indicating an abnormal lack of confidence/presence of fear. The dog approached me cautiously: body low, weight held on back legs, slow movements. I was able to hand feed it several times. It was very reactive to noises and movements, e.g., it would rapidly attend to such stimuli and move further away from people in response. After this observation, I remained of the opinion that this dog, with significant appropriate behavioural rehabilitation, could potentially be suitable for rehoming in time.



Following the initial in-kennel assessments (Table 1), further observations of the dogs' behaviour were made two days later (Table 2).

**Table 2.** Selected dogs' responses to in-yard (free ranging) assessments of their behaviour on Friday 6 November 2020. Each assessment lasted between 5-15 minutes, as appropriate (e.g., if a dog appeared more distressed by the assessor's presence, assessments were terminated as soon as it was deemed sufficient information was recorded). Some dogs were observed once more while in their kennels, indicated with blue colouration in the table.

Kennel / Dog	Ignored, dog allowed free movement	Approach & crouch	5 s eye contact	Call over, interact if possible/safe	Play invitation (with toy – ball on rope)	Present lead	Attach lead	Walk on lead	Stroke	Touch elsewhere	Sudden noise/movement	Additional comments	Welfare concerns?
<b>K21 / White female. Age unconfirmed, approx. 11 months. Yellow flagged.</b>	In-kennel observations: The dog was positioned at the front of the kennel, and barked at me. Its tail was held low. It made some eye contact, but this was not constant. It ate some food thrown to it. This dog appeared fearful, and displayed abnormal behaviours.												Yes
<b>K22 / [E3] Black and white male. Age 11 months. Red flagged.</b>	In-kennel observations: The dog was at the front of the kennel, barking at me. It made direct eye contact with me. Its tail was held low, between its legs suggesting a lack of confidence. It ate a treat thrown to it. This dog displayed behaviours including aggression and abnormal levels anxiety/fear.												Yes
<b>K23 / [A5] Grey and white female. Age 3.5 years.</b>	Immediately interacted with me in a very friendly, physical manner.	Approached me, sniffed and licked me, sought treats from me.	Moving too much.	Was already interacting with me. But responded to calls with soft, friendly blinks.	Gave a playful bow/bounce but didn't interact with the toy.	Achieved.	Achieved.	Achieved, did not pull against the lead.	Achieved easily.	Achieved: ears, legs, muzzle including lifting lips.	Fine.	Very good interactions.	No

Table 2 continued.

Kennel / Dog	Ignored, dog allowed free movement	Approach & crouch	5 s eye contact	Call over, interact if possible/ safe	Play invitation (with toy – ball on rope)	Present lead	Attach lead	Walk on lead	Stroke	Touch elsewhere	Sudden noise/ movement	Additional comments	Welfare concerns?
K24 / [A4] Grey and white female. Age 3.5 years.	Immediately interacted with me in a very friendly, physical manner.	Again, much friendly, physical interaction with me.	Moving too much.	Approached me, with friendly eye blinking and soft-held eyes, and physically interacted with me in a friendly manner.	Did not play.	Mild avoidance.	Mild avoidance, but achieved.	Achieved, but some slight discomfort.	Achieved easily.	Achieved: ears, partial achievement with touching legs and muzzle.	Looked, but no adverse reaction.	Very good interactions.	No
K25 / Black and white female. Age unconfirmed, approx. 6 months.	Tail held low, pacing, very nervous in yard. Approached and touched/licked me.	Approached me, sniffed/licked me. Then moved away to sit by staff.	Moving too much.	Did not respond to calls, but did approach me frequently while pacing (abnormal, high intensity). Did not eat.	Did not play with me. But did pick up toy and took it away.	Dog looked at the lead.	N/A Did not attempt due to dog's stress/fear behaviour.	N/A	N/A Did not attempt due to dog's stress/fear behaviour.	N/A	Startle response: turned and looked.	Much improved behaviour in kennel prior to going into yard (cf. first assessment) – friendly towards me, including physical contact. A bit frenetic in the yard, abnormal.	Yes
K26 / [G3] Grey and white male. Age 2.4 years.	Approached me and interacted in a friendly manner.	Approached me and licked me. Pushed body against me (friendly).	Friendly blinks, body language.	Approached me, wagging tail.	Only a small amount of play, but friendly, happy body language.	Achieved.	Achieved easily.	Achieved, did not pull against the lead.	Achieved easily.	Achieved: ears, legs, partial achievement with touching muzzle and lifting lips.	Looked, but no adverse reaction.	Very good interactions, dog was not stressed by interacting with me.	No

Table 2 continued.

Kennel / Dog	Ignored, dog allowed free movement	Approach & crouch	5 s eye contact	Call over, interact if possible/ safe	Play invitation (with toy – ball on rope)	Present lead	Attach lead	Walk on lead	Stroke	Touch elsewhere	Sudden noise/ movement	Additional comments	Welfare concerns?
K27 / Grey and white female. Age approx. 6 months.	Avoided me. Tail low.	Did not approach me. Constant pacing around me. Ate some thrown treats.	Not achieved.	Attempted: dog always out of reach and moved away as soon as had eaten thrown treats.	N/A Did not present toy (too stressed and reactive to movement).	N/A Did not present lead due to dog's fear/stress behaviour.	N/A	N/A	N/A Not possible.	N/A Not possible.	N/A Not possible.	Abnormal level of pacing (hyperactive), avoidance of interaction. Tail held low.	Yes
K28 / Grey and white male. Age approx. 6 months.	In-kennel observations: The dog was lying at the front of the kennel, quietly. It wagged its tail when my hand moved towards the kennel door, and it licked me in a display of friendly behaviour. It ate food thrown to it. This dog displayed some friendliness, but still possessed abnormal levels of fear/stress, and lacked normal levels of social behaviour.											Yes Some	
K28 – tested in yard also	Approached me and sniffed me, touched me. Pacing. Low held tail, some wagging.	Approached me and sniffed me, gave me a small lick. Nervous, retreated and resumed pacing.	Moving too much.	Came over once and licked me. Ate treats offered, including hand feeding.	Looked at toy and did not approach. Sniffed the toy when it was lying on the ground.	Avoided lead when presented.	N/A Did not attempt due to dog's stress/fear behaviour.	N/A	Actively avoided me touching head/face. Managed three brief touches.	N/A Not possible.	Slight startle response.	Approached me repeatedly, sniffing at me with small tail wags, but often from behind and would not allow contact. Abnormal.	Yes
K29 / Grey and white female. Age approx. 6 months.	Approached me immediately, nosing me, tail wagging.	Approached me and licked my face.	Moving too much. But when came close, held eye contact for ~3 s.	Came over, accepted pats, licked me.	Did not play.	Achieved.	Achieved, but some slight discomfort.	Achieved, but some slight discomfort.	Achieved. Moved away when back end of body stroked.	Partially achieved. Could touch ears, some discomfort. Moved away from touch to feet, tail.	Went and sat by staff member. Was able to be coaxed back up again.	Friendly. Pacing a lot.	Yes Some Note: this dog has much potential for behavioural rehabilitation.

Table 2 continued.

Kennel / Dog	Ignored, dog allowed free movement	Approach & crouch	5 s eye contact	Call over, interact if possible/ safe	Play invitation (with toy – ball on rope)	Present lead	Attach lead	Walk on lead	Stroke	Touch elsewhere	Sudden noise/ movement	Additional comments	Welfare concerns?
K30 / Grey and white female. Age unconfirmed, possibly 11 months.	In-kennel observations: This dog appeared very frightened. It was sitting in its bed, head held low. Quiet. Did not eat treats rolled on the ground; the dog mouthed one but did not consume it. Abnormal levels of stress and fear remain.												Yes
K31 / [E4] White female. Age 11 months. Red flagged. K34 /	In-kennel observations: Still at the front of the kennel, barking almost constantly. High body posture. Watching me with round eyes and a direct stare. Reactive (shying) to my movements. When I approached the kennel door while talking, the dog moved away and continued barking. This dog displayed abnormal behaviour.												Yes
Grey and white male. Age unconfirmed, approx. 11 months. Red flagged.	In-kennel observations: Remained lying under the ledge/seat at the back of the kennel. Very still, no movement, quiet. Abnormal behaviour indicating fear/anxiety.												Yes <i>Significant welfare concerns</i>
K35 / White male. Age unconfirmed, approx. 11 months. Yellow flagged.	Approached me but from behind (fear). Low posture, weight centred backwards.	Approached with fear, albeit repeatedly (indicating motivation to interact). Took treats, but very cautiously.	Moving a lot.	Approached repeatedly. Ate food each time, but weight on hind legs and extremely reactive to slight movement/ noises.	Did not present toy (too reactive to movement etc.).	N/A Did not present lead due to dog's fear/stress behaviour.	N/A	N/A	After multiple attempts, was able to touch the side of face while feeding. Didn't retreat far when stopped touching. Friendly eyes.	N/A Not possible.	N/A Not possible.	Abnormally reactive to movement /noises. Fearful, but clearly motivated to interact.	Yes

The findings detailed in Table 1 and Table 2 above, are summarised here in brief:

- Only three dogs (K23, K24, and K26) were assessed as displaying behaviours considered within acceptable/normal ranges.
  - There were no welfare concerns for these dogs at the time of the assessments.
  - These dogs were considered suitable for rehoming at the time of the assessments.
- Most (10/13) of the dogs were found to show abnormal behaviours.
  - Based on the type of abnormal behaviours (e.g., fear, anxiety, aggression), there were welfare concerns for these dogs at the time of the assessments.
  - Some of these dogs displayed anxiety, fear, non-friendliness at levels tending towards the extreme ends of the scales for these behaviours.
    - There were significant welfare concerns for two dogs (K25 and K34).
  - Some of these dogs were considered to have potential for appropriate behavioural rehabilitation, training, and subsequent improved quality of life. This may require a significant amount of work to achieve. There is potential for rehoming some of these dogs depending on the outcome of any appropriate behavioural rehabilitation performed.

It is reiterated that these basic (i.e., not comprehensive) behaviour assessments were held in the context of a kennel facility which was still relatively new to the dogs; i.e., the dogs had been resident there for approximately one week at the time of the assessments. Regardless, clear evidence of compromised animal welfare was observed based on the abnormally high levels of stress, fear, and aggression observed across most (10/13) of these dogs.

## Discussion of Behaviour Observations

### Observations and Implications

It is internationally-established that animals' behavioural health must be included as a measure of overall animal welfare. For example, the 'Five Domains Model' is a system for assessing animal welfare, and 'behavioural interactions' is a measure that sits alongside things perhaps more traditionally considered when thinking about animal welfare, including nutrition, physical environment, health, and mental state (Mellor et al., 2020).

There was a high prevalence of abnormality in the behaviours observed in 10 of the 13 Siberian huskies assessed for this report. Many of these dogs displayed significant signs of fear and anxiety (as defined by Overall, 2013), that were manifested via avoidance of interaction with humans (sometimes extreme avoidance) and aggression in some instances. A behaviourally 'normal' dog (at both juvenile and adult life stages) is expected to engage in the above-described non-challenging behavioural assessments with curiosity and confidence. For example, a 6 month old dog should not hesitate to engage with a friendly human. However, the behaviours observed in these assessments ranged from normal friendly engagement, demonstrated by three adult dogs only, to extreme fear and distress, with most (10/13) dogs displaying abnormal levels of fear/anxiety/aggression. The level of fear and anxiety displayed by some of these dogs was not only highly abnormal, but also at intensities that clearly reduced these animals' quality of life. Based on these behaviour assessments, it is deemed that the welfare of 10 of these dogs has been compromised.

It is understood that early life experiences have significant impacts on animals' behavioural development. This may be relevant in the case of these particular dogs, as most of these animals are juveniles and even the adult dogs are relatively young adults. For example, scientific research examining the early life experiences of young dogs indicates that aggression directed towards strangers may be the result of inadequate early socialisation (Serpell et al., 2017). It is thought that early experience has a significant influence on what a dog is fearful of later in life, and how strongly that fear is manifested. Of particular relevance to the dogs in this report, research suggests that inadequate enrichment in early life may contribute to abnormal levels of fear around new people and in novel situations (Serpell et al., 2017 and references therein). This information suggests that these huskies' rearing/living environment may have played a significant role in their behavioural development, and thus their rearing/living environment is not a suitable setting for those dogs to continue living in.



Hamilton City Council Animal Education & Control staff reported significant improvements in some dogs' behaviour over the course of their stay in the facility, and some improvements in some dogs' behaviours were also observed by the assessor between assessment times. This is encouraging, and it suggests that some of these dogs may be suitable for rehoming with the appropriate behavioural rehabilitation and training. However, regardless of any dogs' potential for future behaviour rehabilitation, change, and rehoming, the fact remains that during both of these assessments the behaviour of most of these dogs was judged to be abnormal, some severely so, and that these dogs' welfare was significantly compromised accordingly.

#### Recommendations

It is my recommendation that none of these dogs are released back to their original owner/s.

My concerns are summarised to include the following:

- The welfare of most of these dogs has been compromised, and the welfare of some of these dogs has been significantly compromised. Quality of life may be irrecoverable for some of these dogs.
- If there is potential risk of these dogs being bred in the future, then there is also the risk of perpetuation of unacceptably poor levels of animal welfare.
- Even though three dogs were considered to show normal behaviours and to have acceptable welfare based on these behaviour assessments, the behaviour and welfare of most (10/13) of the other dogs was so significantly departed from what could be considered acceptable that this demonstrates either a lack of knowledge or a lack of care with regards to the welfare of this group of dogs as a whole. In either circumstance, in my opinion this is sufficient argument against the owner/s being allowed to continue ownership of these and other dogs (and probably other pets also).

[1]

*PhD, Animal Behaviour Consultant*

20 November 2020

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**Dog Welfare matter Prosecution [A1] and [C1]****[D1] & [J1]****4<sup>th</sup> November 2020**

**0800hrs** Travel to Hamilton phone conversation with Peter [REDACTED] team leader animal education and control centre 217 Ellis Road Hamilton.

**0945hrs** Arrive and speak with Peter and two staff members.

**Discussion**

Dogs were recovered after a call to SPCA and Police about the welfare of 13 dogs and a rabbit at [A2]. The dogs were kept in poor conditions inside cages within the premises without any water. Dogs have become untrainable and some will need to be put down because of being kept long term in cages. Police involved after animal control saw the dogs inside the premise on a hot day without water in very poor conditions ie the house was extremely untidy/unhygienic. Police used their emergency powers to enter and all animals seized. Peter Crocker is happy to work with owners but currently the dogs are being held on behalf of the Police. They will only contemplate returning 2 dogs to the owners which is the maximum number for any residential premise without obtaining a permit. Comment made that the condition of the house would be also looked at by the environmental health department of the Council. Contact person is Peter [REDACTED] ph (spoke to later in the day on the phone)

**Police**

30/10/20 Contacted by [W1] assisted negotiating with the Hamilton Police who had [A1] and [C1] at the police station for an interview. Both advised not to make statements at this point, they were summonsed and released. Court appearance 27/11/20. 14 charges of failed to adhere to the needs of an animal. [H1] e mailed asked for a caption and legislative reference for the charges as there isn't one on the summons.

**Lawyer**

[X1] happy to represent both, engagement letter to be sent. [W1] to represent in relation to the immigration issues which may result from any conviction. [A1] and [C1] are both in NZ in temporary resident visas so any conviction may impact on their immigration status.

**Charges**

Likely under sections 10 and 12 Animal welfare act 1999, penalty section 25 12 months imprisonment/ \$50,000 fine. 14 charges each.

**1100hrs** Arrive at [A2] speak with [A1] and [C1] . Of note the house was extremely untidy and unhygienic/dirty.

Spoke with both together they are adamant they did not deliberately mistreat the animals and provided an explanation for what has occurred. They would like to make sure all the animals are saved and are exploring kennel/training facilities in anticipation of getting the dogs relocated. They would like to have me facilitate this with the Animal welfare people. They would like to have two dogs returned to them and work with authorities to have the others placed.



**1330hrs** Conclude interviews and return to Auckland.

**Dog Info to be confirmed with [A1] and [C1]**

Male **[G3]** is friends' dog he is in China currently **[G1]** not sure when he can come back. He would like to arrange for **[G3]** to be housed in a Kennel. Need contact details for Mr **[G1]** e mail and we chat/phone number.

2 puppies 11 months Black and white male **[E3]** and a pure white male called **[E4]** belong to **[E1]**. He gave to me to look after because his wife was due to give birth to baby. Wants these dogs back. Ph **[E2]** Needs temp kennel until he upgrades his situation.

**[AA1]** wants to have a 6 month-old puppy contact details for him phone number we chat.

2 dogs want returned to **[A2]** happy to agree to animal welfare terms, **[A5]** and **[A4]** almost 3 years old brown female came from same litter.

3 further puppies 6 months old and four 11 month-old dogs would like to provide kennel facility and training by professionals.

**1530 hrs** Arrive Auckland brief.

**05/11/20**

**1301hrs** Receive a phone call from O/C case Police indications are that the original charge will be withdrawn replaced with an infringement offence.

**1502hrs** Speak with Peter [REDACTED]. environmental health arrange for them to visit the address and assess on 06/11/20 10.30 am. Most likely outcome order to get commercial clean

**1530hrs** Speak with **[Y1]** dog training (husky) specialist about a rehabilitation plan she will arrange with animal welfare to assess the dogs.

**1630hrs** Arrange **[Z1]** to visit the address in Hamilton on

07/11/20. **06/11/20**

**0930hrs** Speak with Peter [REDACTED]. Animal welfare O/C he is very happy with the progress and will speak to **[A1]** today.

**[H1]** <**[H1]**

Tue, Nov 17, 8:00 AM (2 days ago)

Hi peter.

This matter is currently going through as a police prosecution. They will both be required to attend court on the 27th. I am speaking with prosecutions one last time on Wednesday about this matter. If anything does change, I will let you know on Wednesday but as it stands right now, they are still required to attend and this matter will still proceed normally.

**[H1]**

Hamilton

E mail from Police Officer indicating both [C1] & [A1] will still need to appear Court 27/11/20

**Tuesday 17<sup>th</sup> November 2020**

0900hrs travel to Hamilton meet with Animal control Peter [C1] & [A1] .

Discussion Meeting 1100 hrs

Introduce [C1] & [A1] they outline their situation how a friend dog [G3] they were looking after had twice within the last year inseminated their 2 female Huskies and they had two litters of 8 and 4 puppies during the covid lockdown periods. One of the 8 puppy litter died.

Peter understood Police would withdraw charge and he was attending a meeting 18<sup>th</sup> November with Police to discuss the prosecution.

Agreed to return 2 females belonging to [C1] & [A1] with conditions they could inspect the dogs at their residence every month and the dogs would be desexed.

Two dogs belonging to Austin their friend, can be returned [E4] and [E3] will need to check with the Police. Looking for a kennel for 2 months due to [E1]'s partner having a baby with medical complications. Suggested longtail kennels. (closed) Contact [E1] to follow up.

Further discussion 3 young puppies doing well one very timid. All dogs currently doing ok behavioural concerns about some. A plan to re house to be discussed further. Will need details of where the puppies are going to.

1230hrs Conclude meeting

1230 1300 hrs discussion [C1] & [A1] Court and visa issues.

1500hrs arrive Auckland call from [AD1] indicating he was satisfied that [C1] & [A1] did not deliberately mistreat dogs but were victims of the situation and he would mention this at the meeting with the Police.

#### **Follow up**

Speak with [Y1] ph animal rescue volunteer she has examined the dogs and assessed which ones need work to re house.

[AC1]

Tue, Nov 24,  
12:51 PM (21  
hours ago)

to [H1]

Hi [H1] I believe you are having a meeting in regards to this matter on 25/11/20 please advise if the matter will go ahead on Friday 27th November. Animal control is working with the owners [C1] & [A1] and the Police to get some of the dogs returned.

Regards

[AC1]

Wednesday 25/11/20 Police prosecution meeting to ascertain whether matter will proceed follow up call to [AD1] to ascertain if dogs can be returned.

[X1] to organise duty lawyer in Hamilton for Friday Court appearance 27/11/20.

### Agreement conditions for Dog Owners [A1] & [C1]

On 29 October 2020 Animal Education & Control with assistance of Police seized 13 Siberian Huskies from the property of [A2]. These dogs have been held at 217 Ellis Street Frankton for Police while they considered possible prosecution of the dog owners under the Animal Welfare Act.

On the 9 December 2020 Animal Education & Control received confirmation from the Police prosecutor that they would not be prosecuting the dog owners [A1] & [C1] and the dogs can now be released.

In November Animal Education & Control met with the dog owners [A1] & [C1] to discuss the future of the 13 Huskies being held on behalf of the Police, also present was [AC1] who is representing the dog owners.

A discussion took place regarding what would happen with the dogs should the Police decided not to prosecute. The following was agreed to by all parties present at the time.

- Two Huskies ([A5] & [A4]) could return to [A2]
- [A1] & [C1] are not to have any more than two dogs at the address at any time
- Animal Education & Control to carry out monthly property inspections
- Both [A5] & [A4] are to be de-sex to prevent any more litters
- De-sexing certificates to be provided to Animal Education & Control
- On going education to both dog owners by Animal Control staff to help prevent further issues.

The two dogs belonging to [E1] are to be returned to the owner and are not to reside at [A2]. The dog belonging to [G1] who is currently in China is to go to a friend of the dog owners who resides in Auckland and is not to return to [A2].

The remaining seven dogs are to be rehomed prior to release and cannot return to the property of [A2]. The option was given to the dog owners to sign any remaining dogs over to Animal Education & Control.

Dog owners are required to pay a seizure fee for each dog prior to the dog being released, also from 10 December 2020 any dogs remaining in the care of Animal Education & Control will incur a daily fee of \$19 per dog for sustenance and care. Any dog that is unregistered must be registered prior to release, any dog that is not micro chipped must be micro chipped before it can be released. Registration and micro chipping is a legal requirement.

Both dog owners [A1] & [C1] will receive two infringements each totalling \$600 per owner, one infringement each for having unregistered dogs the second

infringement for a breach of a Hamilton City Council Bylaw, having more than two dogs on there property without a permit.

This agreement applies to any properties within the Hamilton City boundaries that are occupied by the dog owners [A1] & [C1]

Agreement Signed by

Dog Owners

[A1] \_\_\_\_\_ Date: \_\_\_\_\_

[C1] \_\_\_\_\_ Date \_\_\_\_\_

Animal Education & Control

Peter [REDACTED] \_\_\_\_\_ Date \_\_\_\_\_



## New Zealand Legislation

# Dog Control Act 1996

- Warning: Some amendments have not yet been incorporated

### *Bylaws*

#### **20 Dog control bylaws**

- (1) Any territorial authority may, in accordance with the [Local Government Act 2002](#), make bylaws for all or any of the following purposes:
  - (a) prohibiting dogs, whether under control or not, from specified public places:
  - (b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district:
  - (c) regulating and controlling dogs in any other public place:
  - (d) designating specified areas as dog exercise areas:
  - (e) prescribing minimum standards for the accommodation of dogs:
  - (f) limiting the number of dogs that may be kept on any land or premises:
  - (g) requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise:
  - (h) requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces:
  - (i) requiring any bitch to be confined but adequately exercised while in season:
  - (j) providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act:
  - (k) requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against [section 53](#)):
  - (l) any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.
- (2) Nothing in this section shall authorise the making of any bylaw conferring any power of entry onto any land or premises without the consent of the occupier.
- (3) No bylaw authorised by any of the provisions of paragraphs (a) to (d) of subsection (1) shall have effect in respect of any land for the time being included in—
  - (a) a controlled dog area or open dog area under [section 26ZS](#) of the Conservation Act 1987; or
  - (b) a national park constituted under the [National Parks Act 1980](#); or
  - (c) Te Urewera, as defined by [section 7](#) of the Te Urewera Act 2014.
- (4) Bylaws authorised by this section shall be made in accordance with the [Local Government Act 2002](#) and shall be deemed to have been made under that Act.
- (5) A person who commits a breach of any bylaw authorised by this section commits an offence and is liable on conviction to the penalty prescribed by [section 242\(4\)](#) of the Local Government Act 2002.



New Zealand Legislation  
**Animal Welfare Act 1999**

- Warning: Some amendments have not yet been incorporated

**4 Definition of physical, health, and behavioural needs**

In this Act, unless the context otherwise requires, the term **physical, health, and behavioural needs**, in relation to an animal, includes—

- (a) proper and sufficient food;
- (ab) proper and sufficient water;
- (b) adequate shelter;
- (c) opportunity to display normal patterns of behaviour;
- (d) physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress;
- (e) protection from, and rapid diagnosis of, any significant injury or disease,—

being a need which, in each case, is appropriate to the species, environment, and circumstances of the animal.

Compare: 1960 No 30 s 3(b)

Section 4(a): replaced, on 10 May 2015, by [section 7](#) of the Animal Welfare Amendment Act (No 2) 2015 (2015 No 49).

Section 4(ab): inserted, on 10 May 2015, by [section 7](#) of the Animal Welfare Amendment Act (No 2) 2015 (2015 No 49).



New Zealand Legislation  
**Animal Welfare Act 1999**

- Warning: Some amendments have not yet been incorporated

*Obligations of owners and of persons in charge of animals*

**10 Obligation in relation to physical, health, and behavioural needs of animals**

The owner of an animal, and every person in charge of an animal, must ensure that the physical, health, and behavioural needs of the animal are met in a manner that is in accordance with both—

- (a) good practice; and
- (b) scientific knowledge.



New Zealand Legislation  
**Animal Welfare Act 1999**

- Warning: Some amendments have not yet been incorporated

*Offences*

**12 Animal welfare offences**

A person commits an offence who, being the owner of, or a person in charge of, an animal,—

- (a) fails to comply, in relation to the animal, with [section 10](#); or
- (b) fails, in the case of an animal that is ill or injured, to comply, in relation to the animal, with [section 11](#); or
- (c) kills the animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

Compare: 1960 No 30 s 3(b); 1983 No 141 s 3(1)





## New Zealand Legislation

# Animal Welfare Act 1999

- Warning: Some amendments have not yet been incorporated

### 13 Strict liability

- (1) In a prosecution for an offence against section 12, it is not necessary for the prosecution to prove that the defendant intended to commit an offence.
- (1A) In a prosecution for an offence against section 12 committed after the commencement of this subsection, evidence that a relevant code of welfare was in existence at the time of the alleged offence and that a relevant minimum standard established by that code was not complied with is rebuttable evidence that the person charged with the offence failed to comply with, or contravened, the provision of this Act to which the offence relates.
- (2) Subject to subsection (3), it is a defence in any prosecution for an offence against section 12 if the defendant proves—
  - (a) that, in relation to the animal to which the prosecution relates, the defendant took,—
    - (i) in the case of an offence against section 12(a), all reasonable steps to comply with section 10; or
    - (ii) in the case of an offence against section 12(b), all reasonable steps to comply with section 11; or
    - (iii) in the case of an offence against section 12(c), all reasonable steps not to commit a breach of section 12(c); or
  - (b) that the act or omission constituting the offence took place in circumstances of stress or emergency, and was necessary for the preservation, protection, or maintenance of human life; or
  - (c) that there was in existence at the time of the alleged offence a relevant code of welfare and that the minimum standards established by the code of welfare were in all respects equalled or exceeded.
- (3) Except with the leave of the court, subsection (2) does not apply unless, within 7 days after the service of the summons, or within such further time as the court may allow, the defendant has delivered to the prosecutor a written notice—
  - (a) stating that the defendant intends to rely on subsection (2); and
  - (b) specifying—
    - (i) where the defendant intends to rely on subsection (2)(a), the reasonable steps that the defendant will claim to have taken; or
    - (ii) where the defendant intends to rely on subsection (2)(b), the circumstances of stress or emergency, and the reasons why the act or omission was necessary for the preservation, protection, or maintenance of human life; or
    - (iii) where the defendant intends to rely on subsection (2)(c), the relevant code of welfare that was in existence at the time of the alleged offence, and the facts that show that the minimum standards established by that code of welfare were in all respects equalled or exceeded.

Section 13(1A): inserted, on 19 December 2002, by section 4 of the Animal Welfare Amendment Act 2002 (2002 No 53).



New Zealand Legislation  
**Animal Welfare Act 1999**

- Warning: Some amendments have not yet been incorporated

*Penalties*

**25 Penalties**

A person who commits an offence against [section 12](#) or [section 14\(1\)](#) or section 14(2) or [section 21\(1\)](#) or section 21(2) or [section 22\(2\)](#) or [section 23\(1\)](#) or section 23(2) is liable on conviction,—

- (a) in the case of an individual, to imprisonment for a term not exceeding 12 months or to a fine not exceeding \$50,000 or to both; or
- (b) in the case of a body corporate to a fine not exceeding \$250,000.

Compare: 1960 No 30 s 3; 1993 No 19 s 3(1)

Section 25: amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

Section 25(a): amended, on 7 July 2010, by [section 4\(1\)\(a\)](#) of the Animal Welfare Amendment Act 2010 (2010 No 93).

Section 25(a): amended, on 7 July 2010, by [section 4\(1\)\(b\)](#) of the Animal Welfare Amendment Act 2010 (2010 No 93).

Section 25(b): amended, on 7 July 2010, by [section 4\(2\)](#) of the Animal Welfare Amendment Act 2010 (2010 No 93).

## DOG SURRENDER FORM

### DETAILS OF OWNER / AGENT

NAME..... PHONE NUMBER.....

CURRENT ADDRESS .....

.....

### DESCRIPTION OF DOG

BREED \_\_\_\_\_ MALE / FEMALE (circle) CURRENT REGISTRATION \_\_\_\_\_

COLOUR \_\_\_\_\_ DESEXED Yes / No AGE \_\_\_\_\_ NAME \_\_\_\_\_

### REASON FOR SURRENDER: (please tick one)

- Moving house       Aggression towards animals  
 Landlord won't allow       Aggression towards people  
 Containment       Other behaviour issues  
 Health/old age       Other (Give reason) .....

Euthanasia ..... (Dog owner signature)

### Disclaimer

I hereby relinquish all rights and title to the dog(s) described above. I understand the sign over fee is \$65.00 per dog. In signing this disclaimer I understand that ownership of this dog(s) passes to Hamilton City Council and in accordance with Section 69 of the Dog Control Act 1996, Council may sell, destroy or otherwise dispose of the said dog(s) in such manner as it thinks fit.

I understand that the dog must pass a breed, health and temperament assessment to be put up for adoption; and this is at the discretion of HCC staff.

I understand that I may not claim the dog back, for any reason.

Signed ..... Date .....

Staff Signature ..... Time .....

Receipt Number ..... TOTAL \$..... (\$65.00 per dog)

Office use only:

Scanned: _____	AN# _____
KR# _____	Kennel # _____

AC/K09  
Version 9  
15/09/2014

Animal Education & Control

Attachment 5

Hi [W1] and [AB1]

This email comes from [A1] We purchased two female dogs in 2017. In 2019, round about October time, a friend of us named [K1] had an argument with his girlfriend and they decided to separate for a while so both of them could calm down. While they were split, my friend [K1] couldn't find a place for short-stay, so he turned to us for a favour and we let him stay with us. While he was staying at my place, he brought a male husky dog to our place as well but that male dog was registered at his original home address (the one he shared with his girlfriend). During [K1]'s short stay, the male husky mated one of my female dogs which we didn't expect. As a result, 8 puppies were born and one of the puppies, unfortunately, died due to failed surgery ( the puppy had some problems with organ development and so I decided to take the puppy to Veterinary Specialist Group for treatment. We actually spent \$8,000 dollars on the surgery and still couldn't save its life, but we did try all our best). In addition, one of the 8 puppies was sold to a family that was close to Rotorua. Then, in 2020, the country went into lockdown due to Covid 19, so for potential buyers, they couldn't come and visit us for the rest of the 6 puppies. The puppies' father

During Covid lockdown period, my other female husky had a litter of 4 puppies during level 3 (after the lockdown). To tell the truth, I found it hard to book vaccination for them at that particular time but finally, they all had their full vaccination, which would help them find their forever homes.

In June 2020 when it came to the dog registration renewal, animal control helped me to register all the dogs(excl the litter of 4 pups) Until August. Then, not long after that [C1], my partner got an accident with sport injury so we couldn't take good care of them. but we have always tried our best and do what we can do for them.

In September, one of our friends said he loved huskies so we gave him two puppies from the first litter, by the end of September 2020 we completed our ownership transfer.

At the same time, at the end of September, [K1] the male husky owner, went back to China due to visa conditions and because of Covid19 he couldn't turn back at the moment so he leaves his dog(which is registered at his address ) with me but he will take his dog away when he comes back.

In the middle of October, the SPCA officer rang us for an inspection so we booked it for on 28 October 2020, they think we got too many dogs, so they suggest us that we should improve our house conditions also the environment (they request us to give a plan on that also a time frame on 30 October Friday mid of the day)

Then animal control gives us a letter and told us that we need to remove the other dogs away in seven days.

so we made a plan about how to improve the environmental conditions and we went shopping on the second day(29 October) when we back home we found they took all my dogs aways

Today(30 October 2020) I still provide my plan to SPCA and invite them to come for an inspection on what I am doing and what I will be doing, and the officer gives me some suggestion also she will come around next week Thursday or Friday.

That's the whole story.

So at this stage,

Firstly, I don't really know anything about what I can do for this matter, they didn't provide me with a number for a contact person, so I don't know how I can defend myself, and my friend got a phone call from animal control and for the whole day, I didn't receive anything from the police. Secondly, I wonder how I could get my dogs back.

Attachment 5

Item 5

# NOTICE OF SEIZURE AND REMOVAL OF DOG

To: The Dog owners Offence Date: 29/10/2020

Of: [A2] Our Ref.: \_\_\_\_\_

Dog/s: 22 G/W Husky, 1 white husky,  
1 G/W Husky, 1 G/W Husky  
(G/W = Grey & White)  
1 x Grey & white Husky - Blue

This is to notify you that the above dog/s have been seized and removed from this address under Section 42 of The Dog Control Act 1996.

	Section 28(7)	Disqualification of Dog owner
✓	Section 42(2)	Failing to register dog
	Section 52	Failing to control dog (2A) (3A)
	Section 52A(4)	Failing to confine or control dog on owner's property
	Section 56(2)	Removal of barking dog causing distress
	Section 57(5)	Dog attacking persons or animals
	Section 57A(3)	Dog rushing at persons, animals or vehicles
	Section 72 A	Dog released from custody

The details of the offences are listed on the reverse of this notice.

You may apply for the return of the dog and should contact the Animal Education and Control Centre, 217 Ellis Street, Hamilton on (07) 838 6632 or visit between 12.30 and 4.30 pm within 7 days of the date of this notice.

You may be required to pay any fees incurred with the seizure, custody, sustenance and transport of the dog.

Note: The dog may be sold, destroyed or otherwise disposed of unless the dog is claimed and all fees owing are paid within seven (7) days from the date of this notice. Disposal of the dog may not exempt the owner from fees owing or from possible prosecution.

Fees can only be paid by cash, Eftpos or credit card. Cheques are not accepted.

[Signature]  
Signature of Dog Control Officer

2:30pm 29/10/2020  
Date/Time of Service

AC/F17  
Version 5  
22.10.2014

**Hamilton City Council**  
 Te Kaunihera o Kirirangi

Private Bag 3010  
 Hamilton 3240  
 New Zealand

TEL 07 838 6699  
 FAX 07 838 6599  
 EMAIL info@hcc.govt.nz  
 hamilton.govt.nz

28 October 2020

[A1] & [C1]

[A2]

Dear [A1] & [C1],

**RE: KEEPING MORE THAN TWO DOGS ON A PROPERTY**

The purpose of this letter is to advise we have received information that you currently have seven dogs on your property of [A2]. Under the Hamilton City Council Dog Control Bylaw you cannot have more than two dogs on your property without a Multiple Dog Permit, due to your recent history of excess barking and other complaints Hamilton City Council Animal Education & Control will not be issuing you with a Multiple Dog Permit.

Council hereby requests that:

You remove excess dog(s) within 7 days from the date of this letter and in doing so, you are required to notify Hamilton City Council in writing of the new owner's full name, address and telephone number to avoid an infringement notice or prosecution.

Failure to comply with this request can result in further enforcement action being taken against you.

If you have any further queries, please telephone (07) 838 6632.

Yours faithfully

ANIMAL EDUCATION & CONTROL OFFICER TEAM LEADER.

Animal Education & Control

AC/F24  
Version 3  
15.2.05

[A1] & [C1]

Inbox

[AC1]

Mon, Nov 16,  
10:48 AM (9  
days ago)

to [H1]

Hi [H1] spoke with you in relation to this matter last week, you indicated you were considering withdrawing the original charges for which Miss [A1] and Mr [C1] are due to appear in Court in Hamilton for on the 27th of November 2020. Can you confirm this is still your position , I intend coming to Hamilton tomorrow to meet with the animal welfare people and facilitate the return of some of the dogs.

Regards

[AC1]  
Director  
Shellon Consultants  
E:

PH:

[H1]

<[H1]>

Tue, Nov 17, 8:00 AM (8  
days ago)

to me

Hi [AC1]

This matter is currently going through as a police prosecution. They will both be required to attend court on the 27th. I am speaking with prosecutions one last time on Wednesday about this matter.

If anything does change I will let you know on Wednesday but as it stands right now they are still required to attend and this matter will still proceed normally.

[H1]

Hamilton

On 16/11/2020, at 10:48, [AC1] <[@gmail.com](#)> wrote:

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



[AC1]

Tue, Nov 17,  
4:40 PM (8  
days ago)

to [H1]

Hi [H1] thanks for getting back to me, we had a follow up meeting between the dog owners and Peter animal control supervisor today . We are making good progress with resolving the dog welfare issues. Feel free to call to clarify any issues.

Regards

[AC1]

[AC1]

Tue, Nov 24,  
12:51 PM (20  
hours ago)

to [H1]

Hi [H1] believe you are having a meeting in regards to this matter on 25/11/20 please advise if the matter will go ahead on Friday 27th November. Animal control is working with the owners [A1] and [C1] and the Police to get some of the dogs returned.

Regards

[AC1]

[A1]  
[A2]

Driver licence no: [A2]

FRN: [A2]

**Charge details**

The charge against you is that

on / on or about / between / on diverse dates 29/10/20 and

[A2]

you failed to adhere to the needs of an animal x1

Choose an offence below

- drove with excess breath alcohol level (Adult offence code A512) (Youth offence code A520)
- drove with excess breath alcohol level (1st and subsequent offence code A510)
- drove with excess blood alcohol content (offence code A502)
- as an unlicensed driver, failed to comply with prohibition (offence code B184)
- drove while the holder of a suspended or revoked drivers licence (offence code L143)
- drove while disqualified (offence code L201)
- drove while disqualified (3rd and subsequent) (offence code L230)
- operated a vehicle carelessly (offence code D502)
- drove in a dangerous manner (offence code D201)

**First appearance hearing**

YOU MUST APPEAR

at the Hamilton District Court, sitting at Hamilton

on Friday 27<sup>th</sup> November 2020 at 0900hrs

Issued by [H1] Title: Constable

Name & QID: [H1] Date: 30 10 20

Signed: [H1]

Failing to attend at court may result in a warrant to arrest being issued  
It is important that you read all of this document carefully, including the back of this page

11/3/2020

Gmail - (no subject)



[AC1] <[AC2]>

(no subject)

1 message

[AC1]

Tue, Nov 3, 2020 at 3:37 PM

Hi [AC1] before last December, puppies born, we only have two dogs. And my friend has one register in another place, he broke up with his girlfriend, and have to move to my house because some of house are not allowed pat. We put these puppies on trade me in January this year, many people were interested in but no one take them away because [A1] strict requirements of owners. During lockdown period, another four puppies born. When we renew our two dogs in animal control, one staff told us can register up to 6, and passed the register form to us. So we register 6 in my home address. Before 1st of July, four puppies are not 3months, so no register for them. [A1] arrived this country in 2008, and I arrived in 2014. In China, If you can keep everyone or animals safe, you can breed them how many you want. I forgot in July or August. One male staff comes from SPCA inspect our breeding environment, and do not say anything wrong. The end of August, I got concussion, I cannot work to much but my friend help us to take care of them all the time. However, unfortunately, my friend went back to China due to visa expired in the end of September, I did not clean house very well but I 100% sure that we provide enough foods and water to them, also walk them. We put them on the backyard, they can run. If I put them in the room, I always turning the air conditioner on to provide the suitable living environment.

Item 5

Attachment 5

[G4]

Dear Mr/Mrs,

I am truly sorry to hear that information of my Husky([G3])

The reason is that I had to return to China because of my visa. And also I can not go back to New Zealand because of Covid-19. And I broke up with my ex-

girlfriend so I had to leave [G3] at my friend's home.

If you have any questions to ask me, please email me.

My email is [G4]. Thank you.

Once again, I am sorry for any inconvenience caused. Hope you can accept my appologies and understand my situation.

Yours Sincerely,

[G1]

---

## Animal Complaint Record 61817/2020

<b>COMPLAINANT</b>		<b>Officer</b>	D37
Complaint Received	9/11/2020 10:38:00 AM	Home Phone 1	
Name		Home Phone 2	
Address	[A2]	Mob Phone	

**PROPERTY**

Property Address	[A2]	<b>Safety Alert</b>
------------------	------	---------------------

**ANIMAL DETAILS**

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	[A2]	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address		Owner Name	[A1]	NAR No.	1120723
Animal Number	238982	Animal Name	[E4]	Tattoo	953010004 152240
Animal Location	[A7]	Color		Sex	F
Owner Address	[A7]	Owner Name	[C1]	NAR No.	1163485
Animal Number	238983	Animal Name	[E3]	Tattoo	953010004 152248
Animal Location	[A7]	Color	BLK /WHI	Sex	F
Owner Address	[A7]	Owner Name	[C1]	NAR No.	1163485
Animal Number	238984	Animal Name	[D2]	Tattoo	982126054 047175
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1163485
Animal Number	238985	Animal Name	[D3]	Tattoo	982126054 047217
Animal Location	[A2]	Color		Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1117121
				Tattoo	982126054 047217
				Sex	F
				NAR No.	1117121

**REQUEST DETAILS**

Offence Date		Please look into barking issue at [A2]. Complaint
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Barking	
Category 4		

**INVESTIGATION DETAILS**

Officer	D37
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Start Date 9/11/2020 10:38:00 AM  
Finish Date 10/16/2020 2:54:00 PM  
Outcome Advice Given  
Task Investigation

150920 @ 1000 - Barking log sent to complainant. 1010 -  
Phone call to the dog owner, discussed the barking complaint. [A1]  
tells me it has been very hard to rehome the younger dogs due to  
covid. There are still six dogs living at address. I reminded [A1] that  
we had a discussion months ago about the number of dogs on h er  
property and the need to reduce the number to two. Nothing has cha  
nged except now we have barking complaints. [A1] tells me that her  
and her partner are gone from the house early morning and don't  
come home until late and this is the reason she has not had time to  
rehome the dogs. [A1] has many excuses for having multiple dogs  
and complaints. Advised dog owner of her requirement to reduce  
the barking and need to remove excess dogs from the property.  
Told her I would visit property at the end of month to check. NFA.  
(Abbey 16/10/20 20)

## Animal Complaint Record 197863/2020

<b>COMPLAINANT</b>		<b>Officer</b>	D37
Complaint Received	6/17/2020 12:45:00 PM	Home Phone 1	
Name	AECU Animal Education and Control Unit	Home Phone 2	
Address	217 Ellis Street Frankton Hamilton 3204	Mob Phone	

**PROPERTY**

Property Address	[A2] <b>Safety Alert</b>
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**ANIMAL DETAILS**

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	238982	Animal Name	[E4]	Tattoo	953010004 152240
Animal Location	[A7]	Color		Sex	F
Owner Address	[A7]	Owner Name	[E1]	NAR No.	1163485
Animal Number	238983	Animal Name	[E3]	Tattoo	953010004 152248
Animal Location	[A7]	Color	BLK /WHI	Sex	F
Owner Address	[A7]	Owner Name	[E1]	NAR No.	1163485
Animal Number	238984	Animal Name	[D2]	Tattoo	982126054 047175
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1163485
Animal Number	238985	Animal Name	[D3]	Tattoo	982126054 047217
Animal Location	[A2]	Color		Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1117121
				Tattoo	982126054 047217
				Sex	F
				NAR No.	1117121

**REQUEST DETAILS**

Offence Date		4x unregistered dogs at [A2], all young adult huskys, two female huskys currently registered to the address.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Unregistered Dog	
Category 4		

**INVESTIGATION DETAILS**

Officer	D37
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**Attachment 6**

Start Date 6/17/2020 12:45:00 PM  
Finish Date 6/18/2020 2:00:00 PM  
Outcome Advice Given  
Task Investigation

12.30pm Phone D/O left message Text sent  
D/O returned text  
18/6 8.30 Phone D/O discussed impounding and the four  
unregistered dog s at her address D/O  
had excuses as to why she still had all the dogs and told me the n ew  
owners would register. I advised her that because the dogs are sti ll  
at her address she must register them all today or I will issue a \$ 300  
infringement per dog. 3.30pm kennels  
advise all dogs now registered. NFA  
(Hayley 15/07/2020)

**Item 5**



COMPLAINANT		Officer	D37
Complaint Received	6/17/2020 10:44:00 AM	Home Phone 1	
Name		Home Phone 2	
Address	[F4]	Mob Phone	027

### PROPERTY

Property Address		<b>Safety Alert</b>	
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### ANIMAL DETAILS

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723

### REQUEST DETAILS

Offence Date		Tony from City Parks advises that there is a dog roaming on the corner of [F5] and [F6]. Tony called to say that a MOP has contained the dog. No description of the dog given or the person who has the dog.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Roaming (heading only)	
Category 4	Dogs - Roaming - Public Place	

### INVESTIGATION DETAILS

Officer	D37	11.20am Collected dog, scanned and ID as [A4] from [A2]. N#233100 Called to address, no one home. Dog impounded. Letter sent. Phoned D/O no answer. Text sent. (Hayley 17/06/2020)
Start Date	6/17/2020 10:44:00 AM	
Finish Date	6/17/2020 1:43:00 PM	
Outcome	Animals - Impounded	
Task	Investigation	

## Animal Complaint Record 195416/2020

<b>COMPLAINANT</b>		<b>Officer</b>	D39
<b>Complaint Received</b>	4/21/2020 1:48:00 PM	<b>Home Phone 1</b>	
<b>Name</b>	AECU Animal Education and Control Unit	<b>Home Phone 2</b>	
<b>Address</b>	217 Ellis Street Frankton Hamilton 3204	<b>Mob Phone</b>	

**PROPERTY**

<b>Property Address</b>	[A2]	<b>Safety Alert</b>	
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**ANIMAL DETAILS**

<b>Animal Number</b>	233100	<b>Animal Name</b>	[A4]	<b>Tattoo</b>	953010002 078516
<b>Animal Location</b>	[A2]	<b>Color</b>	GRY /WHI	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723
<b>Animal Number</b>	233101	<b>Animal Name</b>	[A5]	<b>Tattoo</b>	953010002 081620
<b>Animal Location</b>	[A2]	<b>Color</b>	BRO /GRY	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723

**REQUEST DETAILS**

<b>Offence Date</b>		Caller asked to remain anonymous, so did not provide any contact details but would like us to have a chat to the owners of the two huskies that live at [A2]. The dogs are constantly barking and squabbling all the time. I asked if anyone was home to tell the dogs to be quiet but she said every time she goes past, the curtains are always closed, there's cars in the driveway but no one says anything to the dogs. Two dogs registered to the address
<b>Major Category</b>	Animal Control (heading only)	
<b>Minor Category</b>	Dogs - Offences (heading only)	
<b>Category 3</b>	Dogs - Barking	
<b>Category 4</b>		

**INVESTIGATION DETAILS**

<b>Officer</b>	D39	14 <sup>30</sup> - Dog owner has been advised, no contact details to notify complainant. (Abbey - 13/05/2020)
<b>Start Date</b>	4/21/2020 2:30:00 PM	
<b>Finish Date</b>	5/13/2020 10:44:00 AM	
<b>Outcome</b>	Advice Given	
<b>Task</b>	Investigation	

<b>COMPLAINANT</b>		<b>Officer</b>	D36
<b>Complaint Received</b>	6/23/2018 12:00:00 AM	<b>Home Phone 1</b>	
<b>Name</b>		<b>Home Phone 2</b>	
<b>Address</b>	[F2]	<b>Mob Phone</b>	

**PROPERTY**

<b>Property Address</b>	[A2]	<b>Safety Alert</b>
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**ANIMAL DETAILS**

<b>Animal Number</b>	233100	<b>Animal Name</b>	[A4]	<b>Tattoo</b>	953010002 078516
<b>Animal Location</b>	[A2]	<b>Color</b>	GRY /WHI	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723
<b>Animal Number</b>	1233101	<b>Animal Name</b>	[A5]	<b>Tattoo</b>	953010002 081620
<b>Animal Location</b>	[A2]	<b>Color</b>	BRO /GRY	<b>Sex</b>	F
<b>Owner Address</b>	[A2]	<b>Owner Name</b>	[A1]	<b>NAR No.</b>	1120723

**REQUEST DETAILS**

<b>Offence Date</b>	6/22/2018 3:30:00 PM	About 3.30pm Friday 22/6/2018 witness dog attack. 2 Asian couple where out with there (2) Malamute dogs apparently they come from [A2] and elderly was walking her dog opposite [A2] the dog the male person was holding onto ran across road and attacked elderly ladies corgi like dog the the other (1) female person had ran across road also but was hit by a car by another elderly person who was upset. [L1] got out of her car and told them to go a get a lead for dog that was injured apparently 1st dog was taken home also told them to get the car and take dog to vets. She said they could not control there dogs. The dog that was attacked carried on home.
<b>Major Category</b>	Animal Control (heading only)	
<b>Minor Category</b>	Dogs - Offences (heading only)	
<b>Category 3</b>	Dogs - Attack (heading only)	
<b>Category 4</b>	Dogs - Attack - Dog v Animal - Historic	

**INVESTIGATION DETAILS**

<b>Officer</b>	D39	Spoke with witness regarding the incident. She said that the dog owners had no control over the dogs. I asked her if she is prepared to make a statement - she said Yes. 27/06/18 - Hasn't sent statement through ,however I don't need it for an outcome - REFER to CAR warning posted. N.F.A.
<b>Start Date</b>	6/23/2018 4:27:00 PM	
<b>Finish Date</b>	6/27/2018 1:43:00 PM	
<b>Outcome</b>	Animals - Written Warning Issued	
<b>Task</b>	Investigation	

## Animal Complaint Record 167544/2018

<b>COMPLAINANT</b>		<b>Officer</b>	D36
Complaint Received	6/22/2018 12:00:00 AM	Home Phone 1	07 854 6658
Name		Home Phone 2	
Address	[F3]	Mob Phone	

**PROPERTY**

Property Address	[A2]	<b>Safety Alert</b>	
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**ANIMAL DETAILS**

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723

**REQUEST DETAILS**

Offence Date	6/22/2018 3:20:00 PM	x2 Husky's from [A2] came off thier property and attacked the complainants dog. There is blood on the back leg of her dog- she is taking her dog to Carevets. She did say a male and a female came off the property and grabbed one dog, unsure if the other is still o ut. She is aware you may show up at the vets for a photo.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Attack (heading only)	
Category 4	Dogs - Attack - Dog v Animal - Urgent	

**INVESTIGATION DETAILS**

Officer	D39	Spoke to [A1] and asked her if the two husky's were safe and secure inside. She has advised that her dog [A4] had just been hit by a car and was currently at the vets. The other dog [A5] was safe contained at home. 15.45pm Spoke with the complainant and "[M2]" the victim dog is out from the vets and is OK. [M1] the complainant witnessed the other dog being run over. 27/06/18 12.43pm Spoke with the dog owner - recommended that they get training from a dog trainer so that another incident does not happen again. I also said that the witness has phoned in and said there was no control over the dogs(CAR 167561. Due to the lack of severity of the incident, I am issuing a written warning. I explained the repercussions if it should happen again. N.F.A.
Start Date	6/22/2018 3:38:00 PM	
Finish Date	6/27/2018 1:48:00 PM	
Outcome	Animals - Written Warning Issued	
Task	Investigation	

## Animal Complaint Record 159864/2017

<b>COMPLAINANT</b>		<b>Officer</b>	D36
Complaint Received	12/20/2017 12:00:00 AM	Home Phone 1	
Name		Home Phone 2	
Address	[F6]	Mob Phone	2, 7N1

### PROPERTY

Property Address	[A2]	<b>Safety Alert</b>	
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### ANIMAL DETAILS

Animal Number	233100	Animal Name	[A 4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723

### REQUEST DETAILS

Offence Date	12/19/2017 6:41:00 PM	Dogs barking at [A2]. Dogs are described as small? going off b ark. See attached email from teleops.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Barking	
Category 4		

### INVESTIGATION DETAILS

Officer	D24	20/12/2017 09:30 - Actioned routine checks on AECU database. Refer attached aerial map.
Start Date	12/20/2017 9:30:00 AM	*Posted "barking letter" and record of nuisance barking form to the complainant.
Finish Date	1/19/2018 8:55:00 AM	*Posted "Barking Info" to the dog owners.
Outcome	Advice Given	09:45 - Phoned the dog owners. No replies. Left detailed phone message on dog owner's mobile. Suggested dog owners speak directly to all relevant neighbours, to obtain first hand feedback.
Task	Investigation	19/01/2018 08:55 - Phoned the complainant. Briefly discussed her barking complaint. Note: [N1] advised the dogs are now barking a lessor amount. Informed [N1] that this investigation is now being "closed off". Also have suggested that she speak to the dog owners directly herself.

## Animal Complaint Record 235296/2021

COMPLAINANT		Officer	
		Officer	JAMP
Complaint Received	8/30/2021 10:41:00 AM	Home Phone 1	
Name		Home Phone 2	
Address	[F6]	Mob Phone	
Complaint Received	5/12/2021 12:00:00 AM	Home Phone 1	
Name		Home Phone 2	
Address	C/- City Growth Hamilton City Council Private Bag 3010	Mob Phone	

## PROPERTY

Property Address	[A2]	Safety Alert	
Property Address		Safety Alert	

## ANIMAL DETAILS

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number		Animal Name		Tattoo	
Animal Location		Color		Sex	
Owner Address		Owner Name		NAR No.	

## REQUEST DETAILS

Offence Date		Please look into barking issue at [A2] The huskies
Major Category	Animal Control (heading only)	at the property have been barking constantly for the last three days.
Minor Category	Dogs - Offences (heading only)	Two dogs registered to the address.
Category 3	Dogs - Barking	Requisition Action - Req No 235296
Category 4		
Offence Date		
Major Category		
Minor Category		
Category 3		
Category 4		

## INVESTIGATION DETAILS

Officer	D42	
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Start Date	8/30/2021 10:41:00 AM
Finish Date	
Outcome	
Task	Investigation
Officer	PHAN
Start Date	5/12/2021 9:34:30 AM
Finish Date	5/12/2021 9:42:52 AM
Outcome	OLR Complete
Task	

**Item 5**

**Attachment 7**

## Animal Complaint Record 227636/2021

<b>COMPLAINANT</b>		<b>Officer</b>	D99
Complaint Received	5/25/2021 3:21:00 PM	Home Phone 1	
Name		Home Phone 2	N/A
Address	[F6]	Mob Phone	

**PROPERTY**

Property Address		<b>Safety Alert</b>	
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**ANIMAL DETAILS**

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
	3210				

**REQUEST DETAILS**

Offence Date		whom this may concern I have been informed by the lawn mowing contractor that mows my lawns that there is 2 husky dogs running around my backyard at [F6]. These dogs do not belong to me and as I am not in the country at the moment to do any thing about it. The backyard is fully fenced and the gates are locked. The only person who has a key for the gate is our lawn mowing contractor [O1], who will be contacting you about this matter. Cheers
Major Category	Animal Control (heading only)	
Minor Category	Animal Control - General Enquiry	
Category 3		
Category 4		

**INVESTIGATION DETAILS**

Officer	D37	4.10pm Called to address, dogs gone and the owner had left a note and bottle of wine for the comps address. (Trudi 26/05/2021)
Start Date	5/25/2021 3:21:00 PM	
Finish Date	5/26/2021 11:43:00 AM	
Outcome	Animals - collected prior DCO attendance	
Task		



COMPLAINANT		Officer	D42
Complaint Received	4/22/2021 2:49:00 PM	Home Phone 1	
Name		Home Phone 2	
Address	[F6]	Mob Phone	

### PROPERTY

Property Address	[A2] <b>Safety Alert</b>
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### ANIMAL DETAILS

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723

### REQUEST DETAILS

Offence Date		Please look into barking issue at [A2]. Comp advises of two dogs she knows of living at the property constantly barking. She thinks there may be another small dog however it may be a dog from the property behind. It tends to bark when the other two are barking. Please email barking log sheets to her -
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Barking	
Category 4		

### INVESTIGATION DETAILS

Officer	D42	No barking log sheets returned. (Hayley /05/2021)
Start Date	4/22/2021 2:49:00 PM	
Finish Date	5/11/2021 2:43:00 PM	
Outcome	Animals - Unsubstantiated	
Task	Investigation	

## Animal Complaint Record 220071/2021

<b>COMPLAINANT</b>		Officer	D37
Complaint Received	3/3/2021 2:00:00 PM	Home Phone 1	
Name		Home Phone 2	
Address	C/- Animal Education & Control Hamilton City Council Private Bag 3010 3240	Mob Phone	

**PROPERTY**

Property Address	[A2]	<b>Safety Alert</b>	
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**ANIMAL DETAILS**

Animal Number	233100	Animal Name	[A4]	Tattoo	953010002 078516
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	233101	Animal Name	[A5]	Tattoo	953010002 081620
Animal Location	[A2]	Color	BRO /GRY	Sex	F
Owner Address	[A2]	Owner Name	[A1]	NAR No.	1120723
Animal Number	238984	Animal Name	[D2]	Tattoo	982126054 047175
Animal Location	[A2]	Color	GRY /WHI	Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1117121
Animal Number	238985	Animal Name	[D3]	Tattoo	982126054 047217
Animal Location	[A2]	Color		Sex	F
Owner Address	[A2]	Owner Name	[D1]	NAR No.	1117121

**REQUEST DETAILS**

Offence Date		Multiple unregistered dogs at [A2]
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Ranging Offences Detected By Officer (heading only)	
Category 4	Dogs - Ranging - Other	

**INVESTIGATION DETAILS**

Officer	D37
Start Date	3/3/2021 2:00:00 PM
Finish Date	3/8/2021 2:15:00 PM
Outcome	Animals - Infringement Except S42
Task	Investigation

3/3/21 3pm Called to address  
 with Hayley 2 dogs sighted and at least one  
 other dog heard in the laundry of house  
 13 dogs were removed from this property last year and the  
 Dog owners have been told no more than 2 dogs at property as they  
 will not be approved for a multiple dog permit  
 4/3/21  
 1pm Returned to  
 property Same as yesterday  
 2 dogs sighted and at least one other heard in the  
 laundry area of property  
 Infringement 13051 issued under sect 19 Given to  
 D25 to deliver and speak with the dog owners. NFA  
 (Hayley 08/03/2021)

### All Service Requests (CRMs) for customer number 183596

Count of CRMs	Name Ctr	Name	Given Names
3	183596	[E1]	[E1]

CRM Details:

9/13/2021 10:08:07 AM

Request Number:	DOGS0529/22	Priority:	Low
Date Received:	21/08/2021	Completed On:	07/09/2021
Source:	AftHours	Resp Workgroup:	Dogs
Status:	P	Raised By:	HMELG001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogBarkNui	Call Back?:	No
Process Counter:	536035		

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### Related Property & Customer

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Property Address: [A3]

Home Telephone:	Mobile Telephone:	Work Telephone:
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Caller Name: [P1]

Caller Address: [P3]

Caller Email:

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### Request Details

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Description: Dogs Barking Nuisance - Barking dogs Huskies. Been constantly barking all day. History of this issue over 6 months. 10-14 Huskies

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

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### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7646471	ramAP	536035	100	CRMCreate	CRM Created	23/08/2021	21/08/2021	P
7646472	ramAP	536035	200	BarkForm	Barking Statement	23/08/2021	07/09/2021	P
7646473	ramAP	536035	900	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P
7670896	RamAP	536035	210	FormReceiv	Form Received < 5 Days After Issue?	07/09/2021		C

9/13/2021 10:08:07 AM

Request Number:	DOGS0584/22	Priority:	Medium
Date Received:		Completed On:	
Source:	E-Mail	Resp Workgroup:	Dogs
Status:	C	Raised By:	SSMIT001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogBarkNui	Call Back?:	Yes
Process Counter:	536537		

---

### Related Property & Customer

---

Property Address: [A3]

Home Telephone:	Mobile Telephone:	Work Telephone:
-----------------	-------------------	-----------------

Caller Name: [P1]

Caller Address: [P3]

Caller Email:

---

### Request Details

---

Description: Hi  
 We live at [P3] . There is 10-15 husky's next door which bark and fight 24hrs a day on and off .There address is [A3] .Us and all off the neighbours around are fed up. The dogs are caged in pens built in the paddock and never let out or walked etc  
 It's a absolute disgrace that the dogs are forced to live like this and that we are not protected by the council for this kind of public nuisance  
 Please can you do something  
 Thanks [P1]

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

---

### Memo Details

---

There are no memos for this request

---

### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7657648	ramAP	536537	100	CRMCreate	CRM Created	30/08/2021	30/08/2021	P
7657649	ramAP	536537	200	BarkForm	Barking Statement	30/08/2021		C

9/13/2021 10:08:07 AM

7657650	ramAP	536537	900	CRMComplet	CRM Completed?			F
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**Item 5**

**Attachment 8**

9/13/2021 10:08:07 AM

Request Number:	DOGS0627/22	Priority:	Medium
Date Received:	07/09/2021	Completed On:	07/09/2021
Source:	Phone	Resp Workgroup:	Dogs
Status:	P	Raised By:	DHERE001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogAggHist	Call Back?:	No
Process Counter:	537175		

---

### Related Property & Customer

---

Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name:

Caller Address: [P3]

Caller Email:

---

### Request Details

---

Description: SPCA have received reports of dogs fighting at [A3]

There are 2 female huskies and 5 male huskies on this property. Also another dog which is kept inside. Different breed Sunday they were fighting. Thinks 2 may have died as they have not been seen since. Yesterday saw 2 male dogs holding down another 2 males fighting. Happens quite regularly

Called in by [Q1] from SPCA

Resolution Description: Completed

Resolution Details: Have referred back to the SPCA to attend this job. Animal Control has limited power of welfare. All dogs on the property are currently registered and owned by property owners. SPCA representative advised they would follow up

---

### Memo Details

---

There are no memos for this request

---

### Event Details

---

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7669807	ramAP	537175	100	CRMCreate	CRM Created	07/09/2021	07/09/2021	P
7669808	ramAP	537175	200	DogSeized	Dog Seized?	07/09/2021	07/09/2021	P
7669809	ramAP	537175	300	DogClass	Current Dog Classification?	07/09/2021	07/09/2021	P
7669810	ramAP	537175	2000	CRMComple	CRM Completed	07/09/2021	07/09/2021	P
7670868	RamAP	537175	310	Infringe	Infringement / Prosecution or Warnings Required?	07/09/2021	07/09/2021	P

9/13/2021 10:08:07 AM



7670880	RamAP	537175	320	InformComp	Inform Complainant of Action	07/09/2021	07/09/2021	P
7670881	RamAP	537175	330	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P

**Item 5**

**Attachment 8**

9/13/2021 10:08:07 AM

**All Service Requests (CRMs) for customer number 182631**

Count of CRMs	Name Ctr	Name	Given Names
4	182631	[B1]	[B1]

CRM Details:

Request Number: DOGS0529/22 Priority: Low  
 Date Received: 21/08/2021 Completed On: 07/09/2021  
 Source: AftHours Resp Workgroup: Dogs  
 Status: P Raised By: HMELG001  
 Group: DOGSCRM Resp User: JNEWE001  
 Category: DogBarkNui Call Back?: No  
 Process Counter: 536035

### Related Property & Customer

Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: [P1]

Caller Address: [P3]

Caller Email:

### Request Details

Description: Dogs Barking Nuisance - Barking dogs Huskies. Been constantly barking all day. History of this issue over 6 months. 10-14 Huskies

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

### Memo Details

There are no memos for this request

### Event Details

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7646471	ramAP	536035	100	CRMCreate	CRM Created	23/08/2021	21/08/2021	P
7646472	ramAP	536035	200	BarkForm	Barking Statement	23/08/2021	07/09/2021	P
7646473	ramAP	536035	900	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P
7670896	RamAP	536035	210	FormReceiv	Form Received < 5 Days After Issue?	07/09/2021		C

9/13/2021 10:07:09 AM

Request Number:	DOGS0584/22	Priority:	Medium
Date Received:		Completed On:	
Source:	E-Mail	Resp Workgroup:	Dogs
Status:	C	Raised By:	SSMIT001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogBarkNui	Call Back?:	Yes
Process Counter:	536537		

---

### Related Property & Customer

---

Property Address: [A3]

Home Telephone:	Mobile Telephone:	Work Telephone:
-----------------	-------------------	-----------------

Caller Name: [P1]

Caller Address: [P3]

Caller Email:

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### Request Details

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Description: Hi  
 We live at [P3] . There is 10-15 husky's next door which bark and fight 24hrs a day on and off .There address is [A3] .Us and all off the neighbours around are fed up. The dogs are caged in pens built in the paddock and never let out or walked etc  
 It's a absolute disgrace that the dogs are forced to live like this and that we are not protected by the council for this kind of public nuisance  
 Please can you do something  
 Thanks [P1]

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

---

### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7657648	ramAP	536537	100	CRMCreate	CRM Created	30/08/2021	30/08/2021	P
7657649	ramAP	536537	200	BarkForm	Barking Statement	30/08/2021		C

9/13/2021 10:07:09 AM

7657650	ramAP	536537	900	CRMComple	CRM Completed?			F
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**Item 5**

**Attachment 8**

9/13/2021 10:07:09 AM

Request Number:	DOGS0598/22	Priority:	Medium
Date Received:	01/09/2021	Completed On:	
Source:	Phone	Resp Workgroup:	Dogs
Status:	C	Raised By:	JMN
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogsStrayC	Call Back?:	No
Process Counter:	536753		

---

### Related Property & Customer

---

Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: [R1]

Caller Address:

Caller Email:

---

### Request Details

---

Description: Dog Straying - Current - Huskie, currently on the road. Dog has cone around its neck. Cars are tooting their horns. Dog comes from t his address. [U3] informed. [U5] to ring [R1] back and ask her to talk a photo which she will.

Resolution Description: Completed

Resolution Details: Emailed a statement form through to the complainant to complete so we can issue an infringement for failure to control and confine dog to owners property. Spoke to [C1] at length who disputes the dog being out on the road. [C1] advised that the dog [G3] belongs to [B1] and have left a voice mail with her. Advised that it is the job of animal control to collect evidence and take enforcement action accordingly. Aaron said he will also write a witness statement for the event not happening. I have returned Shirley's call 7/9 and left another voice mail. I have left a voice nail with [S1] as the witness advised that their truck driver had to slam on the breaks to avoid hitting the dog along with another unidentified truck.

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### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7661563	ramAP	536753	100	CRMCreate	CRM Created	01/09/2021	01/09/2021	P
7661564	ramAP	536753	200	DogLocate	Dog Located?	01/09/2021		C
7661565	ramAP	536753	900	CRMComplet	CRM Completed?			F

9/13/2021 10:07:09 AM

Request Number: DOGS0627/22 Priority: Medium  
Date Received: 07/09/2021 Completed On: 07/09/2021  
Source: Phone Resp Workgroup: Dogs  
Status: P Raised By: DHERE001  
Group: DOGSCRM Resp User: JNEWE001  
Category: DogAggHist Call Back?: No  
Process Counter: 537175

### Related Property & Customer

Property Address: [A1]

Home Telephone:

Mobile Telephone: [P6]

Work Telephone:

Caller Name:

Caller Address: [P3]

Caller Email:

### Request Details

Description: SPCA have received reports of dogs fighting at [A3]

There are 2 female huskies and 5 male huskies on this property. Also another dog which is kept inside. Different breed  
Sunday they were fighting. Thinks 2 may have died as they have not been seen since.  
Yesterday saw 2 male dogs holding down another 2 males fighting. Happens quite regularly

Called in by [Q1] from SPCA

Resolution Description: Completed

Resolution Details: Have referred back to the SPCA to attend this job. Animal Control has limited power of welfare. All dogs on the property are currently registered and owned by property owners. SPCA representative advised they would follow up

### Memo Details

There are no memos for this request

### Event Details

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7669807	ramAP	537175	100	CRMCreate	CRM Created	07/09/2021	07/09/2021	P
7669808	ramAP	537175	200	DogSeized	Dog Seized?	07/09/2021	07/09/2021	P
7669809	ramAP	537175	300	DogClass	Current Dog Classification?	07/09/2021	07/09/2021	P
7669810	ramAP	537175	2000	CRMComple	CRM Completed	07/09/2021	07/09/2021	P
7670868	RamAP	537175	310	Infringe	Infringement / Prosecution or Warnings Required?	07/09/2021	07/09/2021	P

9/13/2021 10:07:09 AM

**Attachment 8**

7670880	RamAP	537175	320	InformComp	Inform Complainant of Action	07/09/2021	07/09/2021	P
7670881	RamAP	537175	330	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P

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**District Office**  
 Private Bag 544 15 Galileo Street ☎ 07 824 8633  
**Ngaruawahia 3742** Facsimile ☐ 07 824 8091  
**Huntly Area Office** 142 Main Street ☎ 07 828 7551  
**Raglan Area Office** 7 Bow Street ☎ 07 825 8129  
**Tuakau Area Office** 2 Dominion Road ☎ 0800 492 452

**OFFICE USE ONLY**  
 CRM: DOGS0578/2  
 Person ID:  
 Dog ID:

# Witness Statement

Section 82 of the Criminal Procedure Act 2011

Statement of: [R1] \_\_\_\_\_ Date of birth [R2] \_\_\_\_\_  
 Address: [P3] \_\_\_\_\_ Contact Number: [R3] \_\_\_\_\_  
 \_\_\_\_\_ [R4] \_\_\_\_\_

Date of Statement: 4/9/21 \_\_\_\_\_ Time of Statement: 10:45am \_\_\_\_\_

**I am making this statement to Waikato District Council as a complaint of an offence against the Dog Control Act 1996 or the Waikato District Council Dog Control Bylaw 2015.**

**\*\*\*Please read the back page before completing this Witness Statement\*\*\***

The incident occurred on 1/9/21 at 3 am / pm about \_\_\_\_\_  
specify the date give the time of day event happened

The incident happened at [F7] \_\_\_\_\_  
Address of where the incident occurred

The dog involved was a Husky, silver-grey, large, male, wearing pink cone.

4/9/21

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Attachment 8

*description of dog – breed, colour, sex, size, collar, tag etc. See last page for further information*

**The dog is kept at**

[A3]

*give the address where the dog is kept*

**I know the dog is from this address because**

I live next door and see it daily. Yes

*Have you seen it there before? Did you see it go back there?*

4/9/21

**What were you doing? And who were you with?** (Walking running cycling etc)

Mowing lawn.

[T1]

**Where/when did you first notice the dog?** (Where was it? What was it doing?

How far away from you was it?)

Distance - 40mtrs.

Dog was running down their driveway and onto road.

**What was the dog doing when you first noticed it?** (What was its attitude like?) Running - lost!

**How/When/Where did the dog approach you?**

It didn't approach me, but [T1] managed to coax it off the road after it caused havoc with traffic. [T1], then chased it up their drive. (owners)

**Was it wearing a muzzle?** No

Page 2 of 8

Witness Initials

4/9/22

**What was the dogs behaviour?** (Barking, snarling, growling, lunging, attempting to bite etc) Startled

**Did the dog make contact? Who/what did it make contact with?**

**If the dog has made contact – Where on the body? What injuries were caused? Was medical or veterinary treatment sought and if so what was done?**

**Was it with its owner? Was it on a lead or not under control? What action did they take?** Once dog approached it's

home, owner came out and captured it  
outside the  
house section, PTO.

Witness Initials  
4/9/21

He guided it through the gate, saying "Come on baby" The owner wasn't fazed. (He hadn't been present when dog was free.)

[T1] made the comment "You shouldn't have dogs" Owner said he was down the back stopping the other Huskies from fighting

Once dog was near its home we talked to it, in the hope owner would appear. I took photo.

**What impact has this event had on your mental wellbeing?**

**Are you concerned for your safety or the safety of the community because of the actions of this dog?**

Yes, busy road and could have caused accidents. (At least 10 vehicles stationary.)

**Any further detail you would like to add?**

The dogs at [A3] have temperaments

Dogs E of B

4/9/21

Attachment 8

problems so for us, <sup>or the public</sup> to approach them and catch them could be risky.

A witness :-

A [S1] truck driver had stopped as dog was running along road.

Item 5

I confirm the truth and accuracy of this statement. I make this statement with the knowledge that it may be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to **be false** or intended by me to mislead.

Signed \_\_\_\_\_  
: \_\_\_\_\_  
(Informant)

Date: 4/9/21.

Date of Birth

Witness Signature

Signed

**[R1] and [T1]**

*(Witness - ACO)*

Date:

4.9.21.

8.9.21

Item 5

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Page 7 of 9

Witness Initials

4/9/21

**From:** [U1] <[U1]>  
**Sent:** Wednesday, 15 September 2021 3:19 pm  
**To:** [U2] <[U2]@waidc.govt.nz> **Subject:** FW: Huskie [A3]

**From:** [U3] <[U3]> **Sent:** Monday, 13 September 2021 1:12 pm  
**To:** [U1] <[U1]> **Subject:** Fwd: Huskie [A3]

This won't be in ECM. I also have a witness statement for this incident.

Get [Outlook for Android](#)

---

**From:** Waikato DC <[INFO@WAIDC.GOV.T.NZ](mailto:INFO@WAIDC.GOV.T.NZ)>  
**Sent:** Wednesday, September 1, 2021 3:25:55 PM  
**To:** [U3] ACO 16 <[U3]>  
**Subject:** FW: Huskie [A3]

I think this is one of the Huskies that is known to Council.

Thanks, [U4]

-----Original Message-----

**From:** [R5]  
**Sent:** Wednesday, 1 September 2021 3:24:49 pm  
**To:** [info@waidc.govt.nz](mailto:info@waidc.govt.nz)  
**Subject:** Huskie [A3]

Hi [U3],

3pm:Huskie, with cone around its neck, was out on [F7], causing havoc to traffic. [T1] caught it and bought it home. Owner home and took it inside. Sorry no photo of it on the road, but this is when [T1] bought it off the road. Cheers [R1].

Sent from my iPad

Begin forwarded message:

**From:** "[R5]" <[R5]>  
**Date:** 1 September 2021 at 3:07:32 PM NZST  
**To:** [R5] <[R5]>



**All Service Requests (CRMs) for customer number 179391**

Count of CRMs	Name Ctr	Name	Given Names
7	179391	[A1]	[A1]

**CRM Details:**

**Item 5**

**Attachment 8**

9/13/2021 10:05:09 AM

Request Number:	DOGS2043/21	Priority:	Medium
Date Received:	26/01/2021	Completed On:	26/01/2021
Source:	Phone	Resp Workgroup:	Dogs
Status:	P	Raised By:	DBEAZ001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogsStrayC	Call Back?:	No
Process Counter:	512740		

---

### Related Property & Customer

---

Property Address: [F7]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: [R1]

Caller Address:

Caller Email:

---

### Request Details

---

Description: 4-5 dogs outside the property, causing havoc, disturbing traffic. Please keep all details anonymous

Resolution Description: Completed

Resolution Details: Attended property but on arrival the dogs had been contained. Spoke with the dog owner and advised they may be issued an infringement for the dogs being off the property. Spoke with complainant who advised they are happy to give a statement as they witness the offence. Statement obtained by witness and infringement issued. Infringement issued by ACO 21.

---

### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7256347	ramAP	512740	100	CRMCreate	CRM Created	26/01/2021	26/01/2021	P
7256348	ramAP	512740	200	DogLocate	Dog Located?	26/01/2021	09/02/2021	P
7256349	ramAP	512740	900	CRMComple	CRM Completed?	09/02/2021	09/02/2021	P
7278732	RamAP	512740	210	DogRegist	Is the Dog Registered?	09/02/2021	09/02/2021	P
7278733	RamAP	512740	220	ACoAction	ACo Action	09/02/2021	09/02/2021	P
7278734	RamAP	512740	230	ACoAction	ACo Action	09/02/2021	09/02/2021	P
7278735	RamAP	512740	240	ACoAction	ACo Action	09/02/2021		C

9/13/2021 10:05:09 AM

Request Number:	CON5977/21	Priority:	Medium
Date Received:	22/04/2021	Completed On:	30/04/2021
Source:	Phone	Resp Workgroup:	EnquiryMa2
Status:	P	Raised By:	DBEAZ001
Group:	Consents	Resp User:	DUTYPLANE R
Category:	Zone&DP	Call Back?:	Yes
Process Counter:	522422		

### Related Property & Customer

Property Address: **[A3]**

Home  
Telephone:

Mobile Telephone:

Work  
Telephone:

Caller Name: **[T1]**

Caller Address:

Caller Email:

### Request Details

Description: Life style block 4 acres, some asians have just moved in and 7 or 8 dogs at the property. ugly looking structure with pallets. What are the setback rules, are the allowed to build a structure that looks to be about 20sqm on the property, structure looks to be for housing dogs. Please call: **[T2]**

Resolution Description: Completed

Resolution Details: Cvonk  
Email in ECM

### Memo Details

There are no memos for this request

### Event Details

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7410047	ramAP	522422	100	CRMCreate	Create Service Request/CRM	22/04/2021	22/04/2021	P
7410048	ramAP	522422	200	RespsTarg	Calculate Response Target	22/04/2021	22/04/2021	P
7410049	ramAP	522422	300	ResponTime	Enter response time	22/04/2021	30/04/2021	P
7410050	ramAP	522422	400	TextFields	Have you completed the custom text fields?	30/04/2021	30/04/2021	P
7410051	ramAP	522422	1000	CRMComplet	Complete and Close Service Request/CRM	30/04/2021	30/04/2021	P

9/13/2021 10:05:09 AM

Request Number:	DOGS2977/21	Priority:	Medium
Date Received:	14/05/2021	Completed On:	14/05/2021
Source:	Phone	Resp Workgroup:	Dogs
Status:	P	Raised By:	JBART001
Group:	DOGSCRM	Resp User:	MHOLM001
Category:	DogBarkNui	Call Back?:	Yes
Process Counter:	523670		

---

### Related Property & Customer

---

Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: [T1]

Caller Address:

Caller Email:

---

### Request Details

---

Description: Dogs Barking Nuisance: all 11 Huskies from this property are barking non stop. morning day and night,the dogs are on their own for the majority of their time, the barking is driving everyone nutty.

[T1] [R3] or [R4]

Resolution Description: Monitor

Resolution Details: Rung and left message for update. Waiting for barking statements to be returned before issuing abatement notice and taking further action. ACO21

---

### Memo Details

---

There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7432280	ramAP	523670	100	CRMCreate	CRM Created	05/05/2021	05/05/2021	P
7432281	ramAP	523670	200	BarkForm	Barking Statement	05/05/2021		C
7432282	ramAP	523670	900	CRMComplet	CRM Completed?	14/05/2021	14/05/2021	P

9/13/2021 10:05:09 AM

Request Number:	DOGS2978/21	Priority:	Medium
Date Received:	05/05/2021	Completed On:	14/05/2021
Source:	Phone	Resp Workgroup:	Dogs
Status:	P	Raised By:	JMN
Group:	DOGSCRM	Resp User:	MHOLM001
Category:	DogBarkNui	Call Back?:	Yes
Process Counter:	523679		

---

### Related Property & Customer

---

Property Address: **[A3]**

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: **[V1]**

Caller Address: **[P3]**

Caller Email:

---

### Request Details

---

Description: Dogs Barking Nuisance - Dogs have been barking and fighting for the last three hours. Pauline is filling in her barking form. Please phone **[V1]**.

Resolution Description: Monitor

Resolution Details: Spoke with partner. Barking is still ongoing. Advised to keep filling in the form and return with as much information as possible so we are able to issue an abatement notice. Further action to be undertaken once that has been received. ACO21

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### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7432388	ramAP	523679	100	CRMCreate	CRM Created	05/05/2021	05/05/2021	P
7432389	ramAP	523679	200	BarkForm	Barking Statement	05/05/2021		C
7432390	ramAP	523679	900	CRMComplet	CRM Completed?	14/05/2021	14/05/2021	P

9/13/2021 10:05:09 AM

Request Number:	DOGS0529/22	Priority:	Low
Date Received:	21/08/2021	Completed On:	07/09/2021
Source:	AftHours	Resp Workgroup:	Dogs
Status:	P	Raised By:	HMELG001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogBarkNui	Call Back?:	No
Process Counter:	536035		

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### Related Property & Customer

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Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name: [P1]

Caller Address: [P3]

Caller Email:

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### Request Details

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Description: Dogs Barking Nuisance - Barking dogs Huskies. Been constantly barking all day. History of this issue over 6 months. 10-14 Huskies

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

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### Memo Details

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There are no memos for this request

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### Event Details

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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7646471	ramAP	536035	100	CRMCreate	CRM Created	23/08/2021	21/08/2021	P
7646472	ramAP	536035	200	BarkForm	Barking Statement	23/08/2021	07/09/2021	P
7646473	ramAP	536035	900	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P
7670896	RamAP	536035	210	FormReceiv	Form Received < 5 Days After Issue?	07/09/2021		C

9/13/2021 10:05:09 AM

Request Number: DOGS0584/22 Priority: Medium  
 Date Received: Completed On:  
 Source: E-Mail Resp Workgroup: Dogs  
 Status: C Raised By: SSMIT001  
 Group: DOGSCRM Resp User: JNEWE001  
 Category: DogBarkNui Call Back?: Yes  
 Process Counter: 536537

### Related Property & Customer

Property Address: [A3]  
 Home Telephone: Mobile Telephone: Work Telephone:  
 Caller Name: [P1]  
 Caller Address: [P3]  
 Caller Email:

### Request Details

Description: Hi  
 We live at [P3]. There is 10-15 husky's next door which bark and fight 24hrs a day on and off .There address is [A3].Us and all off the neighbours around are fed up. The dogs are caged in pens built in the paddock and never let out or walked etc  
 It's a absolute disgrace that the dogs are forced to live like this and that we are not protected by the council for this kind of public nuisance  
 Please can you do something  
 Thanks [P1]

Resolution Description: Completed

Resolution Details: Left voicemail for dog owner regarding the barking complaint. Advised they had been issued with a noise abatement notice as the previous barking complaints have been substantiated they need to eliminate any nuisance barking or animal control may uplift all dogs from the property. Dog owner [A1] returned call and advised they live at the property and been home everyday due to lock down and does not believe her dogs have been barking. [A1] advised that there are other dogs behind their property that bark. Advised her to raise a barking complaint. She also wanted to complain about the cattle making noise during the night and day. Advised that she needs to eliminate the nuisance barking and explained the difference between normal dog behaviour and nuisance barking. Noise abatement notice has been issued to all 4 dog owners on the property on 24th August 2021. Spoken to complainant to advise of action and he advised he will call in barking issue as normal if barking continues

### Memo Details

There are no memos for this request

### Event Details

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7657648	ramAP	536537	100	CRMCreate	CRM Created	30/08/2021	30/08/2021	P
7657649	ramAP	536537	200	BarkForm	Barking Statement	30/08/2021		C

9/13/2021 10:05:09 AM

7657650	ramAP	536537	900	CRMComple	CRM Completed?			F
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**Attachment 8**

**Item 5**

9/13/2021 10:05:09 AM



Request Number: DOGS0627/22 Priority: Medium  
 Date Received: 07/09/2021 Completed On: 07/09/2021  
 Source: Phone Resp Workgroup: Dogs  
 Status: P Raised By: DHERE001  
 Group: DOGSCRM Resp User: JNEWE001  
 Category: DogAggHist Call Back?: No  
 Process Counter: 537175

### Related Property & Customer

Property Address: [A3]

Home Telephone:

Mobile Telephone:

Work Telephone:

Caller Name:

Caller Address:

Caller Email:

### Request Details

Description: SPCA have received reports of dogs fighting at [A3]

There are 2 female huskies and 5 male huskies on this property. Also another dog which is kept inside. Different breed Sunday they were fighting. Thinks 2 may have died as they have not been seen since. Yesterday saw 2 male dogs holding down another 2 males fighting. Happens quite regularly

Called in by [Q1] from SPCA

Resolution Description: Completed

Resolution Details: Have referred back to the SPCA to attend this job. Animal Control has limited power of welfare. All dogs on the property are currently registered and owned by property owners. SPCA representative advised they would follow up

### Memo Details

There are no memos for this request

### Event Details

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7669807	ramAP	537175	100	CRMCreate	CRM Created	07/09/2021	07/09/2021	P
7669808	ramAP	537175	200	DogSeized	Dog Seized?	07/09/2021	07/09/2021	P
7669809	ramAP	537175	300	DogClass	Current Dog Classification?	07/09/2021	07/09/2021	P
7669810	ramAP	537175	2000	CRMComple	CRM Completed	07/09/2021	07/09/2021	P
7670868	RamAP	537175	310	Infringe	Infringement / Prosecution or Warnings Required?	07/09/2021	07/09/2021	P

9/13/2021 10:05:09 AM

**Attachment 8**

**Item 5**

7670880	RamAP	537175	320	InformComp	Inform Complainant of Action	07/09/2021	07/09/2021	P
7670881	RamAP	537175	330	CRMComplet	CRM Completed?	07/09/2021	07/09/2021	P

9/13/2021 10:05:09 AM



District Office  
Private Bag 544  
Ngaruawahia 3720

Huntly Area Office  
Raglan Area Office

15 Galileo Street  
Facsimile

142 Main Street  
7 Bow Street

☎ 07 824 8633  
☎ 07 824 8091

☎ 07 828 7551  
☎ 07 825 8129

OFFICE USE ONLY

Person ID:

Dog ID: **RECEIVED**

CRM:

10 MAY 2021

Waikato District Council



To: \_\_\_\_\_  
Address: \_\_\_\_\_

Sir / Madam

We have recently received a number of complaints regarding barking dogs in your neighbourhood.

In order to establish if the barking is causing a nuisance we need to establish who is able to hear it and who is disturbed by the noise. This information also allows us to provide feedback to dog owner/s about possible patterns and causes for their dogs barking.

Please complete the questions below and either post this form back or deliver it to the Ngaruawahia office. If you wish to discuss this issue anonymously by all means contact me directly. Thank you for your assistance.

Kind regards

*Thank you for the letter.  
We have been concerned about the distressed barking of multiple dogs. We hear them screaming & howling night + day. Is this a puppy mill? or a hoarder?*

ACO  
ANIMAL CONTROL OFFICER

Have you heard dogs barking in your neighbourhood?  
Is one dog more heard more often than others?

Yes / No  
Yes / No - lots of dogs

If yes, what address does the dog reside at?  
*multiple dogs*

[A3]

OR which direction can this barking dog can be heard from your home?

*from [A3]*

How often do you hear the dog barking? Daily / Weekly / Infrequently  
What time of day does the dog normally bark? How long does the barking continue? Mornings / Day-time / Evenings / Night-time  
longer  
Less than 1 minute / 1-3 minutes / 3-10 minutes /

Any other comments?

*The dogs sound distressed. Sounds like many distressed. We hear them late at night and all hours. It does not sound like normal dogs barking - but distressed dogs. which is upsetting.*

Name: S7(2)(a)

Signed: S7(2)(a)

Date: 5/5/21

Item 5

Attachment 8

Attachment 8

Item 5



District Office  
Private Bag 544  
Ngaruawahia 3720  
Huntly Area Office  
Raglan Area Office

15 Galileo Street  
Facsimile  
142 Main Street  
7 Bow Street

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☎ 07 828 7551  
☎ 07 825 8129

**OFFICE USE ONLY**

Person ID:  
Dog ID: **RECEIVED**  
CRM:  
**10 MAY 2021**

**Waikato District Council**

To: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Sir / Madam

We have recently received a number of complaints regarding barking dogs in your neighbourhood.

In order to establish if the barking is causing a nuisance we need to establish who is able to hear it and who is disturbed by the noise. This information also allows us to provide feedback to dog owner/s about possible patterns and causes for their dogs barking.

Please complete the questions below and either post this form back or deliver it to the Ngaruawahia office. If you wish to discuss this issue anonymously by all means contact me directly. Thank you for your assistance.

Kind regards

ACO  
ANIMAL CONTROL OFFICER

Have you heard dogs barking in your neighbourhood?  
Is one dog more heard more often than others?  
If yes, what address does the dog reside at?

Yes /  No  
 Yes /  No

[A3]

OR which direction can this barking dog can be heard from your home?

How often do you hear the dog barking?  
What time of day does the dog normally bark?  
How long does the barking continue

Daily /  Weekly /  Infrequently  
 Mornings /  Day-time /  Evenings /  Night-time  
 Less than 1 minute /  1-3 minutes /  3-10 minutes /  longer  
*all the time*

Any other comments?

*Dairy Farmer across the road, I hear them at night when I am trying to sleep !!! They have 11 dogs !!!*

Name: s7(2)(a) Signed: s7(2)(a)

Date: *5/5/21*

*Please do something. It is a tip of a noobeth*

**From:** [U6]  
**To:** [U1]  
**Subject:** Fw: [A3]  
**Date:** Monday, 31 May 2021 1:33:44  
**Attachments:** pm [ATT00001.txt](#)

---

Hi [U1]

Attached are dog barking records sent to me.

Cheers

[U6]

Sent from my HUAWEI nova 3i

----- Original message -----

**From:** [REDACTED]  
**Date:** Mon, 31 May 2021, 1:17 PM  
**To:** [U6] <[U6]> **Subject:** [A3] huskies

Item 5

Attachment 8

DATE	TIME	DURATION	COMMENT
1/1/20	09:40hrs	2 hours	Continual barking with intermittent howling
EXAMPLE ONLY			
7/5/20	7:45am	1 hr	Continual aggressive barking
5/5/20	1-30am	2hrs	
7/5/20	6:30pm	2hrs	Continual barking/howling
4/5/21	3-15pm	3/4 hr	Continual fighting 2 on 1
5/5/21	7/30	1hr 20	Howling barking FIGHTING
6/5/21	10/30	1hr	" " "
7/5/21	7am	2.5 hrs	" Council here
8/5/21	6am	1.5hrs	Howling Barking
9/5/21	6/15	one off 2hrs	" "
9/5/21	2-230	continuous	STOP START.
9/5/21	6pm	Howling	Barking.
10/5/21	7am	continuous	
11/5/21	6:20am		"
14/5	8:14 am - 3:30 pm	3:30	Fighting yelping continuous all dogs Howling Barking
15/5	6/30	30 m.	
16/5			
17/5/21	6-45	3/4 hr	Howling Barking
17/5/21	6pm-7:30	1 1/2	Fighting Barking
17/5/21	9-9:30 pm	1hr	Savage Fighting Barking
18/5/21	11-25 AM		all day Savage FIGHTING.
19/5	5:30-6pm		Savage fighting
20/5	4:40pm 5/30		Savaging Barking
22/5	3-3/30		Howling Barking
22/5	4pm-4:30		Howling Barking MAD



District Office  
Private Bag 544  
Ngaruawahia 3720

Huntly Area Office  
Raglan Area Office

15 Galleon Street  
Facsimile

142 Main Street  
7 Bow Street

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☎ 07 828 7551  
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SCANNED  
Set No \_\_\_\_\_

OFFICE USE ONLY

Person ID:

Dog ID:

CRM:

RECEIVED

- 8 JUN 2021

Item 5

To: \_\_\_\_\_ Waikato District Council

Address: [P3] \_\_\_\_\_  
\_\_\_\_\_

Sir / Madam

We have recently received a number of complaints regarding barking dogs in your neighbourhood.

In order to establish if the barking is causing a nuisance we need to establish who is able to hear it and who is disturbed by the noise. This information also allows us to provide feedback to dog owner/s about possible patterns and causes for their dogs barking.

Please complete the questions below and either post this form back or deliver it to the Ngaruawahia office. If you wish to discuss this issue anonymously by all means contact me directly. Thank you for your assistance.

Kind regards

ACO  
ANIMAL CONTROL OFFICER

Have you heard dogs barking in your neighbourhood?  
Is one dog more heard more often than others?  
If yes, what address does the dog reside at?

[A3]

Yes/No  
Yes/No

OR which direction can this barking dog can be heard from your home?

How often do you hear the dog barking?  
What time of day does the dog normally bark?  
How long does the barking continue

Daily / Weekly / Infrequently / Mostly / Sometimes at  
Mornings / Day-time / Evenings / Night-time  
Less than 1 minute / 1-3 minutes / 3-10 minutes /  
longer -hours

Any other comments?

Since the dogs were put in the new enclosure the barking has gotten worse  
Also the dogs locked in the orchard get upset with the dogs locked in the section  
I have never seen the dogs exercised and I wonder if this contributes to their boredom?

Name: [V1] Date: \_\_\_\_\_

Signed: \_\_\_\_\_

5/5/21

Attachment 8



**District Office**  
 Private Bag 544  
 Ngaruawahia 3742  
 15 Galileo Street  
 Facsimile  
 07 824 8633  
 07 824 8091

**Huntly Area Office**  
 142 Main Street  
 07 828 7551

**Raglan Area Office**  
 7 Bow Street  
 07 825 8129

**Tuakau Area Office**  
 2 Dominion Road  
 0800 492 452

OFFICE USE ONLY

CRM:

# Statement in relation to a barking dog

## Section 55, Dog Control Act 1996

My full name is: [V1].....(Please PRINT all details)

I live at: [P3].....

Telephone: Day: [R4]..... Evening: [R3].....

I am making this statement about a nuisance that is being caused by the persistent and loud barking of a dog, namely a

Description of the dog Multiple Husky Males & Females

Breed, Colour, Sex, Size

The dog is kept at: [A3].....

Give the address the dog is kept

I know the dog is from this address because: I can see them

I have noted overleaf a schedule of dates and times which is a true record of the persistent nuisance caused by the dog described herein.

I understand that I may be summoned to attend a Council Hearing and/or give evidence in Court.

Signed:



DATE	TIME	DURATION	COMMENT
1/7/09	09:40hrs	2 hours	Continual barking with intermittent howling
EXAMPLE ONLY			
4/5/21	6:30 - 7 am	30 minutes	Howling / barking multiple dogs
4/5/21	1:15 pm - 3:15 pm	2 hours	Barking / Fighting multiple dogs
4/5/21	6:50 - 8:00 pm	1hr 10min	Howling / Barking Multiple dogs
5/5/21	6:45 am - 9:45 am	3 hrs	Continuous barking / howling / fighting
5/5/21	12:00 pm - 1:30 pm	1.5 hrs	Started off with intermittent barking escalated to continuous barking.
5/5/21	3:15 pm - 6:45 pm	3.5 hrs	I investigated this time it appears the dogs in fenced area are barking / growling at dogs loose in s.
6/5/21	6:45 - 7:15 am	30 minutes	Intermittent barking just a couple of dogs
6/5/21	10:30 - 10:45 am	15 minutes	Intermittent barking - just a couple of dogs
7/5/21	6:45 am - 9:30 am	2 hrs 45 minutes	Barking / howling - continuously many dogs intermittent barking from 9:30 am
7/5/21	4 pm - 4:45 pm	45 minutes	Aggressive barking / howling
8/5/21	6:45 am - 10 am	3 hrs 15 minutes	Barking on & off 3 or 4 dogs
8/5/21	12:30 pm - 12:32 pm	2 minutes	Howling all dogs
9/5/21	6:15 am - 7:30 am	1 hr 15 minutes	Howling / barking All dogs
9/5/21	2 pm - 2:30 pm	30 minutes	Continuous all barking
9/5/21	6:00 pm - 6:30 pm	30 minutes	Howling / barking at least 5 dogs
10/05/21	7:00 am - 7:30 pm	30 minutes	All dogs barking / howling
11/05/21	6:26 am - 7:00	34 minutes	Howling / barking all dogs
13/05/21	2:00 - 2:45 pm	45 minutes	Barking / howling / crying
14/05/21	8:15 - 8:20	5 minutes	2 dogs fighting / crying / yelping
14/05/21	2:30 - 2:54	24 minutes	Howling - All dogs -
15/05/21	6:30 am - 7 am	30 minutes	All dogs howling / Barking

DATE	TIME	DURATION	COMMENT
17/09	09:40hrs	2 hours	Continual barking with intermittent howling
EXAMPLE ONLY			
17/05/21	8:45 am - 10:20 am	1 hr 15 minutes	All the dogs barking/howling
17/05/21	5:35 pm - 6:24 pm	1 hr	3-4 barking escalated to 5-6 barking non stop
17/05/21	10:30 pm - 6 am	7 hours	All night - 5-6 dogs barked and howled the entire night
18/05/21	7 am - 4:55 pm	9 hours 55 minutes	Barking/yelping most of the dogs - fighting & snarling in chicken pen
19/05/21	5:30 am - 7:10 am	1 hour 40 minutes	Barking/howling most dogs
19/05/21	12:30 pm - 5:45 pm	5 hrs 15 minutes	intermittent barking - some fighting 4-5 dogs
20/05/21	8:15 am - 9 am	45 minutes	6-7 dogs
20/05/21	4:50 - 5:30	40 minutes	Very aggressive fighting/barking 5 dogs in chicken pen
22/05/21	4:00 pm - 4:30 pm	30 minutes	3-4 barking
23/05/21	7:15 - 7:30	15 minutes	Barking/howling
23/05/21	3:30 - 3:45	15 minutes	4 in chicken pen fighting/barking/growling
24/05/21	6:50 am - 7:15 am	25 minutes	All barking/howling
24/05/21	4:30 pm - 7:30 pm	2 hours	Barking/snarling/fighting dogs in chicken pen
24/05/21	7:30 pm - 11:30 pm	2 hours	Continued all night 3 or 4 Barking/yelping fighting

Please note: These dogs are not exercised, they have very little human interaction. Many times there is no one at the house to supervise them.



District Office  
Private Bag 544  
Ngaruawahia  
15 Galileo Street  
Facsimile  
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☎ 07 824 8091

Huntly Area Office  
Raglan Area Office  
142 Main Street  
7 Bow Street  
☎ 07 828 7551  
☎ 07 825 8129

OFFICE USE ONLY

Person ID:  
Dog ID:  
CRM:

Item 5

# Notice of Requirement

Section 55(1)(b) Dog Control Act 1996

To: [A1] .....

Address: [A3] .....

**TAKE NOTICE THAT** a complaint has been received whereby I have reasonable grounds to believe that a nuisance is being created by the persistent and loud barking or howling of a dog (or dogs), namely — 8 Siberian Husky's

customarily kept at the address stated above,

**AND FURTHER,** pursuant to Section 55(1)(b) of the Dog Control Act 1996, **YOU ARE HEREBY REQUIRED TO ENSURE THAT —**

The nuisance barking/howling is eliminated

Please consider the following options

- Behavioral Enrichment to alleviate boredom
- engaging a qualified dog behavioralist
- The use of a barking collar.

in order to abate this nuisance.

[U3] .....

Animal Control Officer

24 Aug 2021  
Date

Attachment 8

**IMPORTANT: PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF**

### **SUMMARY OF RIGHTS**

Should you wish to object to the requirements of this notice, you may do so in writing, within seven days of receipt of this notice. You are entitled to be heard and you may submit evidence and call witnesses in support of your objection. The Council shall consider your objection, and may uphold or cancel this notice.

All correspondence (including any objection) should be addressed to —

Animal Control Manager  
Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

Failure to comply with this notice renders you liable, upon summary conviction, to a fine not exceeding \$1,500 and the consequent removal of the dog/s specified in this notice.

### **SECTION 56 — DOG CONTROL ACT 1996**

#### **Removal of barking dog causing distress**

- (1) This section shall apply in any case where, at any time after a notice under section 55 of this Act has been issued,—
  - (a) The notice has not been cancelled under subsection (3) of that section; and
  - (b) The notice has not been complied with; and
  - (c) A dog control officer or dog ranger has received a further complaint and has reasonable grounds for believing that the nuisance in respect of which the notice is issued is continuing and is causing distress to any person.
- (2) In any case to which subsection (1) of this section applies, the dog control officer or dog ranger may enter upon the land or premises on which the dog is kept and remove the dog and the dog shall be kept in custody under section 70 of this Act.
- (3) Nothing in this section shall authorise any dog control officer or dog ranger to enter any dwellinghouse unless—
  - (a) He or she is authorised in writing to do so by a Justice or Community Magistrate, who shall not grant such an authority unless the Justice or Community Magistrate is satisfied that the requirements of subsection (1) of this section have been met; and
  - (b) He or she is accompanied by a constable.
- (4) Where a dog is removed pursuant to subsection (2) of this section, the dog control officer or dog ranger shall give written notice in the prescribed form to the owner of the dog or, if the owner is not present, the person for the time being appearing to be in charge of the land or premises and, if no person is present on the property, shall leave such notice in some conspicuous place on the land or premises.



District Office  
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Ngaruawahia  
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Huntly Area Office  
Raglan Area Office  
142 Main Street  
7 Bow Street  
☎ 07 828 7551  
☎ 07 825 8129

OFFICE USE ONLY

Person ID:  
Dog ID:  
CRM:

Item 5

# Notice of Requirement

Section 55(1)(b) Dog Control Act 1996

To: [B1]

Address: [A3]

**TAKE NOTICE THAT** a complaint has been received whereby I have reasonable grounds to believe that a nuisance is being created by the persistent and loud barking or howling of a dog (or dogs), namely —

Siberian Husky [G3] of dog(s)

customarily kept at the address stated above,

**AND FURTHER,** pursuant to Section 55(1)(b) of the Dog Control Act 1996, **YOU ARE HEREBY REQUIRED TO ENSURE THAT —**

The nuisance barking/howling is eliminated  
 Please consider the following options

- Behavioral Enrichment to alleviate boredom
- engaging a qualified dog behaviouralist
- the use of a barking collar

in order to abate this nuisance.

[U3]  
 Animal Control Officer

24 Aug 2021  
 Date

Attachment 8

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### **SUMMARY OF RIGHTS**

Should you wish to object to the requirements of this notice, you may do so in writing, within seven days of receipt of this notice. You are entitled to be heard and you may submit evidence and call witnesses in support of your objection. The Council shall consider your objection, and may uphold or cancel this notice.

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Waikato District Council  
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  - (a) The notice has not been cancelled under subsection (3) of that section; and
  - (b) The notice has not been complied with; and
  - (c) A dog control officer or dog ranger has received a further complaint and has reasonable grounds for believing that the nuisance in respect of which the notice is issued is continuing and is causing distress to any person.
- (2) In any case to which subsection (1) of this section applies, the dog control officer or dog ranger may enter upon the land or premises on which the dog is kept and remove the dog and the dog shall be kept in custody under section 70 of this Act.
- (3) Nothing in this section shall authorise any dog control officer or dog ranger to enter any dwellinghouse unless—
  - (a) He or she is authorised in writing to do so by a Justice or Community Magistrate, who shall not grant such an authority unless the Justice or Community Magistrate is satisfied that the requirements of subsection (1) of this section have been met; and
  - (b) He or she is accompanied by a constable.
- (4) Where a dog is removed pursuant to subsection (2) of this section, the dog control officer or dog ranger shall give written notice in the prescribed form to the owner of the dog or, if the owner is not present, the person for the time being appearing to be in charge of the land or premises and, if no person is present on the property, shall leave such notice in some conspicuous place on the land or premises.



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142 Main Street  
7 Bow Street  
07 828 7551  
07 825 8129

OFFICE USE ONLY

Person ID:  
Dog ID:  
CRM:

Item 5

# Notice of Requirement

Section 55(1)(b) Dog Control Act 1996

To: [E1]

Address: [A3]

**TAKE NOTICE THAT** a complaint has been received whereby I have reasonable grounds to believe that a nuisance is being created by the persistent and loud barking or howling of a dog (or dogs), namely —

Siberian Husky's - [E3][E4]

(description of dog/s)

customarily kept at the address stated above,

**AND FURTHER,** pursuant to Section 55(1)(b) of the Dog Control Act 1996, **YOU ARE HEREBY REQUIRED TO ENSURE THAT —**

The nuisance barking/howling is eliminated  
Please consider the following options

- behavioral enrichment to alleviate boredom
- engaging a qualified dog behavioralist
- the use of a barking collar

in order to abate this nuisance.

[U3]  
Animal Control Officer

24 Aug 2021  
Date

Attachment 8

**IMPORTANT: PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF**

### **SUMMARY OF RIGHTS**

Should you wish to object to the requirements of this notice, you may do so in writing, within seven days of receipt of this notice. You are entitled to be heard and you may submit evidence and call witnesses in support of your objection. The Council shall consider your objection, and may uphold or cancel this notice.

All correspondence (including any objection) should be addressed to —

Animal Control Manager  
Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

Failure to comply with this notice renders you liable, upon summary conviction, to a fine not exceeding \$1,500 and the consequent removal of the dog/s specified in this notice.

### **SECTION 56 — DOG CONTROL ACT 1996**

#### **Removal of barking dog causing distress**

- (1) This section shall apply in any case where, at any time after a notice under section 55 of this Act has been issued,—
  - (a) The notice has not been cancelled under subsection (3) of that section; and
  - (b) The notice has not been complied with; and
  - (c) A dog control officer or dog ranger has received a further complaint and has reasonable grounds for believing that the nuisance in respect of which the notice is issued is continuing and is causing distress to any person.
- (2) In any case to which subsection (1) of this section applies, the dog control officer or dog ranger may enter upon the land or premises on which the dog is kept and remove the dog and the dog shall be kept in custody under section 70 of this Act.
- (3) Nothing in this section shall authorise any dog control officer or dog ranger to enter any dwellinghouse unless—
  - (a) He or she is authorised in writing to do so by a Justice or Community Magistrate, who shall not grant such an authority unless the Justice or Community Magistrate is satisfied that the requirements of subsection (1) of this section have been met; and
  - (b) He or she is accompanied by a constable.
- (4) Where a dog is removed pursuant to subsection (2) of this section, the dog control officer or dog ranger shall give written notice in the prescribed form to the owner of the dog or, if the owner is not present, the person for the time being appearing to be in charge of the land or premises and, if no person is present on the property, shall leave such notice in some conspicuous place on the land or premises.





**District Office**  
 Private Bag 544  
 Ngaruawahia  
 15 Galileo Street  
 Facsimile  
 ☎ 07 824 8633  
 ☎ 07 824 8091

**Huntly Area Office**  
 142 Main Street  
 ☎ 07 828 7551

**Raglan Area Office**  
 7 Bow Street  
 ☎ 07 825 8129

**OFFICE USE ONLY**

Person ID:  
 Dog ID:  
 CRM:

Item 5

# Notice of Requirement

Section 55(1)(b) Dog Control Act 1996

To: [C1]  
 Address: [A3]

**TAKE NOTICE THAT** a complaint has been received whereby I have reasonable grounds to believe that a nuisance is being created by the persistent and loud barking or howling of a dog (or dogs), namely —

Siberian Huskys - [A4][A5] (description of  
 customarily kept at the address stated above, dog/s)

**AND FURTHER**, pursuant to Section 55(1)(b) of the Dog Control Act 1996, **YOU ARE HEREBY REQUIRED TO ENSURE THAT —**

The nuisance barking/howling is eliminated  
 Please consider the following options  
 - Behavioral Enrichment to alleviate boredom  
 - engaging a qualified dog behavioralist  
 - The use of a barking collar

in order to abate this nuisance.

[A3]  
 Animal Control Officer

24 Aug 2021  
 Date

Attachment 8

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  - (a) He or she is authorised in writing to do so by a Justice or Community Magistrate, who shall not grant such an authority unless the Justice or Community Magistrate is satisfied that the requirements of subsection (1) of this section have been met; and
  - (b) He or she is accompanied by a constable.
- (4) Where a dog is removed pursuant to subsection (2) of this section, the dog control officer or dog ranger shall give written notice in the prescribed form to the owner of the dog or, if the owner is not present, the person for the time being appearing to be in charge of the land or premises and, if no person is present on the property, shall leave such notice in some conspicuous place on the land or premises.

## All Service Requests (CRMs) for customer number 184844

Item 5

Count of CRMs	Name Ctr	Name	Given Names
4	184844	[C1]	[C1]

### CRM Details:

Request Number: COM0677/21      Priority: Medium  
 Date Received: 14/05/2021      Completed On: 15/06/2021  
 Source: Phone      Resp Workgroup: Compliance  
 Status: P      Raised By: MLG  
 Group: CompliCRM      Resp User: MCOLL001  
 Category: UnauthAct      Call Back?: No  
 Process Counter: 524860

### Related Property & Customer

Property Address:

Home

Telephone:

Mobile Telephone:

Work

Telephone:

Caller Name:

Caller Address:

Caller Email:

### Request Details

Description: Compliance - Unauthorised Activity dog kennel's and shed built close to boundary

Resolution Description:

Resolution Details:

### Memo Details

Memo Ctr	Table No	Memo Type	Status
803662	524860	CRMGenComp	C

Attachment 9

9/13/2021 10:08:41 AM

Notes	Date Created
Have spoken with the complainant and will undertake a sie inspection next week.	14/05/2021

9/13/2021 10:08:41 AM

804200	524860	CRMSiteVis	C
806548	524860	CRMGenComp	C

---

**Event Details**


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Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7453077	ramAP	524860	100	CRMCreate	CRM Create	14/05/2021	14/05/2021	P
7453078	ramAP	524860	101	OSTargetTm	Onsite Target date/time	14/05/2021	14/05/2021	P
7453079	ramAP	524860	125	OnsiteTime	Date & Time officer responded or got to site	14/05/2021	14/05/2021	P
7453080	ramAP	524860	130	UpdateTarg	Enter Completion Target Date	14/05/2021	14/05/2021	P
7453081	ramAP	524860	150	CompltType	Complaint Type?	14/05/2021	14/05/2021	P
7453082	RamAP	524860	151	RMARelate	Is this a RMA District Plan or Consenting issue?	14/05/2021	14/05/2021	P
7453083	RamAP	524860	152	CompAction	Compliance Officer Action	14/05/2021	14/05/2021	P
7453084	RamAP	524860	153	CompAction	Compliance Officer Action	20/05/2021	21/05/2021	P
7465417	RamAP	524860	154	CompAction	Compliance Officer Action	21/05/2021	21/05/2021	P
7465525	RamAP	524860	155	CompAction	Compliance Officer Action	21/05/2021	15/06/2021	P

9/13/2021 10:08:41 AM

7512032	RamAP	524860	156	CompAction	Compliance Officer Action	15/06/2021	15/06/2021	P
7512089	RamAP	524860	157	CompFirst	Compliant First Visit?	15/06/2021	15/06/2021	P
7512090	RamAP	524860	158	CRMComplet	CRM Completed?	15/06/2021	15/06/2021	P

9/13/2021 10:08:41 AM

<p>10.15 to 11.15am on Thursday 20/05/2021 visited <b>[A3]</b>, gate locked to property locked and no one home. Climbed over gate and walked to rear of property . Located the recently erected dog kennel structures that had been fence with 1.8m sections of temporary fencing. counted 11 huskies in kennels also established that at least one dog was also locked in side house, as it barked when I knocked on the door.</p> <p>Kennels constructed 1 metre from boundary fence shared with complainants <b>[R1]</b> and <b>[T1]</b> Photographs taken</p> <p>Owner of property owns <b>[D4]</b>- contacted <b>[D1]</b> ph <b>[D5]</b>. Explained to <b>[D1]</b> that I was currently at his property because there had been a complaint that he had erected the doig kennel structures within the required 12m setback area with his and his neighbours Boundary and they needed to be moved out side the 12m setback. <b>[D1]</b> didn' t agree with my assessment stating that the dog kennels were not structures /buildings. I reafirmed with him and gave him a verbal direction that the dog kennels needed to be moved but the fencing that had been erected was not included in the set back rules for a rural zoned property within 14 days he asked that I give him 21days as he wished to consult his solicitor I agreed with 21 days.</p> <p>I said I would be sending him a "Letter of Direction" directing him as the property owner to move the kennels at least 12 ms from the boundary with his neighbour.</p> <p>Letter of Direction to be prepared and posted to <b>[D1]</b></p>	21/05/2021
<p>Spoke to the complainants <b>[R1]</b> and <b>[T1]</b> on the 14/06/2021 and 15/06/2021 and both confirm that the Kennels have been moved 12 metres from boundary and are now outside the 12 m setback.</p> <p>Matter now closed</p>	15/06/2021

9/13/2021 10:08:41 AM

**From:** Duty Planner  
**Sent:** Fri, 30 Apr 2021 14:58:37 +1200  
**To:** [R5]  
**Subject:** Rural Zone building rules

Good Afternoon,

This property is located within the Rural Zone and is approximately 1.59ha in size. You can view a copy of the district plan rules for this zone here

<http://districtplan.waic.govt.nz/pages/plan/Book.aspx?exhibit=WS&hid=7277>

I have included the general building rules below:

- Building height – maximum of 10m
- Height in Relation to boundary - at the boundaries of the property go up vertically 2.5m then in at an angle of 37 degrees to create a building envelope.
- Total Building coverage does not exceed 500m<sup>2</sup> or 2% of the site area – whichever is the larger.
- For properties 5000m<sup>2</sup> to less than 1.6ha – Buildings are setback 7.5m from the road boundary, 12m from neighbouring properties and for a dwelling 25m from all boundaries where the neighbouring property is more than 6ha in size.
- For properties less than 2ha - The gross floor area of any non-residential building (shed or detached garage) does not exceed 250m<sup>2</sup> in size.
- Any unit/building being moved to the site is not used – the relocation of a used building requires resource consent.

Please see the below Definition of Building in the Waikato District Plan.  
Note it excludes structures less than 1.5m in height.



**Building**

Has its meaning in the Building Act 2004, excluding:

- (a) a pergola, not roofed or enclosed, less than 3 metres in height, or
  - (aa) a swimming pool, ornamental pool, deck, or other structure not roofed or enclosed, less than 1.5 metre in height, or
- (b) a fence, or a wall other than a retaining wall, less than 2 metres in height, or
- (c) a retaining wall or retaining structure less than 1.5 metres in height, provided that where a fence or non-retaining wall is placed at the top of the retaining wall, the combined height is less than 2 metres.
- (d) tanks with a total capacity of not more than 35,000 litres, provided that no part of any tank protrudes more than 1 metre above natural ground level.

If you want someone to investigate a possible non-compliance please contact [Monitoring.queries@waidc.govt.nz](mailto:Monitoring.queries@waidc.govt.nz)

Ngā mihi

[U7]

**Waikato District Council**

*Te Kaunihera aa Takiwaa o Waikato*

■ P 07 824 8633 ■ F 07 824 8091 ■ Call Free 0800 492 452

Private Bag 544, Ngaaruwaahia 3742

15 Galileo Street, Ngaaruwaahia



-----Original Message-----

From: VENUS\_SQLSERVERSERVICE <noreply@waidc.govt.nz>

Sent: Thursday, 22 April 2021 10:03 am

To: Duty Planner <Duty.Planner@waidc.govt.nz>

Subject: CON5977/21 Request Details

Caller's Address:

[T 1]

Home Ph: [R4]  
Work Ph:  
Fax:  
Mobile Phone:  
Email: [R5]

Problem Location:  
Primary Street: [F7] Primary Address: [A3]

Location Owners: [D1]

Property Number: [A3]

Full Details:

Life style block 4 acres, some asians have just moved in and 7 or 8 dogs at the property. ugly looking structure with pallets. What are the setback rules, are the allowed to build a structure that looks to be about 20sqm on the property, structure looks to be for housing dogs. Please call: [R4]

**From:** [ U1 ] <[ U1 ]>  
**Sent:** Wednesday, 15 September 2021 3:19 pm **To:**  
 [ U2 ] <[ U2 ]> **Subject:** FW: Husky attacked at  
 [ A3 ]

**From:** [ U3 ] <[ U3 ]>  
**Sent:** Monday, 13 September 2021 1:14 pm  
**To:** [ U1 ] <[ U1 ]>  
**Subject:** Fwd: Husky attacked at [ A3 ]

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---

**From:** [ U1 ] <[ U1 ]>  
**Sent:** Thursday, May 20, 2021 3:38:47 PM  
**To:** [ U8 ] [ U8 ] >; [ U3 ] <[ U3 ] **Subject:** FW: Husky attacked at [ ]

Hi Ladies,

I reckon this gives us enough evidence to go in and seize the unreg dogs if they don't have that number of registered dogs at that address. Apparently the barking forms are nearly completed and will be returned.

**From:** [ U6 ] [ U6 ]>  
**Sent:** Thursday, 20 May 2021 1:20 pm  
**To:** [ U1 ] [ U1 ]  
 [ U9 ] [ U9 ] [ U10 ]  
 <[ U10 ]>  
**Subject:** Fw: Husky attacked at [A3]

Hi [ U1]

As we discussed, in email below is the photograph of the recently introduced Husky that was attacked by the pack 11 other Huskies at [ A3 ]

I didn't mention to you that the owners don't stay at the house, they come out once a day to feed the dogs and while there I heard another dog with a strange bark that was locked in the house (Could it be that it was in the house because it had puppies)

There is something not right about this set up, who pays \$1,100,000 keep their huskies inside a house for 5 and a half months???

I believe its probably a dog Farm breeding setup

I am happy to discuss further with you and your Team

**Attachment 9**

Regards  
[U6]  
Sent from my HUAWEI nova 3i  
----- Original message -----  
From: [P2] <[P2]>  
Date: Thu, 20 May 2021, 12:10 PM  
To: [U6]<[U6]>  
Subject: FW: Husky  
From: [V1] [V2]  
Sent: 20 May 2021 12:09 PM  
To: [U6]  
Cc: [P2]  
Subject: Husky  
Hi [U6]  
Hopefully you are able to view this?  
Please reply to the [P2] email address if you can't view it  
Kind regards  
[V1]

**Item 5**



Request Number:	DOGS2043/21	Priority:	Medium
Date Received:	26/01/2021	Completed On:	26/01/2021
Source:	Phone	Resp Workgroup:	Dogs
Status:	P	Raised By:	DBEAZ001
Group:	DOGSCRM	Resp User:	JNEWE001
Category:	DogsStrayC	Call Back?:	No
Process Counter:	512740		

---

### Related Property & Customer

---

Property Address: [A3]  
 Home Telephone: [R4]      Mobile Telephone: [R3]      Work Telephone:  
 Caller Name: [R1]  
 Caller Address:  
 Caller Email:

---

### Request Details

---

Description: 4-5 dogs outside the property, causing havoc, disturbing traffic. Please keep all details anonymous

Resolution Description: Completed

Resolution Details: Attended property but on arrival the dogs had been contained. Spoke with the dog owner and advised they may be issued an infringement for the dogs being off the property. Spoke with complainant who advised they are happy to give a statement as they witness the offence. Statement obtained by witness and infringement issued. Infringement issued by ACO 21.

---

### Memo Details

---

There are no memos for this request

---

### Event Details

---

Event Ctr	Related Table	Table No	Sequence	Event Code	Description	Date Commenced	Date Finalised	Status
7256347	ramAP	512740	100	CRMCreate	CRM Created	26/01/2021	26/01/2021	P
7256348	ramAP	512740	200	DogLocate	Dog Located?	26/01/2021	09/02/2021	P
7256349	ramAP	512740	900	CRMComplet	CRM Completed?	09/02/2021	09/02/2021	P
7278732	RamAP	512740	210	DogRegist	Is the Dog Registered?	09/02/2021	09/02/2021	P
7278733	RamAP	512740	220	ACOAction	ACO Action	09/02/2021	09/02/2021	P
7278734	RamAP	512740	230	ACOAction	ACO Action	09/02/2021	09/02/2021	P
7278735	RamAP	512740	240	ACOAction	ACO Action	09/02/2021		C

8/10/2021 8:44:46 AM



# Witness Statement

Section 82 of the Criminal Procedure Act 2011

OFFICE USE ONLY

CRM: DOGS2043/

Person ID: 179391

Dog ID:

Property ID:

Leave blank

Statement of: [T1] \_\_\_\_\_  
 Date of Birth: [T3] \_\_\_\_\_  
 Contact Number: [R4] \_\_\_\_\_  
 Address: [T4] \_\_\_\_\_

Date of Statement: 27/1/2021

Time of Statement: 2.55pm

I am making this statement to Waikato District Council as a complaint of an offence against the Dog Control Act 1996 or the Waikato District Council Dog Control Bylaw 2015.

The incident occurred on 26/1/2021 at about 3.30 am (pm) specify the date give the time of day event happened

The incident happened at [T4] \_\_\_\_\_

The dog involved was a <sup>Predominantly</sup> white, Husky, medium length hair Address of where the incident occurred  
 unsure of sex, ~~A~~ collar.

2nd dog <sup>grey</sup> Dark/Bluey colour, white eye, cream col description of dog - breed, colour, sex, size etc

The dog is kept at [A3] \_\_\_\_\_ give the address where the dog is kept

I know the dog is from this address because

I hear the dogs barking every day and night. I also saw the dogs in a compound at the rear of their property on the morning of 26/1/2021

I was down the back paddock near the barn with my slug gun shooting rabbits. I didn't notice anything unusual until I made my way back towards the house. When I got to the house I could hear a dog barking and noticed cars stopping in the middle of the road with hazard lights on. I yelled to my wife [R1] 'what's going on' and she responded there is a husky dog on the road. I shot down the driveway on my motor bike. There was a lady parked in the driveway. She was ringing our neighbour [V1] for some help via her phone. The dog had taken off heading down [F7] in the northern direction. My wife [R1] was calling Animal Control and I could see more traffic stopping. After about 10-15 minutes of people stopping and trying to catch the dog a mate managed to grab the dog by the collar. He then gave the dog to [V1] our neighbour as she had a horse lead to tie it up. I shot down to [V1] on my motor bike to see if she wanted the dog, and also inform that Animal Control were on their way [V1] advised me that she had called the dog to tell them the dogs were out. Several minutes later the female dog owner and a male friend

arrived at the roadside and put the dog in the car. The owner was very apologetic at the situation. The dog owner then left and I returned home. Before I went to assist

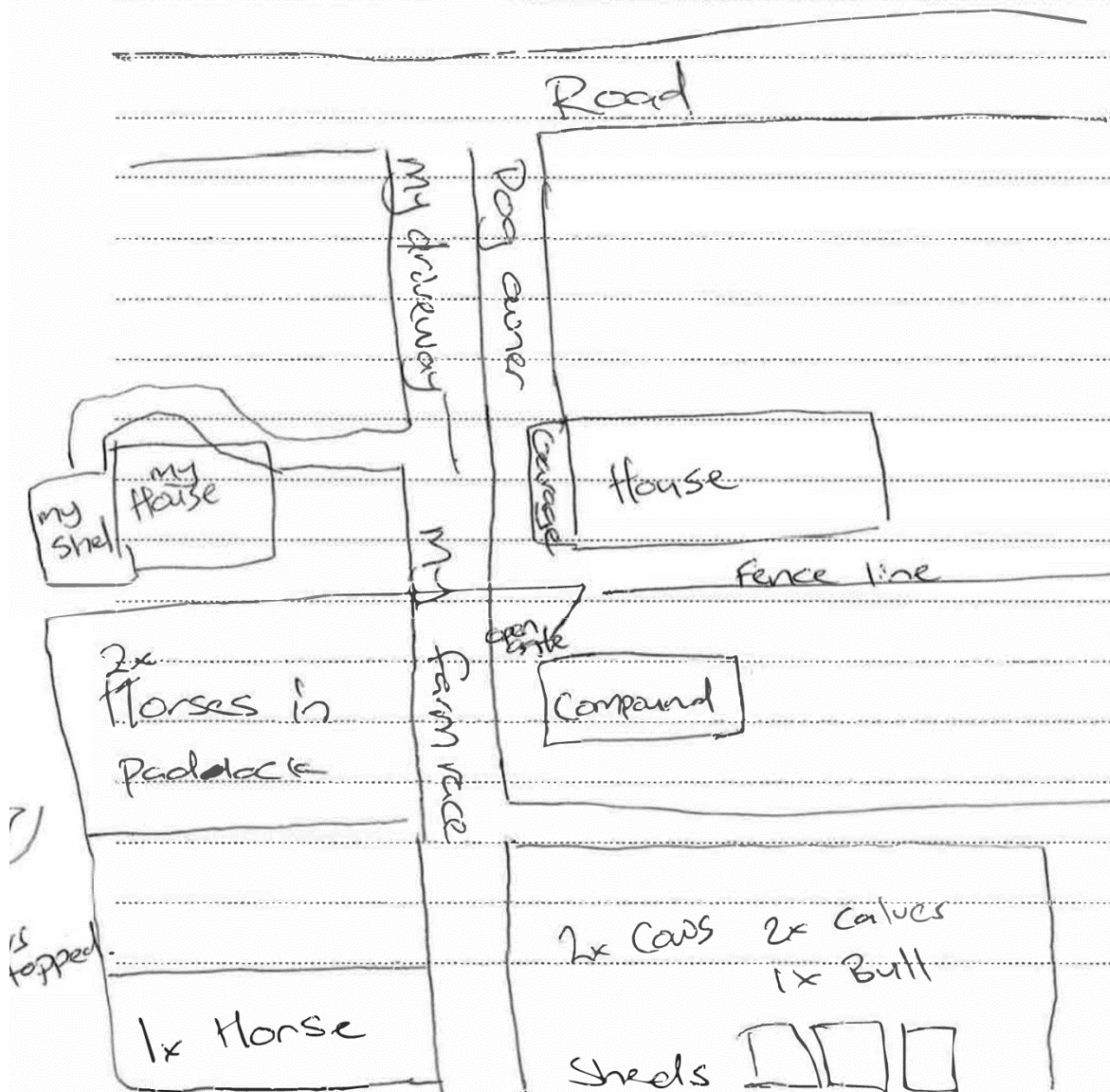
[V1] and while I was speaking with the lady in the driveway I noticed my horses going crazy, which is completely out of character. I realized the horses were spooked by the remaining dogs at the house. I shot up the driveway and down the farm race to check the horses. I'd seen one dog on my property on the central farm race and 3 other dogs in the owners paddock running up the fence line barking like mad. The dog on my farm race was also running and barking, running up and down the fence line. The fence line is approximated 40 meters long. As I was heading down the farm race towards the dogs they vanished. I couldn't understand where they had disappeared to. I continued up the farm race towards the barn looking for the dogs. I could not see the any dogs or people anywhere. I cast an eye over the neighbour's paddocks and still couldn't see any dogs. I then turned the motorbike around and saw the gate between



the house and the paddock wide open. I stopped next to my horses to check on them and I could then hear dogs barking in the garage. I then realized somebody was home with them. I then rode my motor bike down the road to [V1] to assist and advise animal control were on their way. I did not see anyone with the dogs or at the house. The dog on the road was very distressed and disorientated. Animal control arrived shortly after the dog owner got home with their dog.



Police event. PO 452 85129



I confirm the truth and accuracy of this statement. I make this statement with the knowledge that it may be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to be false or intended by me to mislead.

Signed: [T1] \_\_\_\_\_  
(Informant)

Date: 27/1/21

Signed \_\_\_\_\_  
(Witness - ACO)

Date: 27/1/2021

## Information on completing a Witness Statement

Thank you for taking the time to complete a Witness Statement. It is important that you complete this form with as much detail as possible so that the Animal Control Officer (ACO) dealing with the case is well informed and can take the most appropriate enforcement action. Without this statement it is likely that the ACO will be unable to take any action with the owner of the dog or the dog itself. This statement is an important and necessary piece of evidence.

Please include in your statement -

- Your full details.
- The **date** and **time** of the incident.
- Where the dog lives and how you know this.

A detailed description of the dog(s) -

- **Colour** – (include any patches etc.).
- **Size** – small, medium, large.
- **Gender** (if known).
- If the dog was wearing a collar/tag.
- **Length of coat** – smooth, medium, longhaired.
- **Breed** - an option is to say what **type** of dog it is like if you are unsure of the exact breed.
- **Body type** – stocky, skinny, tall, short.
- **Face shape** - pointed or floppy ears, long or short nose, floppy jowls etc.
- Any other distinctive details you noticed.

Also, in your account of the incident include –

- The location of the incident.
- How the incident came about.
- How you came to be in contact with the dog - When and how did you first notice it? Where was the dog?
- The dog's behaviour – Was it growling, barking, lunging, attempting to bite?
- If the dog has bitten – Where? When? What the injuries are. Was medical or veterinary treatment sought and if so what was done??
- Was the owner of the dog or anyone else present? If so, what action did they take regarding the incident?
- Was anything said by anyone?
- What action you took - What did you do during and after the incident?
- Where did you last see the dog? Did it run off? If so, in what direction?
- How did the incident come to a conclusion?

**It is important that you initial or sign each page of the statement, and date it.**

If you have any questions please contact  
an Animal Control Officer at the Waikato District Council, (07) 824-8633.

**From:** [U11]  
**Sent:** Wed, 3 Feb 2021 08:44:10 +1300  
**To:** t1connect prod  
**Subject:** FW: FW: Enquiry of permit to shoot

#ECMALL  
#ECMSILENT

---

**From:** [U1] <[U1]>  
**Sent:** Friday, 29 January 2021 4:02 pm  
**To:** [U11]<[U11]>  
**Subject:** FW: FW: Enquiry of permit to shoot

ECM please – [A3]

---

**From:** [U1]  
**Sent:** Friday, 29 January 2021 4:02 pm  
**To:** [A1] <[A8]>  
**Subject:** RE: FW: Enquiry of permit to shoot

Good afternoon [A1],

The Animal Control team is happy to assist with any clarification you require on any points of the Dog Control Act 1996 and is equally happy to provide information relating to the dogs welfare.

Can you please confirm the name of the dog that was wandering on the road on Tuesday 26 January?

Kind regards,

[U1]

Animal Control Team Leader

**Waikato District Council**

■ P 07 824 8633 ■ F 07 824 8091 ■ Call Free 0800 492 452 ■ DDI ■

Private Bag 544, Ngaruawahia 3742

[www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz) ■ [Like us on Facebook](#)

 Please consider the environment before printing this e-mail

---

**From:** [A1] <[A8]>  
**Sent:** Wednesday, 27 January 2021 4:41 pm  
**To:** [U1] <[U1]>  
**Subject:** Re: FW: Enquiry of permit to shoot

Hi [U1]

Thank you for your reply to us.

We believe that Animal Control not telling him that he can shoot them down by anytime if he sees them in the garden.

we have been really scared. He told us Animal Control told can shoot anytime if he saw the dog in the front garden doesn't matter with on leash or not and he will shoot them down. and he even points he gun to us, so we been really frightened, so we consult with the lawyer and we report to the police already and police just came over this afternoon, my husband and I couldn't sleep last night, even bring the dog go toilet we keep looking around, so he booked an appointment to see the Victim Support, its feel really unsafe, my dog still in our yard yesterday inside of the boundary.

But we still very appreciate that you reply to us it's not Animal Control told him to shoot the dogs.

Regards

[A1]

[U1] <[U1]>

Good afternoon [A1]

Thank you for your email, it sounds as though that was a very distressing situation for you.

As you would have heard from the officers that attended your property this week, we have received complaints about your animals being able to escape your property and worry neighbouring stock. It is the dog owner's responsibility to ensure their dog is safely contained at all times. If dogs are able to roam, the risk of endangering stock, wildlife and domestic animals etc increases. This is especially true if dogs are roaming in pairs or in greater numbers – they are far more likely to cause damage. It is critical therefore that your dogs are safely contained and cannot escape.

In terms of your question below, Animal Control does not tell people to shoot dogs. We do however advise them of their rights under the Dog Control Act 1996.

The Dog Control Act 1996 ([Section 57](#)) permits a person to seize or **destroy a dog** (for the purposes of stopping an attack). [Section 60](#) of the Act is also relevant – the owner of stock or poultry may seize or **destroy** any dog running at large among the stock or poultry. We encourage you to familiarise yourself with the legislation, but most importantly to ensure your dogs can not get out of your property so that they are not in a position where these sections could become relevant.

I trust that answers your question, please let us know if you require anything further.

Kind regards,

[U1]

Animal Control Team Leader

**Waikato District Council**

■ P 07 824 8633 ■ F 07 824 8091 ■ Call Free 0800 492 452 ■ DDI ■ M

Private Bag 544, Ngaruawahia 3742

[www.waikatodistrict.govt.nz](http://www.waikatodistrict.govt.nz) ■ [Like us on Facebook](#)



Please consider the environment before printing this e-mail

---

From: [A1] <[A8]>

Sent: Wednesday, 27 January 2021 10:04 am

To: [U1] <[U1]>

Subject: Enquiry of permit to shoot

Morning [U1],

Yesterday afternoon, my next-door neighbour, an old man rushed up to us with a rifle gun in his hand and he was saying that he been told by Animal Control to shoot those dogs now. [D1] and I were shocked, we try really hard to stop him. And from yesterday till now [C1] being very frightened by what this old man said, we cannot imagine we lose any of them, we love our dogs so much and they are a part of the family not just pet to us. Because we all believe that Animal Control is to help us to improve the better life of all my dogs. So, I write an email to you that we want to know the truth of it, is it true that Animal Control told him to shoot the dogs?

Regards,

[A1]

---





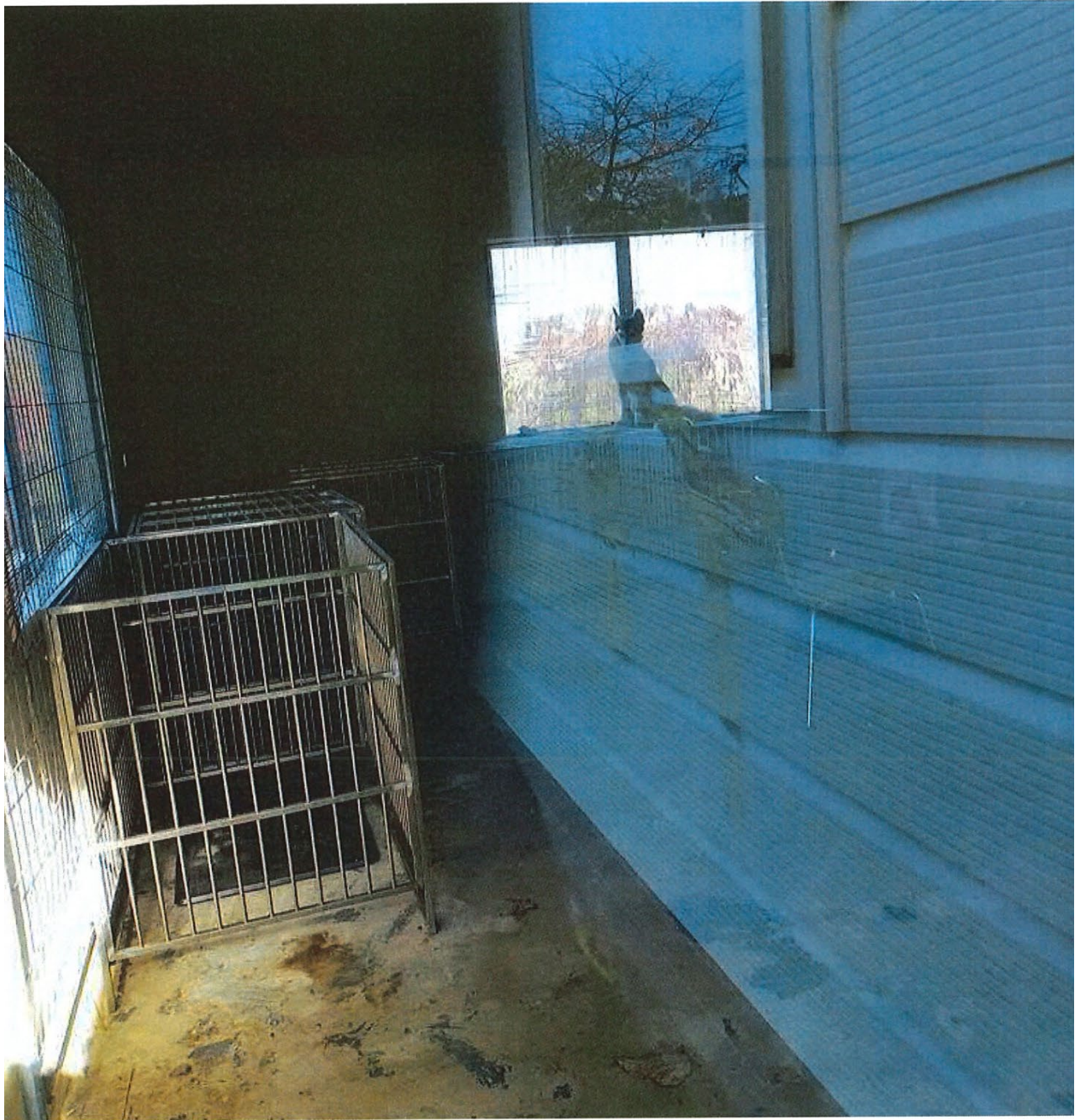




Item 5

Attachment 10

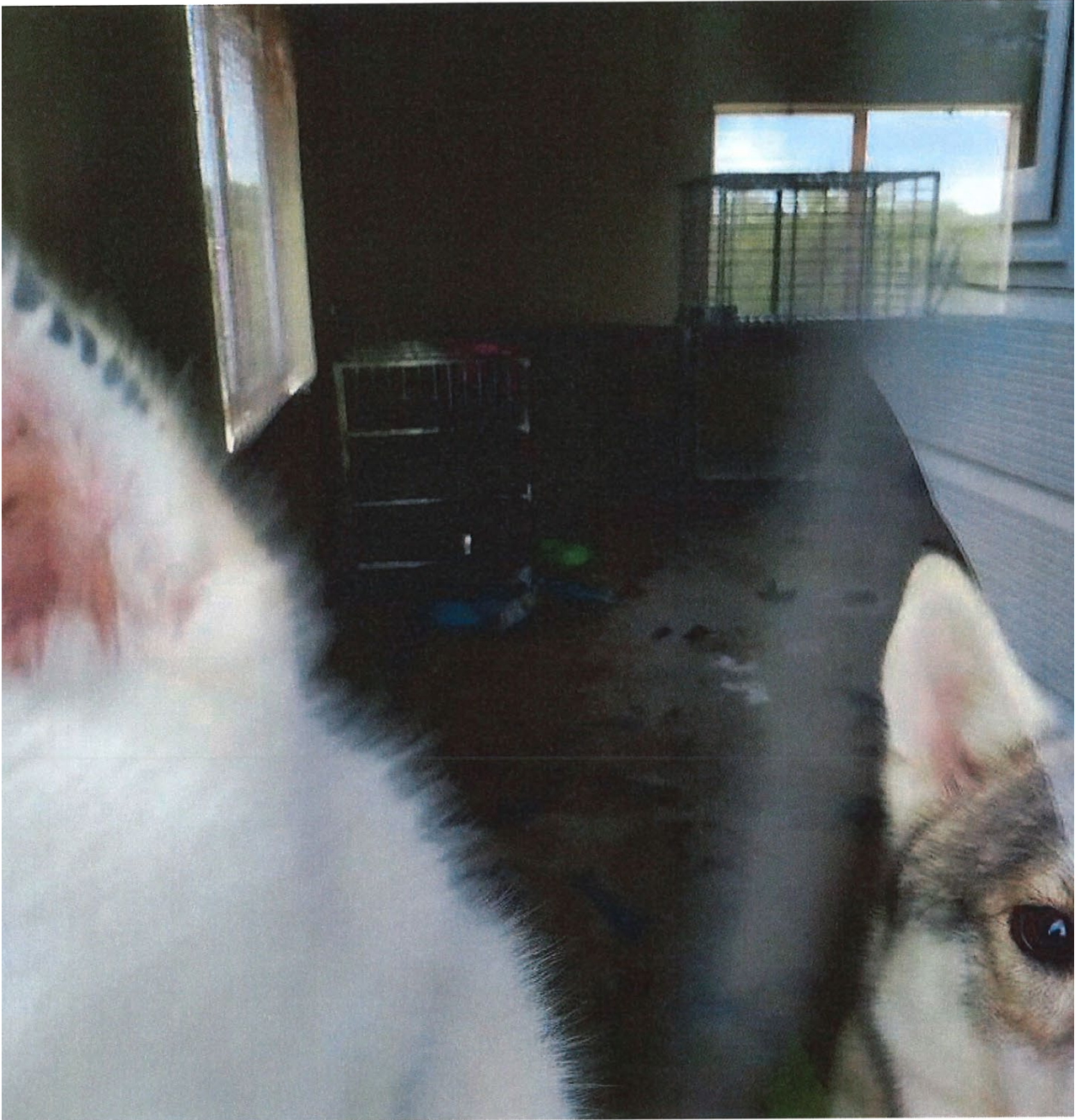




Item 5

Attachment 10









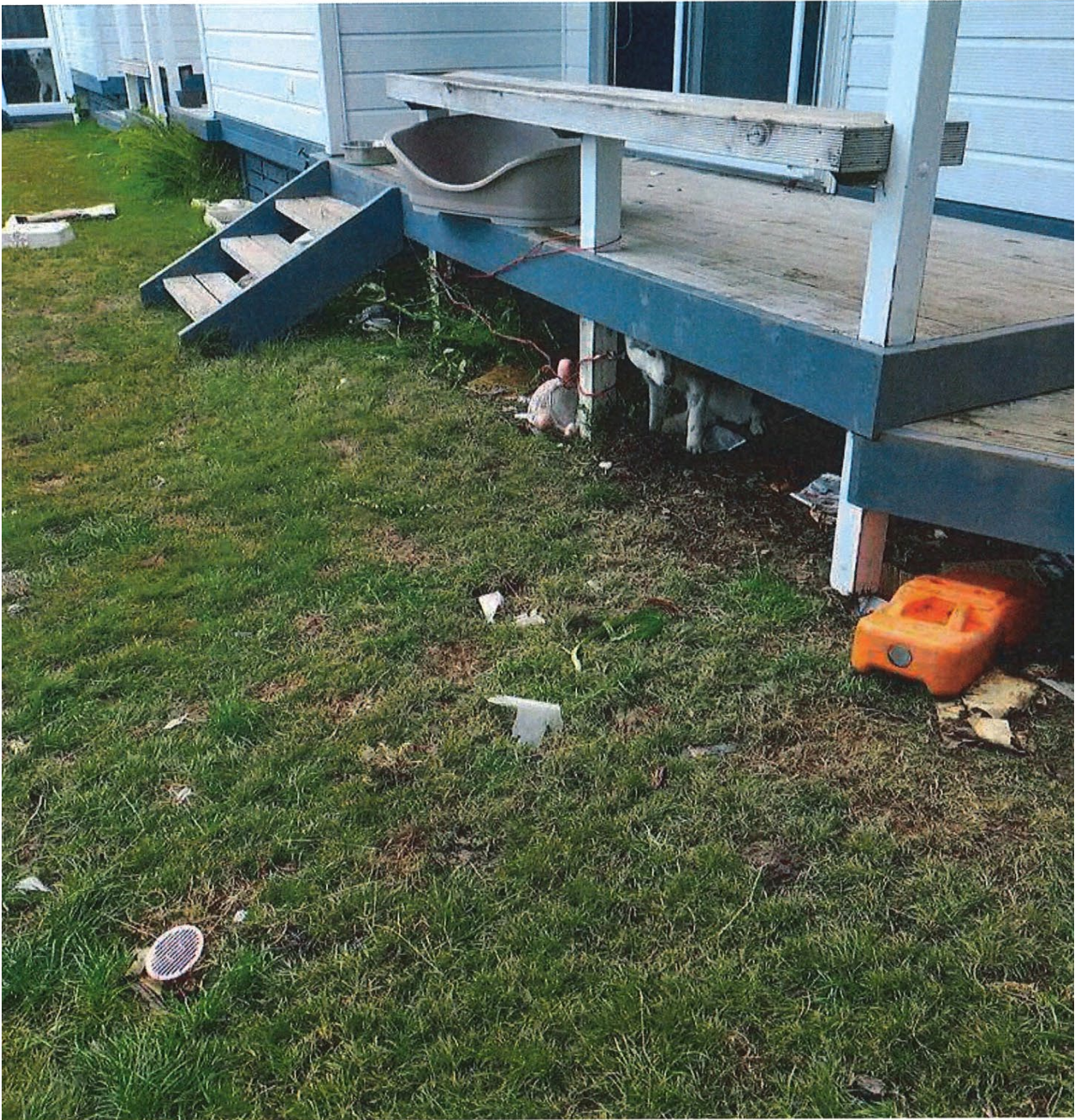
Item 5

Attachment 10















**Item 5**

**Attachment 10**











### Cruelty Complaint Summary

Job Num: 306008  
 Urgency: Grade Two - 24hrs Date Received: 17-Aug-2020, 5:37:00 PM (17:37)  
 Officer Details: Officer Region: Hamilton

**Local Authority: Hamilton City Council**

Cruelty Complaint Codes  
 PAIN / DISTRESS / ILL / INJURED  
 PHYSICAL / HEALTH / BEHAVIOUR  
 Act Neglect - unhygienic environment

[Hide / Show Caller Details](#)

<b>Caller Details</b>	
Person ID:	
Name:	
Address:	
Phone:	Home:
	Mobile:
	Work:
Email Address:	

[Hide / Show Owner Details](#)

<b>Owner Details</b>	
Person ID:	
Name:	[A1]
Address:	[A2]
Phone:	Home:
	Mobile: [A9]
	Work:
Email Address:	

<b>Location Details</b>	
Location:	
Map Reference:	[A2]
Location Notes:	
THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.	
2 OTHER DISPATCH REQUESTS AT THIS ADDRESS <a href="#">Hide / Show</a>	
ANIMALS REGISTERED AT THIS ADDRESS <a href="#">Hide / Show</a>	
No animals registered at this address	

### Cruelty Complaint Details

Received By:  
 Source: Public  
 Establishments: Residential / Urban  
 Potential Violence: Unknown Verbally Abusive: Unknown  
 Potential Violence Details:  
 Other Comments / Notes:

Aug 17 2020 6 Husky dogs on the property 4 pups and 2 adults OK to lean body condition and living in dirty conditions and are housed in the garage for long periods of time, unsure of water.

5:57PM

Complainant Observed Animals: Yes

Commercial Livestock: No

Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk
6	Dog		Husky	dirty living conditions and left for long periods of time in the gagare	Yes		No	

**Notes / Action Taken**

Dispatch / Pick Up Date and Time: \_\_\_\_\_

Finish / Drop off Date and Time: \_\_\_\_\_

Cruelty Complaint Outcome

- Closed
- Education Letter
- Infringement Notice
- Prosecution (Act)
- Verbal Advice
- Court Order
- Enforcement Order
- No Welfare Concern
- Prosecution (Infringement CD)
- Warning Letter (for Infringement Offence)
- Education Handout
- Formal Warning
- Other Agency Transfer
- Prosecution (Regulatory)
- Written Warning

Date	Time	Agent	Narrative

**Text Message (SMS) Summary**

Job Number 308008

[A2]

## Inspection / Followup Details Job #306008

### Inspection Details

Date Attended:31 Aug 2020

Police Required:No

Notice of Entry Given:No

Acknowledgement of Entry:Yes

Action Taken:

Officer

How Was The Property Entered:Consent By Owner

To Enter Dwelling

Notice #:

Sighted 6x Huskies, all in SBC, all inside the house. Living area is clean, with puppy pads on floor, changed daily. Have access to water and have ventilation provided by open back door. when outside, dogs have access to shelter and water.

Living conditions meet minimum standards, NWC's

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Breach:

Costs:

Breaches:

Schedule #:

Animal Welfare Complied With:

Initial Direction Recheck Date:

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
-----------	------	-------	------

Seized Property:

Seized Property Receipt:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Consent To Destroy Animals:

Written Consent To:

Details:

### Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

GMCI

Charges approved by

Crown

### Cruelty Complaint Summary

Job Num: 310883  
 Urgency: Grade Three - 7 Days      Date Received: 16-Oct-2020, 1:13:00 PM (13:13)  
 Officer Details:      Officer Region: Hamilton

Assisting Officer Details:  
**Local Authority: Hamilton City Council**

Cruelty Complaint Codes  
 PHYSICAL / HEALTH / BEHAVIOUR

[Hide / Show Caller Details](#)

<b>Caller Details</b>	
Person ID:	
Name:	
Address:	
Phone:	Home: Mobile: Work:
Email Address:	
Person ID:	
Name:	
Address:	
Phone:	Home: Mobile: Work:
Email Address:	

<b>Person in Charge Details</b>	
Name:	[A1]
Address:	[A2]
Phone:	Home: Mobile: Work:
Previous Person in Charge History	
Name:	
Address:	
Phone:	Home: Mobile: Work:
Name:	
Address:	

Phone: \_\_\_\_\_ Home: \_\_\_\_\_  
 Mobile: \_\_\_\_\_  
 Work: \_\_\_\_\_

**Location Details**

Location: [A2]  
 Map Reference: \_\_\_\_\_  
 Location Notes: THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.  
 2 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)  
 ANIMALS REGISTERED AT THIS ADDRESS [Hide / Show](#)  
 No animals registered at this address

**Cruelty Complaint Details**

Received By: \_\_\_\_\_  
 Source: Public  
 Establishments: Residential / Urban  
 Potential Violence: Unknown Verbal Abuse: Unknown  
 Potential Violence Details: \_\_\_\_\_  
 Other Comments / Notes:  
 Oct 16 Comp - 5/6x Huskies confined inside a house. Always trying to escape 24/7,  
 2020 never seen them outside, never exercised. All in skinny BC & constantly howling. Property itself is  
 1:18PM very dirty & unhygienic, front of house is covered in Rubbish. Owners hardly ever home & have been  
 seen throwing dogs into car.  
 Oct 17 not seen anyone at the property for a few days, sounds like puppies inside the  
 2020 house crying.  
 1:29PM

Complainant Observed Animals: Yes Commercial Livestock: No

Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk
6	Dog	Siberian Husky			Yes		No	

**Notes / Action Taken**

Dispatch / Pick Up Date and Time: \_\_\_\_\_  
 Finish / Drop off Date and Time: \_\_\_\_\_  
 Cruelty Complaint Outcome

Closed                       Court Order                       Education Handout  
 Education Letter                       Enforcement Order                       Formal Warning  
 Infringement Notice                       No Welfare Concern                       Other Agency Transfer  
 Prosecution (Act)                       Prosecution (Infringement CD)                       Prosecution (Regulatory)

## Inspection / Followup Details Job #310883

### Inspection Details

Date Attended:19 Oct 2020

Police Required:No

Notice of Entry Given:Yes

Acknowledgement of Entry:No

Action Taken:

19/10/2020 2:47pm

Officer

How Was The Property Entered:S 127(1) Power To

Inspect

Notice #:

NCH. Sighted 3 Adult Siberian Husky dogs (inside the dwelling) from standing outside of the dwelling. Dogs up against windows, barking. I could not ascertain body condition, and could only see their heads and not a full body length view. Unable to determine access to water. Could not hear dogs within the shed, appear to just be inside. Unsure if the dogs can access the backyard, they did not exit the dwelling.

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Breach:

Costs:

Breaches:

Schedule #:

Animal Welfare Complied With:

Written Direction Recheck Date:21 Oct 2020

### Seizure / Surrender Details

## Followup Details

Date Attended: 28 Oct 2020

Police Required: No

Notice of Entry Given: No

Acknowledgement of Entry: Yes

Action Taken:

28/10/2020 10:35am

Officer

How Was The Property Entered: S 127(1) Power To

Inspect

Notice #:

Assisted [redacted] at the property and spoke with both dog owners. [redacted] welcomed us inside his home through the front entrance. I confirmed he was [redacted]

We walked through the house and immediately sighted faeces on the tiles floor and was overwhelmed by a strong odour. Lots of Siberian Husky dogs were barking and the noise was overpowering.

I asked [redacted] if we could talk outside the house, in the backyard as we could not hear each other over the sound of the dogs.

[A1] was in the backyard, I introduced myself and [redacted] and produced my appointment, flipped both sides. I explained to both [A1] and [redacted] the reason for our inspection and outlined our concerns regarding the number of dogs, being left unattended for long periods of time, being locked inside the dwelling and garage, smell, faeces present, barking/noise, registration etc.

Obtained owner details:

[A1] ph: [A9] DOB [redacted] Email: [A8] Occupation: [redacted]

[A1] claims they have six dogs and she owns three that are registered: [A4],[A5] and [A10]

: [D3], [A10] [redacted]



Conditions: Faeces smudged on the tiled floor from the entrance way (Cream coloured tiles now smudged brown) through into the dining room area by the kitchen. Faeces on floor in kitchen and smudged on cabinets, on the fish tanks in the dining room, build up of faeces on the glass doors heading out to the backyard from the dining room. Faeces smeared on the walls, crevices, . Holes in the walls, Wet by the holes. Lots of food items on the kitchen bench, flies everywhere in the house

trying to put up outdoor shelter for the dogs so they can go outside, explained kennels required etc. Did see a large umbrella etc and some poles laying on the ground.

-Very strong odour in the dwelling and particularly inside the garage . No windows open, has a door which is closed. Overwhelming smell, stench that later carried with me on my clothes and skin.

There were crates within the garage, no ventilation and a very strong odour. [A1] said she does not leave the dogs inside the crates for long and only puts them in here if they are being naughty. Bowls empty inside crates. [A1] said the garage smelt because the dogs use it as a toilet if they cannot get outside. [A1] did say the dogs were toilet trained to go outside, however puppy pee pads on the floor in the dining room and a box of pads/wipes in the lounge.

Strong odour outside the dwelling as well, but not as bad as within the home.

Dogs(7 sighted): Four adult sized dogs free roaming the dwelling and had access to the backyard and garage, the door was open to the backyard. Water in two bowls in the backyard. Dogs barking, quite noisy and hard to hear over, coming and going. Hard to get photos of each animal and ID. These four: Two adult sized white siberian husky dogs, one black, brown, and white (Tri coloured) husky.

Three other dogs confined to the lounge: One adult sized white husky in GBC with rego tag, and two grey/black , light coloured huskys in the lounge. All appeared in ok BC, one lean but was not concerning.

Barriers put up so the dogs could not exit the lounge and enter the kitchen and dining room area

Exercise: claim they each walk three dogs (6 dogs) between the hours of 11pm and 5am daily as there are no people around. Discussed energy levels of huskys, one is usually a lot of work to physically and mentally stimulate them, 6 is a lot of energy, finances, a lot of dogs to maintain and have a clean and appropriate environment. Garage is not suitable for dogs to stay in for long periods.

said is home a lot and the dogs aren't left unattended.

I asked if they were breeding the dogs, they said no they are just pets.

explained COW DOGS 2018, basic level of care required for dogs to meet their welfare needs etc.

Said we will make a plan and come back. Council health department, AC, Fisheries/ Department of Conservation potentially required.

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Breach:

Costs:

Breaches:

Schedule #:

Animal Welfare Complied With:

Initial Direction Recheck Date:

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
Seized Property:		Written Consent To:	
Seized Property Receipt:		Details:	
Reason For Seizure:			
Seizure Direction:			
Owner Disputing Seizure:			
Consent To Destroy Animals:			

### Prosecution Details

	AWA 1999	Criminal Code
Consider Prosecution		
RTCC reviewed by		
GMCI		
Charges approved by		
Crown		

### Cruelty Complaint Summary

Job Num: 322398

Urgency: Grade Three - 7 Days

Date Received: 23-Feb-2021, 10:44:00 AM (10:44)

Officer Details:

Officer Region: Hamilton

**Local Authority: Hamilton City Council**

Cruelty Complaint Codes

PHYSICAL / HEALTH / BEHAVIOUR

[Hide / Show Caller Details](#)

<b>Caller Details</b>	
Person	
ID:	
Name:	
Address:	
Phone:	Home: Mobile: Work:
Email	
Address:	

<b>Person in Charge Details</b>	
Name: [A1]	
Address:	[A2]
Phone:	Home: Mobile: [A9] Work:
Name:	
Address:	
Phone:	Home: Mobile: Work:

<b>Location Details</b>
-------------------------

Location: [A3]  
 Map Reference:  
 Location Notes:  
 THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.  
 1 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)  
 ANIMALS REGISTERED AT THIS ADDRESS [Hide / Show](#)  
 No animals registered at this address

**Cruelty Complaint Details**

Received By:  
 Source: Public  
 Establishments: Lifestyle Block  
 Potential Violence: Unknown Verbal Abuse: Unknown  
 Potential Violence Details:  
 Other Comments / Notes:

Feb 23 \*\*COMP said from the HCC is monitoring the dogs and  
 2021 very concerned for the dogs welfare. 7 x Huskies that are CONSTANTLY locked in the  
 10:54AM house. No exercise or anything. Very high strung

May 5 moved the dogs out into paddocks. The females and males  
 2021 have been separated however the 4x females are fighting with each other quite badly and pinning  
 3:37PM one of the females down.

unsure if any of the dogs are injured  
 have access to shelter but the male dogs do. the males  
 aren't fighting they are just humping each other. never let out of these  
 enclosures PICs is when they are throwing over a bucket of food for  
 the dogs then they leave again. 1x dog  
 has a cone on its head and has been like that for weeks on end now and is missing an eye.

Complainant Observed Animals: Yes Commercial Livestock: No

Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk
7	Dog	Siberian Husky			No		No	

**Notes / Action Taken**

Dispatch / Pick Up Date and Time: \_\_\_\_\_  
 Finish / Drop off Date and Time: \_\_\_\_\_

Cruelty Complaint Outcome

- Closed
- Court Order
- Education Handout
- Education Letter
- Enforcement Order
- Formal Warning
- Infringement Notice
- No Welfare Concern
- Other Agency Transfer
- Prosecution (Act)
- Prosecution (Infringement CD)
- Prosecution (Regulatory)
- Verbal Advice
- Warning Letter (for Infringement Offence)
- Written Warning

Date	Time	Agent	Narrative

**Text Message (SMS) Summary**

## Inspection / Followup Details Job #322398

### Inspection Details

Date Attended: 24 Feb 2021

Officer

Police Required:

How Was The Property Entered: S 127(1) Power To

Inspect

Notice of Entry Given: Yes

Notice #: 1729

Acknowledgement of Entry: No

Action Taken:

No one home. front gate locked. house appears all shut up, windows are all closed and most windows have curtains or blinds drawn.

Inside house I sighted approx 7 adult huskys, mix of colours but mostly white or blk/wht. Huskys appear in ok body condition but hard to see. I briefly sighted inside lounge area which didnt look too dirty. I sighted inside garage which is attached to house which had feces all over the floor and approx 6 large metal animal cages that were empty. unable to see any water/food for dogs.

In outside pen to left of house were x3 young adult huskys, mix of colors mostly white or blk/wht, appearing in ok body condition, have access to a shelter, dont believe/unsure if fully weather proof. there was minimal/insufficient water available for dogs in pen. dogs have a good nature.

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Schedule #:

Breach:

Animal Welfare Complied With:

Costs:

Initial Direction Recheck Date:

Breaches:

S.12(a) Physical/health/behaviour

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
-----------	------	-------	------

Seized Property:

Seized Property Receipt:

Written Consent To:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Details:

Consent To Destroy Animals:

### Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

GMCI

## Followup Details

Date Attended: 26 Feb 2021

Officer

Police Required:

How Was The Property Entered: S S A S.92 Consent

Notice of Entry Given: No

Search

Notice #:

Acknowledgement of Entry: Yes

Action Taken:

PIC [A1] ██████████

Inside house I sighted x5 ad male huskies, range of colors (wht, blk and wht) all in excellent condition, loose inside house. Sighted several water dishes inside house. PIC showed me the lounge which was empty, kitchen also empty and one other room which was empty (she said for the dogs) and garage and bathroom. all areas sighted were clean, no feces seen inside. noted some stains on carpet and on vinyl in bathroom. sighted the 6 odd metal crates in garage. Sighted 1-2 doors closed.

Went outside and sighted outside pen with x3 young female huskies, mix of colours, wht & blk/wht, in good condition, had several bowls with water in and shelter. Discussed with PIC concerns re shelter ie rain potentially being able to get in. she said it is quite deep especially on right side so rain shouldnt get in.

sighted large pen on way into house, PIC said they are building it for dogs and just waiting on shelters. advised PIC there are no breaches today. I asked if she is breeding them, she said no but was initially then lockdown happened. PIC said they clean am and pm and have carpet cleaners in each week and a dog trainer and they walk the dogs individually. advised her of history and they should know better. she said dogs

alone for 4 hours a day while she works

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Schedule #:

Breach:

Animal Welfare Complied With:

Costs:

Initial Direction Recheck Date:

Breaches:

## Seizure / Surrender Details

Animal ID

Type

Breed

Name

Seized Property:

Seized Property Receipt:

Written Consent To:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Details:

Consent To Destroy Animals:

## Prosecution Details

AWA 1999

Criminal Code

## Followup Details

**Date Attended:**25 Mar 2021

**Police Required:**

**Notice of Entry Given:**Yes

**Acknowledgement of Entry:**No

**Action Taken:**

no one home

house all shut up - unable to see inside. could hear dogs but couldn't confirm how many were inside the house. could only see into the garage where I sighted x1 wht/grey ad husky, appearing in ok body condition. there was a small amount of feces in the garage.

x3 dogs were in outside pen as per last visit - had water and shelter, appearing in good body condition. pen has not been done yet.

**Further Comments:**

**Officer**

**How Was The Property Entered:**S 127(1) Power To

Inspect

**Notice #:**2105

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Breach:**

**Costs:**

**Breaches:**

**Schedule #:**

**Animal Welfare Complied With:**

**Initial Direction Recheck Date:**

## Seizure / Surrender Details

**Animal ID**

**Type**

**Breed**

**Name**

**Seized Property:**

**Seized Property Receipt:**

**Reason For Seizure:**

**Seizure Direction:**

**Owner Disputing Seizure:**

**Consent To Destroy Animals:**

**Written Consent To:**

**Details:**

## Prosecution Details

**AWA 1999**

**Criminal Code**

**Consider Prosecution**

**RTCC reviewed by**

**GMCI**

**Charges approved by**

**Crown**

## Followup Details

Date Attended: 15 Apr 2021

Police Required: No

Notice of Entry Given: No

Acknowledgement of Entry: Yes

Action Taken:

Site visit accompanied by AWM

Officer

How Was The Property Entered: S 127(1) Power To

Inspect

Notice #:

Met with male and female PIC's [A1]

Initial observation of 6x huskie breed dogs in fenced enclosure. Large grassed area with a block of kennels under construction. One other dog held by PIC on walking lead.

All in apparent good health and condition.

I no dogs were currently in the house and tapped on the wall to demonstrate no response.

Queried how the situation evolved to have so many dogs. Advised puppies were born during covid lockdown and were unable to be re-homed. Now unwilling to.

Outlined concerns to PIC's as I saw them.

Believe that they have more ahead of them than they will be able to manage. Huskies are high drive dogs and require a great deal of exercise to meet needs. Owners often find it difficult to meet needs of one or two. They have ten, all in enclosures. While they all have space to move the area it will soon be devoid of grass and will become mud over winter months.

Advised of AWA obligations, PHBN as well as regulation requirement concerning accumulation of faeces. If SPCA were to attend and the enclosure was pugged mud with mud trampled all through kennels and water bowls there could be potential grounds to remove dogs

Advised I believe that they will struggle to meet the requirements of the Act and that the SPCA would have to intervene if this became the case.

Inspected 3x female Huskies in separate enclosure. These are 11 month old puppies. Non-desexed. Area is very large with multiple bushes and trees present. Large wooden structure as shelter. Plastic beds on raised wooden pallets. Bowls present. Unsure of contents. Ground is mostly worn firm dirt. Dogs are extremely excited. Not able to enter compound to check water. Dogs appear to be in good health and condition. PIC advised bowls are removed, cleaned and replenished 2 x daily.

Advice given to de-sex before coming on heat as enclosures are not sufficient to prevent male dog entering if driven by scent.



## Followup Details

**Date Attended:**26 May 2021

**Police Required:**No

**Notice of Entry Given:**No

**Acknowledgement of Entry:**Yes

**Action Taken:**

PIC [A1] home

**Officer**

**How Was The Property Entered:**S 127(1) Power To

Inspect

**Notice #:**

I heard a few dogs inside the house. I sighted one younger ad blk/wht female. I was unable to see any other dogs.

PIC came out of house.

I advised reason for visit. I went round to back of property and sighted 6 adult male huskys: x3 wht, x2 blk/wht, x1 grey/wht, all in good body condition, in their outside pen. All had access to shelter and to water.

PICs are currently building a second outside pen and shelter for dog as recommended. I took a photo of the progress.

I also sighted the x3 young females in second pen to left of house, all in good condition, have water and shelter.

I asked PIC if she has desexed any of her dogs yet. She confirmed she has had one dog done and has the next female going in this friday.

I advised I am happy with the progress they are making.

No current concerns.

Spoke with [redacted] and confirmed will close this now as there are no current welfare concerns and progress has been made in regards to high numbers of dogs living outside house now in pens.

**Further Comments:**

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Schedule #:**

**Breach:**

**Animal Welfare Complied With:**

**Costs:**

**Initial Direction Recheck Date:**

**Breaches:**

## Seizure / Surrender Details

**Animal ID**

**Type**

**Breed**

**Name**

**Seized Property:**

**Seized Property Receipt:**

**Reason For Seizure:**

**Seizure Direction:**

**Written Consent To:**

### Cruelty Complaint Summary

Job Num: 323895  
Urgency: Grade Two - 24hrs Date Received: 8-Mar-2021, 1:05:00 PM (13:05)  
Officer Details: Officer Region: Hamilton

**Local Authority: Hamilton City Council**

Cruelty Complaint Codes  
PHYSICAL / HEALTH / BEHAVIOUR

[Hide / Show Caller Details](#)

<b>Caller Details</b>	
Person ID:	
Name:	
Address:	
Phone:	Home:
	Mobile:
	Work:
Email Address:	

<b>Person in Charge Details</b>	
Name:	[A1]
Address:	[A2]
Phone:	Home:
	Mobile: [A9]
	Work:

--	--

**Location Details**

Location: **[A2]**

Map Reference:

Location Notes:  
THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.

2 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)

ANIMALS REGISTERED AT THIS ADDRESS [Hide / Show](#)

No animals registered at this address

**Cruelty Complaint Details**

Received By:

Source: Public

Establishments: Residential / Urban

Potential Violence: Unknown Verbal Abuse: Unknown

Potential Violence Details:

Other Comments / Notes:

Mar 8 2021 there are 3 husky dogs with no water. They removed 10 dogs and they have returned them to another waikato address. Caller says each time she has been 1:11PM there she has not seen water. The stench coming from the property is horrendous. Hist 310883 306008 296925

Complainant Observed Animals: No Commercial Livestock: No

Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk
3	Dog	Siberian Husky			No		No	

**Notes / Action Taken**

Dispatch / Pick Up Date and Time: \_\_\_\_\_

Finish / Drop off Date and Time: \_\_\_\_\_

Cruelty Complaint Outcome

Closed  Court Order  Education Handout

Education Letter  Enforcement Order  Formal Warning

Infringement Notice  No Welfare Concern  Other Agency Transfer

Prosecution (Act)  Prosecution (Infringement Offence)  Prosecution (Regulatory)

Verbal Advice  Warning Letter (for Infringement Offence)  Written Warning

Date	Time	Agent	Narrative

**Text Message (SMS) Summary**

Job Number 323695

[A2]

Siberian Husky

## Inspection / Followup Details Job #323695

### Inspection Details

**Date Attended:**09 Mar 2021

**Police Required:**

**Notice of Entry Given:**Yes

**Acknowledgement of Entry:**No

**Action Taken:**

No one home - house appears shut up, some windows cant see in, windows shut. sighted x2 blk/wht ad husky dogs, appearing in acceptable body condition loose inside house. sighted a reasonable amount of feces on carpet by door and also in second room. sighted pee pads on ground. couldnt see any water source.

**Further Comments:**

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Breach:**

**Costs:**

**Breaches:**

S.12(a) Physical/health/behaviour

**Officer**

**How Was The Property Entered:**S 127(1) Power To

Inspect

**Notice #:**1735

**Schedule #:**

**Animal Welfare Complied With:**

**Initial Direction Recheck Date:**

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
<b>Seized Property:</b>			
<b>Seized Property Receipt:</b>		<b>Written Consent To:</b>	
<b>Reason For Seizure:</b>			
<b>Seizure Direction:</b>			
<b>Owner Disputing Seizure:</b>		<b>Details:</b>	
<b>Consent To Destroy Animals:</b>			

### Prosecution Details

	<b>AWA 1999</b>	<b>Criminal Code</b>
<b>Consider Prosecution</b>		
<b>RTCC reviewed by</b>		
<b>GMCI</b>		
<b>Charges approved by</b>		
<b>Crown</b>		

## Followup Details

**Date Attended:**07 Apr 2021

**Officer**

**Police Required:**

**How Was The Property Entered:**S 127(1) Power To

Inspect

**Notice of Entry Given:**Yes

**Notice #:**2113

**Acknowledgement of Entry:**No

**Action Taken:**

no one home

x2 dogs inside house as per last visit.

from back yard sighted several 3-4 lots of diarrhea on the tiled floor and some urine. a dog peed on floor while i was there.

all windows were shut and most of the blinds were

drawn. windows were also dirty from the dogs. dogs have no access outside the house.

**Further Comments:**

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Schedule #:**

**Breach:**

**Animal Welfare Complied With:**

**Costs:**

**Initial Direction Recheck Date:**

**Breaches:**

## Seizure / Surrender Details

**Animal ID**                      **Type**

**Breed**

**Name**

**Seized Property:**

**Seized Property Receipt:**

**Written Consent To:**

**Reason For Seizure:**

**Seizure Direction:**

**Owner Disputing Seizure:**

**Details:**

**Consent To Destroy Animals:**

## Prosecution Details

**AWA 1999**

**Criminal Code**

**Consider Prosecution**

**RTCC reviewed by**

**GMCI**

**Charges approved by**

**Crown**

### Followup Details

Date Attended:20 Apr 2021

Police Required:

Notice of Entry Given:No

Acknowledgement of Entry:Yes

Action Taken:

Officer

How Was The Property Entered:S 127(1) Power To

Inspect

Notice #:

attending with Insp

PIC let us inside the house.

x2 huskies inside as per previous visits.

PIC had one of the back sliding doors open for the dogs. There was an obvious dog smell inside the house - pointed out to PIC.

I advised PIC the doors have not been open on my previous visits. windows dirty with dog marks. No feces or urine seen on the floor.

spoke with PIC and advised to have doors open so dogs can go outside as much as possible and to have windows open so there is airflow in the house. to build kennels for dogs

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Breach:

Costs:

Breaches:

Schedule #:

Animal Welfare Complied With:

Initial Direction Recheck Date:

### Seizure / Surrender Details

Animal ID

Type

Breed

Name

Seized Property:

Seized Property Receipt:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Consent To Destroy Animals:

Written Consent To:

Details:

### Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

### Followup Details

Date Attended:03 May 2021

Officer

Police Required:

How Was The Property Entered:

Notice of Entry Given:

Notice #:

Acknowledgement of Entry:

Action Taken:

spoke with  
Closing as not a lot more we can do from an enforcement point of view.

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Schedule #:

Breach:

Animal Welfare Complied With:

Costs:

Initial Direction Recheck Date:

Breaches:

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
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Seized Property:

Written Consent To:

Seized Property Receipt:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Details:

Consent To Destroy Animals:

### Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

GMCI

Charges approved by

Crown





**Location Details**

Location: [A3]

Map Reference:

Location Notes:  
THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.

1 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)

ANIMALS REGISTERED AT THIS ADDRESS [Hide / Show](#)

No animals registered at this address

**Cruelty Complaint Details**

Received By:

Source: Public

Establishments: Lifestyle Block

Potential Violence: Unknown Verbal Abuse: Unknown

Potential Violence Details:

Other Comments / Notes:

Jul 29 2021 6:39PM Copy and pasted "Hi, We received a complaint today from 6 huskies in a pen outside. They are never let out. The owners are hardly ever there. They howl and fight all day and pick on 1 dog in particular. 1 dog is in the garage and another one in the house. SPCA and Dog Control have been in the past but not for a while. I am concerned for the welfare of the dogs. Address is Hamilton. Would you be able to follow up please. Regards [Redacted] Prev hist: 322398

Aug 30 2021 10:39AM [Redacted] who wanted to remain completely anon locked in the house [A2] howling non stop The dogs have been is unsure if anyone is there either. [Redacted] said the smell of feces is really, really bad. Refer to sb337392

Sep 7 2021 11:10AM a massive fight that sounded like someone was dying. 2 of the dogs had the fence panel between the female pen and the male pen had been broken and 2 of the dogs were missing. assumed the dogs had died. saw 2 of the male dogs holding down and attacking 2 of the weaker male dogs in the pen happening all the time and the PICs never separate them. unsure if they have any injuries but the weaker dogs are always huddling in the corner after being attacked but due to the size of the pens are unable to actually get away. 5 males and 2 females left and then there is the dog that is kept inside the house left at the property.

Sep 7 2021 11:26AM Asked CC to call council regarding dogs fighting/attacking one another as is more their area of concern.

Sep 7 2021 11:57AM 13 Huskies living on property all are registered. Dogs are fighting at the property. There is also a dog inside the property different breed. on going issues at this property with the dogs fighting and feels SPCA need to attend in regards to the welfare and living environments of the dog. Caller: [Redacted] AC have attended the property before and saw a dog with numerous stitches after seeking vet treatment. AC attended the property roughly two months ago. Caller was happy to be contacted if need be.

Complainant Observed Animals: Yes Commercial Livestock: No

Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk

## Inspection / Followup Details Job #335038

### Inspection Details

**Date Attended:**03 Aug 2021

**Officer**

**Police Required:**No

**How Was The Property Entered:**S 127(1) Power To

**Notice of Entry Given:**Yes

Inspect

**Notice #:**1241

**Acknowledgement of Entry:**No

**Action Taken:**

No one home.

I heard one dog barking inside the house - I didn't sight it.

In the garage that is attached to the house, I sighted x1 wht/blk young female husky, good body condition. Had a cone around its neck.

The garage was covered in feces and some urine. Feces appears to have not been cleaned for several days and from multiple dogs. I took a few pictures, can see feces, but hard with glass reflection. Husky was standing on top of cages in the garage.

I sighted the 6 adult males, mixed colors in outside pen. in good body condition, have shelter. both water sources were dirty. I didn't see any feces in outside pen.

Second outside pen - had x3 young female huskies in, in good body condition. have access to shelter, could not see any water source.

**Further Comments:**

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Schedule #:**

**Breach:**

**Animal Welfare Complied With:**

**Costs:**

**Initial Direction Recheck Date:**

**Breaches:**

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
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### Cruelty Complaint Summary

Job Num: 337392

Urgency:

Date Received: 30-Aug-2021, 10:49:00 AM (10:49)

Officer Details:

Officer Region: Hamilton

**Local Authority: Hamilton City Council**

Cruelty Complaint Codes

PHYSICAL / HEALTH / BEHAVIOUR

#### Person in Charge Details

Name:

Name: [A1]

Address: [A2]

Phone: Home:

Mobile:

Work:

#### Location Details

Location: [A2]

Map Reference:

Location Notes:

THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.

2 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)

ANIMALS REGISTERED AT THIS ADDRESS [Hide / Show](#)

No animals registered at this address

#### Cruelty Complaint Details

Received By:  
 Source: Public  
 Establishments: Residential / Urban  
 Potential Violence: Unknown Verbal Abuse: Unknown  
 Potential Violence Details:  
 Other Comments / Notes:

Aug 30  
 2021 The Huskies (comp thinks either 2 or 3) have been locked in the house howling  
 10:55AM non stop. unsure if anyone is there either the smell of feces is really  
 bad. Multiple prev hist attached. [D1]

Aug 31 Comp emailed through pictures and I have attached.  
 2021  
 12 51PM

Complainant Observed Animals: Yes Commercial Livestock: No  
 Inspection / Follow-up Notes

Number of Animals	Type	Breed	Features	Condition	Contained	Aggressive / Dangerous	Juvenile	Lyssa Virus Risk
2/3	Dog	Siberian Husky			No		No	

**Notes / Action Taken**

Dispatch / Pick Up Date and Time: \_\_\_\_\_

Finish / Drop off Date and Time: \_\_\_\_\_

**Cruelty Complaint Outcome**

- Closed
- Education Letter
- Infringement Notice
- Prosecution (Act)
- Verbal Advice
- Court Order
- Enforcement Order
- No Welfare Concern
- Prosecution (Infringement CD)
- Warning Letter (for Infringement Offence)
- Education Handout
- Formal Warning
- Other Agency Transfer
- Prosecution (Regulatory)
- Written Warning

Date	Time	Agent	Narrative

**Text Message (SMS) Summary**

Job Number 337392

[A2]  
 Siberian Husky

## Inspection / Followup Details Job #337392

### Inspection Details

**Date Attended:**30 Aug 2021

**Officer**

**Police Required:**No

**How Was The Property Entered:**No Entry Made

**Notice of Entry Given:**No

**Notice #:**

**Acknowledgement of Entry:**No

**Action Taken:**

Phone call from at HCC AC.

She advised she had just been onsite at property. She advised she could only see from the front of the house. She advised there were 2 dogs onsite, one dog appeared younger.

She advised [A1] has now been disqualified from owning dogs, however she is currently contesting this. [View](#)

I advised I am on route to go to property and will be in touch if we can do anything further.

**Further Comments:**

**Written Direction:**

**Reason for Direction:**

**Verbal Advice / Caution Given:**

**Verbal Advice Comment:**

**Serial #:**

**Schedule #:**

**Breach:**

**Animal Welfare Complied With:**

**Costs:**

**Initial Direction Recheck Date:**

**Breaches:**

### Seizure / Surrender Details

Animal ID	Type	Breed	Name
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**Seized Property:**

**Seized Property Receipt:**

**Written Consent To:**

**Reason For Seizure:**

**Seizure Direction:**

**Owner Disputing Seizure:**

**Details:**

**Consent To Destroy Animals:**

### Prosecution Details

**AWA 1999**

**Criminal Code**

**Consider Prosecution**

**RTCC reviewed by**

**GMCI**

**Charges approved by**

**Crown**

### Followup Details

Date Attended:30 Aug 2021

Police Required:No

Notice of Entry Given:Yes

Acknowledgement of Entry:No

Action Taken:

No one home

Officer

How Was The Property Entered:S 127(1) Power To

Inspect

Notice #:1254

Sighted x2 blk/wht ad huskies inside house, appear in good body condition.  
Unsure if they have access to water - but from previous visits they properly do.  
Front window was open 1 centimeter.  
No obvious smell of feces.

Unable to get round the back of the proeprty as PICs have cable tied the latch shut.

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Breach:

Costs:

Breaches:

Schedule #:

Animal Welfare Complied With:

Initial Direction Recheck Date:

### Seizure / Surrender Details

Animal ID                      Type

Breed                              Name

Seized Property:

Seized Property Receipt:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Consent To Destroy Animals:

Written Consent To:

Details:

### Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

GMCI

Charges approved by

## Followup Details

Date Attended:31 Aug 2021

Officer

Police Required:No

How Was The Property Entered:No Entry Made

Notice of Entry Given:No

Notice #:

Acknowledgement of Entry:No

Action Taken:

Phone call from [A1]

I advised reason for visit.

she stated she was out shopping at the time of my visit

She confirmed she is staying at the property.

I asked if there was a build up of feces either in or outside of the house. She said no.

She sent me several photos showing the dogs inside the house with water and toys and the house looking clean.

No current concerns

Further Comments:

Written Direction:

Reason for Direction:

Verbal Advice / Caution Given:

Verbal Advice Comment:

Serial #:

Schedule #:

Breach:

Animal Welfare Complied With:

Costs:

Initial Direction Recheck Date:

Breaches:

## Seizure / Surrender Details

Animal ID

Type

Breed

Name

Seized Property:

Seized Property Receipt:

Written Consent To:

Reason For Seizure:

Seizure Direction:

Owner Disputing Seizure:

Details:

Consent To Destroy Animals:

## Prosecution Details

AWA 1999

Criminal Code

Consider Prosecution

RTCC reviewed by

GMCI

Charges approved by

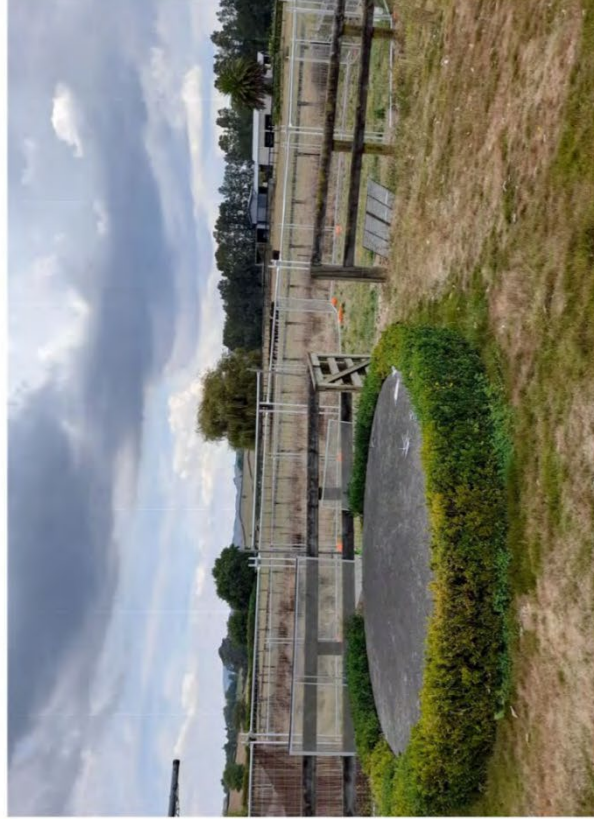
Crown

PHOTOS 25 FEBRUARY 2021





PHOTOS 2 MARCH 2021





PHOTOS 8 MARCH 2021

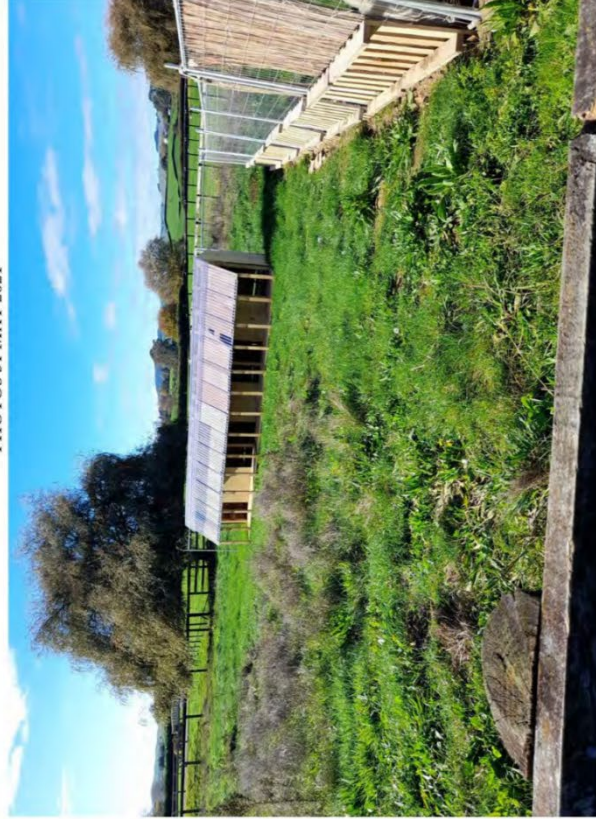
PHOTOS 12 APRIL 2021



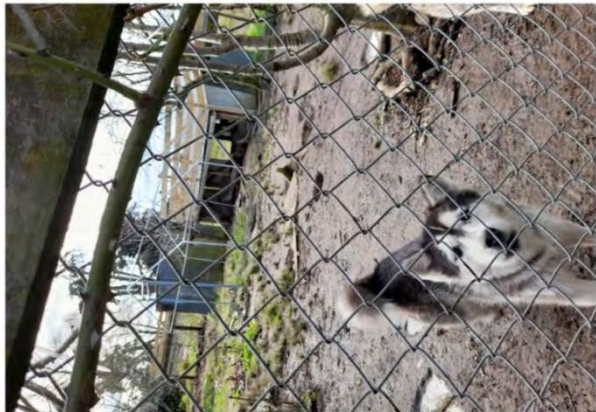
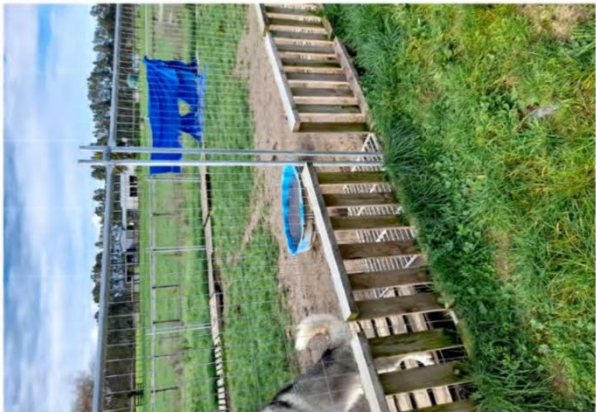
PHOTOS 21 APRIL 2021



PHOTOS 31 MAY 2021



PHOTOS 4 AUGUST 2021



PHOTOS 8 SEPTEMBER 2021




### INFRINGEMENT NOTICE

UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

OFFENCE NUMBER **12463**

TERRITORIAL AUTHORITY



**Hamilton City Council**  
Te kaunihera o Kirikiriroa

Garden Place, Hamilton  
Ph (07) 838 6699, Fax (07) 838 6599

Forenames \_\_\_\_\_ Surname \_\_\_\_\_

Name of dog owner: [A1]

Address: [A2]

Date of birth: [A1]

**ALLEGED INFRINGEMENT OFFENCE DETAILS**

Date: 28/10/20 Time: 2:30pm Day of Week: S M T W T F S

Road/Street: [A2] Locality: HAMILTON

**OFFENCE COMMITTED INDICATED BY BOX TICKED**

TICK ✓	IDENTIFYING NUMBER
<input type="checkbox"/>	Willful obstruction of dog control officer or ranger 18
<input type="checkbox"/>	Failure or refusal to supply information or wilfully providing false particulars 19(2)
<input type="checkbox"/>	Failure to supply information or wilfully providing false particulars about dog 19A(2)
<input checked="" type="checkbox"/>	Failure to comply with any bylaw authorised by the section 20(5)
<input type="checkbox"/>	Failure to comply with effects of disqualification 28(5)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as dangerous dog 32(2)
<input type="checkbox"/>	Fraudulent sale or transfer of dangerous dog 32(4)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as menacing dog 33E(C)
<input type="checkbox"/>	Failure to implant microchip transponder in dog 36A(6)
<input type="checkbox"/>	False statement relating to dog registration 41
<input type="checkbox"/>	Failure to register dog 42
<input type="checkbox"/>	Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)
<input type="checkbox"/>	Failure to advise change of dog ownership 48(3)
<input type="checkbox"/>	Failure to advise change of address 49(4)
<input type="checkbox"/>	Removal, swapping, or counterfeiting of registration label or disc 51(1)
<input type="checkbox"/>	Failure to keep dog controlled or confined 52A(3)
<input type="checkbox"/>	Failure to keep dog under control 53(1)
<input type="checkbox"/>	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)
<input type="checkbox"/>	Failure to carry leash in public 54A(2)
<input type="checkbox"/>	Allowing dog known to be dangerous to be at large unmuzzled or unleashed 62(4)

Additional Details or other offences under the Dog Control Act 1996:

Reg. No. or Description of Dog:

**PAYMENT OF INFRINGEMENT FEE**

The infringement fee is payable within 28 days after (Earliest date notice delivered personally or posted)

OFFICER NUMBER: \_\_\_\_\_ THE INFRINGEMENT FEE MAY BE PAID AT THE ADDRESS SHOWN BELOW. CHEQUES OR MONEY ORDERS SHOULD BE "NOT TRANSFERABLE"

**THE INFRINGEMENT FEE MAY BE PAID TO:**

**HAMILTON CITY:** Cashiers or Animal Care and Control  
Ground Floor 217 Ellis Street  
Municipal Complex Hamilton  
Garden Place


or posted to: Private Bag 3010

### INFRINGEMENT NOTICE

UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

OFFENCE NUMBER **12460**

TERRITORIAL AUTHORITY



**Hamilton City Council**  
Te kaunihera o Kirikiriroa

Garden Place, Hamilton  
Ph (07) 838 6699, Fax (07) 838 6599

Forenames \_\_\_\_\_ Surname \_\_\_\_\_

Name of dog owner: [A1]

Address: [A2]

Date of birth: [A1]

**ALLEGED INFRINGEMENT OFFENCE DETAILS**

Date: 27/10/20 Time: 10pm Day of Week: S M T W T F S

Road/Street: [A2] Locality: HAMILTON

**OFFENCE COMMITTED INDICATED BY BOX TICKED**

TICK ✓	IDENTIFYING NUMBER
<input type="checkbox"/>	Willful obstruction of dog control officer or ranger 18
<input type="checkbox"/>	Failure or refusal to supply information or wilfully providing false particulars 19(2)
<input type="checkbox"/>	Failure to supply information or wilfully providing false particulars about dog 19A(2)
<input type="checkbox"/>	Failure to comply with any bylaw authorised by the section 20(5)
<input type="checkbox"/>	Failure to comply with effects of disqualification 28(5)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as dangerous dog 32(2)
<input type="checkbox"/>	Fraudulent sale or transfer of dangerous dog 32(4)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as menacing dog 33E(C)
<input type="checkbox"/>	Failure to implant microchip transponder in dog 36A(6)
<input type="checkbox"/>	False statement relating to dog registration 41
<input type="checkbox"/>	Failure to register dog 42
<input type="checkbox"/>	Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)
<input type="checkbox"/>	Failure to advise change of dog ownership 48(3)
<input type="checkbox"/>	Failure to advise change of address 49(4)
<input type="checkbox"/>	Removal, swapping, or counterfeiting of registration label or disc 51(1)
<input type="checkbox"/>	Failure to keep dog controlled or confined 52A(3)
<input type="checkbox"/>	Failure to keep dog under control 53(1)
<input type="checkbox"/>	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)
<input type="checkbox"/>	Failure to carry leash in public 54A(2)
<input type="checkbox"/>	Allowing dog known to be dangerous to be at large unmuzzled or unleashed 62(4)

Additional Details or other offences under the Dog Control Act 1996:

Reg. No. or Description of Dog:

**PAYMENT OF INFRINGEMENT FEE**

The infringement fee is payable within 28 days after (Earliest date notice delivered personally or posted)

OFFICER NUMBER: \_\_\_\_\_ THE INFRINGEMENT FEE MAY BE PAID AT THE ADDRESS SHOWN BELOW. CHEQUES OR MONEY ORDERS SHOULD BE "NOT TRANSFERABLE"

**THE INFRINGEMENT FEE MAY BE PAID TO:**

**HAMILTON CITY:** Cashiers or Animal Care and Control  
Ground Floor 217 Ellis Street  
Municipal Complex Hamilton  
Garden Place



# INFRINGEMENT NOTICE

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)



NUMBER: Q75080  
SR No. : DOGS2043/21

Territorial Authority  
Waikato District Council  
15 Galileo Street, Ngaruawahia  
Ph: (07) 824 8633  
Fax: (07) 824 8091

[A1]  
[A3]

	Forenames	Surname		
Name of Owner:	[A1]		Person ID:	179391
Date of Birth:	[A11]		Animal ID:	

### ALLEGED INFRINGEMENT OFFENCE DETAILS

Date:	27/01/2021	Time:	3:30:00 PM	Day of Week:	Wednesday
Road/Street:	[A3]	Locality:			

OFFENCE COMMITTED	Infringement Fee (\$)	Offence Code
Failure to keep dog controlled or confined	\$200.00	S52(A)

Additional Details of Offence (if any):	Infringement Fee payable
	\$200.00
Reg No or Description of Dog:	
Sex:	Primary Colour:

### PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after:	29/01/2021	ACO:
(earliest date notice delivered personally or posted)		21

Please note that if you have been served with this Infringement Notice for failing to register a dog, payment of the infringement does not include the dog registration fee. You will still need to register your dog without delay and failing to do so may result in the issue of further infringement notices.


**Infringement fee may be paid to:**  
 WAIKATO DISTRICT COUNCIL  
 15 Galileo Street, Private Bag 544, Ngaruawahia  
 Or to the any of the following Waikato District Council Area Offices  
 Huntly 154 Main Street  
 Tuakau 2 Dominion Road  
 Raglan 7 Bow Street  
 Cheques or money orders should be "NOT TRANSFERRABLE".

**IMPORTANT: PLEASE READ THE SUMMARY OF RIGHTS PRINTED OVERLEAF**

**INFRINGEMENT NOTICE**  
 (ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER **13051**

TERRITORIAL AUTHORITY

 **Hamilton City Council**  
 Te kaunihera o Kirikiriroa  
 Garden Place, Hamilton  
 Ph (07)838 6699, Fax (07)838 6599

Forenames \_\_\_\_\_ Surname \_\_\_\_\_

Name of dog owner: [A1]  
 Address: [A2]  
 [A11]

Date of birth: \_\_\_\_\_

**ALLEGED INFRINGEMENT OFFENCE DETAILS**

Date	Time	Day of Week:
4/3/2021	1:15pm	S M T W T F S

Road/Street: [A2] Locality: **HAMILTON**

**OFFENCE COMMITTED INDICATED BY BOX TICKED**

TICK ✓	IDENTIFYING NUMBER
<input type="checkbox"/>	Willu @bs ruction o de g t r@o@l@ficer or ranger 18
<input type="checkbox"/>	Failure or refusal to supply information or wilfully providing false particulars 19(2)
<input type="checkbox"/>	Failure to supply information or wilfully providing false particulars about dog 19A(2)
<input checked="" type="checkbox"/>	Failure to comply with any bylaw authorised by the section 20(5)
<input type="checkbox"/>	Failure to comply with effects of disqualification 28(5)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as dangerous dog 32(2)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as menacing dog 33E(C)
<input type="checkbox"/>	Failure to comply with effects of classification of dog as menacing dog 36A(6)
<input type="checkbox"/>	False statement relating to dog registration 41
<input type="checkbox"/>	Failure to register dog 42
<input type="checkbox"/>	Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)
<input type="checkbox"/>	Failure to advise change of dog ownership 48(3)
<input type="checkbox"/>	Failure to advise change of address 49(4)
<input type="checkbox"/>	Removal, swapping, or counterfeiting of registration label or disc 51(1)
<input type="checkbox"/>	Failure to keep dog controlled or confined 52A
<input type="checkbox"/>	Failure to keep dog under control 53(1)
<input type="checkbox"/>	Failure to provide proper care and attention, to supply proper and sufficient food and water, and to provide adequate exercise 54(2)
<input type="checkbox"/>	Failure to carry leash in public 54A
<input type="checkbox"/>	Allowing dog known to be dangerous to be at large unmuzzled or unleashed 62(4)

Additional Details or other offences under the Dog Control Act 1996:

*Multiple dogs (more than 2) on property without a permit. \$300.00*

Reg. No. or Description of Dog:  
*Husky Dogs*

**PAYMENT OF INFRINGEMENT FEE**

The Infringement fee is payable within 28 days after (Earliest date notice delivered personally or posted)

OFFICER NUMBER: *1037* THE INFRINGEMENT FEE MAY BE PAID AT THE ADDRESS SHOWN BELOW. CHEQUES OR MONEY ORDERS SHOULD BE "NOT TRANSFERABLE"

**THE INFRINGEMENT FEE MAY BE PAID TO:**  
**HAMILTON CITY COUNCIL** Cashiers or Animal Care and Control  
 Ground Floor 217 Ellis Street  
 Municipal Complex Hamilton  
 Garden Place

or posted to: Private Bag 3010

*PBC*



Private Bag 3010  
Hamilton 3240  
New Zealand

TEL 07 838 6699  
FAX 07 838 6599  
EMAIL info@hcc.govt.nz  
hamilton.govt.nz

## NOTICE OF DISQUALIFICATION FROM DOG OWNERSHIP

Section 25, Dog Control Act 1996

TO: (Name of owner) [A1]

ADDRESS: [A2]

This is to notify you that you have been disqualified under section 25 of the Dog Control Act 1996 from owning any dog.

This follows –

- 3 or more infringement offences (not relating to a single incident or occasion) having been committed by you, within a continuous period of 24 months; or

The disqualification will apply from 8th March 2021 until 8th March 2026

A summary of the effect of the disqualification and your right to object is attached.

A handwritten signature in black ink, appearing to be 'D. Smith', written over a horizontal line.

Signature of officer

2/7/21

Date

AC/F07  
Version 4  
24.1.05



Private Bag 3010  
Hamilton 3240  
New Zealand

TEL 07 838 6699  
FAX 07 838 6599  
EMAIL info@hcc.govt.nz  
hamilton.govt.nz

**EFFECT OF DISQUALIFICATION**  
**Section 28, Dog Control Act 1996**

You are required to dispose of every dog owned by you within 14 days of the date of this notice.

However, you may not dispose of a dog-

- to a person who resides at the same address as you; or
- in a way that constitutes an offence against the Dog Control Act 1996 or any other Act.

You must not become the owner, even on a temporary basis, of any dog while you are disqualified. You may have possession of a dog only for the purpose of-

- preventing it from causing injury, damage, or distress; or
- returning, within 72 hours, a lost dog to a territorial authority for the purpose of restoring the dog to its owner.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you-

- fail to dispose of every dog owned by you within 14 days of this notice: or
- at any time while disqualified, become the owner of any dog; or
- dispose of a dog owned by you-
- to a person who resides at the same address as you; or
- in a manner that constitutes an offence against the Dog Control Act 1996 or any other Act.

If you are convicted of the first or second of these offences, your period of disqualification may be further extended.

You will also commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you dispose or give custody or possession of a dog to a person knowing that person to be disqualified from ownership under section 25 of the Dog Control Act 1996.

Full details of the effect of disqualification are provided in the Dog Control Act 1996.



**RIGHT OF OBJECTION TO DISQUALIFICATION**

Private Bag 3010  
Hamilton 3240  
New Zealand

TEL 07 838 6699  
FAX 07 838 6599  
EMAIL [info@hcc.govt.nz](mailto:info@hcc.govt.nz)  
[hamilton.govt.nz](http://hamilton.govt.nz)

**Section 26, Dog Control Act**

You may object to the disqualification by lodging a written objection with the Hamilton City Council setting out the grounds on which you object. You are entitled to be heard in support of your objection and will be notified of the time and place when your objection will be heard. No objection can be lodged within 12 months of the hearing of any previous objection to the disqualification. If an objection is lodged within 14 days after the date of this notice, the requirement to dispose of every dog owned by you will be suspended until the Hamilton City Council has determined the objection.

There is a further right of appeal to the District Court if you are dissatisfied with the decision of the Hamilton City Council on your objection.

AC/F07  
Version 4  
24.1.05

### STATEMENT OF SERVICE

This document was served by me by delivering a copy of the same to the Dog Owner/or Occupier personally on the

\_\_\_\_\_ Day of \_\_\_\_\_ at \_\_\_\_\_

Residential or  
Address is

The same as that on the notice	(Specify)
-----------------------------------	-----------

[A1] of [A2]

This document was served by me by leaving a copy of the same for the Dog Owner/Occupier on the

2<sup>nd</sup> Day of July 1<sup>st</sup> 2021 at 11:52am

At \_\_\_\_\_ [A2]

(Show full address of service)

Dog Control Officer: [Signature] D42 2 / 7 / 2021

\_\_\_\_\_  
Registered Letter Date Posted:

**BEFORE THE HAMILTON CITY COUNCIL**

**UNDER** the Dog Control Act 1996

**IN THE MATTER** of a notice of disqualification from dog ownership

**CONCERNING** [A1]

---

**SUBMISSIONS ON BEHALF OF** [A1]

DATED 17 SEPTEMBER 2021

---

---

**Solicitor:**  
John Jon  
Park Legal  
12-14 Como Street  
PO Box 331391  
Takapuna 0740  
t | (09) 281 4235  
john@nz.lawyer

**Counsel:**  
Martin Dillon  
Thackeray Chambers  
26 Thackeray Street  
PO Box 1092  
Hamilton 3240  
t | 021 144 0486  
martin@martindillon.nz

**SUBMISSIONS ON BEHALF OF [A1]**

1. [A1] objects to disqualification from dog ownership by the Hamilton City Council under section 25 of the Dog Control Act 1996.
2. The term of disqualification was five years, being the maximum permissible under the Act [s25(3)]. The basis for the disqualification is that [A1] committed three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months [s25(1)(a)].
3. The Notice of Disqualification from Dog Ownership did not provide particulars of the infringement offences relied upon. Initially, [A1] believed the basis for the disqualification was incorrect, and that she had not received three or more infringement notices within 24 months. She objected to disqualification on that basis.
4. Subsequently, the Council has provided copies of infringement notices issued to [A1]. She accepts that the matters described have come to her attention. However, she did not appreciate they were all infringements, and that they were all attributed to her, at the relevant times.
5. This is because the infringements were relatively minor matters that have been cured and are unlikely to repeat. Moreover, others also played a part at times, and dealt with dog control officers. That these were all separately categorised as infringements, and that their collective weight could result in disqualification, was not something [A1] was particularly alive to.
6. [A1] maintains her objection to disqualification, and for good reason. This is because disqualification is out of all proportion to the gravity of the infringements.
7. There is also a question over whether the infringement notices have been properly issued to [A1] in all cases, and whether they could all count toward disqualification. These submissions do not go so far as to suggest that the threshold criteria for disqualification are not met. However, the matters raised should be accounted for when considering the disproportionality issue.
8. Under section 25(1A) of the Act, the Council may decide not to disqualify [A1] if it is satisfied that the circumstances of the infringements are such that:
  - 8.1. disqualification is not warranted; or
  - 8.2. the Council will instead classify [A1] as a 'probationary owner' under section 21 of the Act.



9. When considering [A1]'s objection, the Council must have regard to:
- 9.1. the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
  - 9.2. the competency of the person objecting in terms of responsible dog ownership; and
  - 9.3. any steps taken by the owner to prevent further offences; and
  - 9.4. the matters advanced in support of the objection; and
  - 9.5. any other relevant matters [s26(3)].
10. The Council may uphold the decision to disqualify, or lessen the amount of the disqualification, or terminate the disqualification. When determining [A1]'s objection the Council must give a written notice of its decision, with reasons, and must also set out [A1]'s right of appeal to the District Court [s26(4)].

**The circumstances and nature of the infringements**

11. As far as infringements go, those that have been issued to [A1] are at the relatively minor end of the scale. They are as follows:

Reference	Date	Authority	Infringement
12463	28 Oct 20	Hamilton CC	More than two dogs on property without a permit
12460	29 Oct 20	Hamilton CC	Failure to register 11-month-old Husky male
Q75080	27 Jan 21	Waikato DC	Failure to keep dog controlled or confined
13051	4 Mar 21	Hamilton CC	More than two dogs on property without a permit

12. It is important to recognise that there is a difference between infringements and offences. Offences are more serious.
13. To be clear, [A1] has not been convicted of an offence against the Dog Control Act 1996 or the Animal Welfare Act 1999. Those are grounds for disqualifying dog owners under sections 25(1)(b) and (c) of the Dog Control Act. Those offences include:
- 13.1. Dogs attacking people or animals [s57 Dog Control Act]
  - 13.2. Dogs causing serious injury [s58 Dog Control Act]
  - 13.3. Failing to provide for the physical, health, and behavioural needs of animals [s10 Animal Welfare Act]

- 13.4. Failing to alleviate pain or distress of ill or injured animals [s11 Animal Welfare Act]
14. [A1] is not even accused of any of the more serious infringements under the Dog Control Act, such as:
  - 14.1. Wilful obstruction of dog control officer [s18]
  - 14.2. Wilfully providing false particulars [s19(2) and 19A(2)]
  - 14.3. Fraudulent activity in relation to dog registration [ss32(4), 41, 46(4), 51(1)]
  - 14.4. Allowing dangerous dog to be at large unmuzzled or unleashed [s62(4)]
15. [A1] explains that she and her husband initially owned two dogs, but they bred and she now has 13. Keeping all of those dogs at [A2] was practically and legally problematic. [A1] received her first infringement at this point in the time. That was for having more than two dogs at [A2].
16. [A1] responded relatively promptly by buying a lifestyle property in [A3]. She is entitled to keep more than two dogs there because it is in a rural location. The purchase took time, as such things tend to, but it was ultimately settled on 23 December 2020.
17. [A1] also received an infringement for having an unregistered dog in on 29 October 2020. She accepts that the dog was not registered and explains it was an oversight. She does tend to register her dogs and has remedied the registration in this instance.
18. [A1] advises that the 28 and 29 October infringement notices were in fact issued on the same day and at the same time. This issue should be put to the dog control officer involved, and a response obtained. That is because the matter is relevant to the threshold criteria for disqualification:
  - 18.1. Section 25(1)(a) of the Dog Control Act provides that a dog owner is liable for disqualification if they commit three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.
  - 18.2. If, upon hearing from the dog control officer involved, the 28 and 29 October infringements should properly be regarded as relating to a single incident or occasion, then they should collectively be regarded as one infringement for the purposes of section 25(1)(a).
  - 18.3. It is acknowledged that there would remain a total of three infringements if that were so, although there is a further issue

concerning the infringement issued by the Waikato Regional Council. That is addressed below.

19. [A1] and her husband have retained [A2]. [A1] tends to live at the lifestyle property with 11 of the dogs, and her husband lives at [A2] property with two.
20. A friend came to visit [A1] at her lifestyle property on or about 27 January 2021, just a little over one month after she moved there. That friend brought his own dog with him, and accidentally allowed his dog to escape when he opened a gate. The dog was recovered on the same day. Nothing has been received that suggests the 27 January escape endangered any person or animal, or caused a nuisance.
21. [A1] paid the infringement fee for the 27 January escape, even though the dog that escaped was not hers. She also recalls that the escape in fact happened on the 26<sup>th</sup> of January, but accepts that is neither here nor there. She paid the fee for her friend's dog because her was her guest and had come to help her and her husband at the property.
22. The details of the friend and the dog are as follows:  
[A4]  
[A2]  
**Phone:**  
**Animal:** Siberian Husky
23. This is important, because the 27 January infringement was issued under section 52(A) of the Dog Control Act. That section relates to dog owners. [A1] was not the owner, and so the infringement notice should not have been issued to her. [A1] has paid the infringement fee though, and is not minded to attempt to reopen the issue with a formal hearing under section 21 of the Summary Offences Act 1957.
24. In any event, [A1] has subsequently made improvements to better-accommodate her dogs, and there have not been any further escapes in the nine months or so since that January occurrence.
25. The 4 March 2021 infringement occurred when "[G3]", one of the dogs ordinarily at the lifestyle property, became unwell. He needed urgent attention that resulted in the removal of one of his eyeballs. [A1] and her husband decided it would be best if [G3] recovered at their [A2] property, where there was less risk of other dogs interfering with [G3]'s wound. That was a sensible course of action, and consistent with [A1]'s legal obligation to provide for [G3]'s health needs [s10 Animal Welfare Act].

26. There was an issue, however, in that there were already two dogs at the [A2] property. [A1] rationalised her decision on the basis that [G3] did have a genuine purpose for being there, and he would only be there for a limited time. She understood her husband had explained this to a dog control officer . She did not appreciate that it could prove to be the final straw for the Council, in terms of her dog ownership.
27. It is respectfully submitted that these occurrences are all relatively minor, whether considered individually or collectively. There is no destructive incident, of the kind described in the District Court appeal in *Pattullo v Christchurch City Council* CIV-2009-009-3806 [31 May 2010]. Nor is there a persistent refusal to obey the law, of the kind described in the District Court appeal in *O'Connor v Wairoa District Council* [2018] NZDC 23825 [21 November 2018].
28. It is noteworthy that in both of those appeals, five year periods of disqualification were reduced to three years (in *Pattullo*) and two-and-a-half years (in *O'Connor*). The periods imposed by the Councils were found to have been excessive in both of those cases, and both of those cases are more serious than the present.
29. Each case should be weighed according to its own particular merits. It is not appropriate to impose the maximum penalty available, simply because an owner qualifies for disqualification. Section 25(1A) of the Dog Control Act clearly requires a Council to consider its options, which are:
- 29.1. No disqualification
  - 29.2. Classification as a probationary dog owner
  - 29.3. Disqualification
30. In the event that disqualification is considered appropriate, then consideration must be given to the length of it. A Council should only impose the maximum length in the most serious cases.

**The competency of [A1] in terms of responsible dog ownership**

31. [A1] is a sufficiently competent and responsible dog owner for reasons already alluded to:
- 31.1. She has attended to registration of the one overlooked dog among 13.
  - 31.2. She has purchased a rural lifestyle property in order to comply with her legal obligations and to provide for the needs of her dogs.
  - 31.3. She has shown herself to take responsible action in seeking urgent medical attention for [G3], albeit she erred in having him stay at her [A2] property (albeit temporarily).

- 31.4. In addition to the above, she has gone to considerable lengths and expense to take care of her dogs' medical needs on other occasions [per the veterinarians' records **supplied**].
- 31.5. There has been no repeat of the escape from her lifestyle property, which has subsequently been improved so as to make sure of that.
- 31.6. [A1] has not committed a serious offence, or even one of the more serious infringements.

**Steps taken by [A1] to prevent further offences**

32. Please refer to the above, where [A1]'s various steps have been outlined (and summarised under the heading 'The competency of [A1] in terms of responsible dog ownership').

**The matters advanced in support of the objection**

33. A proportionate response to [A1]'s infringements is required by law, as observed in the District Court appeals in *Pattullo v Christchurch City Council* CIV-2009-009-3806 [31 May 2010] and ●'Connor v Wairoa District Council [2018] NZDC 23825 [21 November 2018].
34. The overall submission for [A1] is that disqualification is out of all proportion to the gravity of her infringements.
35. It is submitted that disqualification is not warranted.
36. Alternatively, the Council may consider probationary ownership under section 21 of the Dog Control Act.
37. Finally, if the Council does maintain disqualification, then it should at least reconsider the length of that. That is because length of disqualification has proved to be a successful appeal point in more serious cases than the present.

**Any other relevant matters**

38. Nil.

**17 September 2021**



M L Dillon  
**Barrister**

**Pet Doctors Tristram St**  
 Cnr Mill & Tristram St, Hamilton, 3200  
 P: 07 838 2200  
 E: [tristram@nzpetdoctors.co.nz](mailto:tristram@nzpetdoctors.co.nz)  
[www.nzpetdoctors.co.nz](http://www.nzpetdoctors.co.nz)



**BILL TO**  
 [C1]  
 [A2]

**TAX INVOICE NO:**  
 INVOICE DATE:  
 CUSTOMER ID:  
 ANIMAL:  
 GST NO:

2258101  
 06-05-2021  
 [G3]

DESCRIPTION	QTY	TOTAL
Tobrex Eye Drops	1	\$59.44
Gabapentin Apo 300mg 100s (Per Capsule)	14	\$17.17

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 member you could have saved \$0.00  
 Speak to our team about becoming  
 a member today! [www.bestforpet.co.nz](http://www.bestforpet.co.nz)

**PAYMENT TERMS: COD**  
 Payment in full is expected upon completion of treatment.  
 Administration fees and collection fees will be applied to  
 overdue accounts.  
**Bank Account: 06-0956-0700116-83**

Subtotal	\$76.61
Inc. GST	\$9.99
<b>Total</b>	<b>\$76.61</b>
Paid	\$76.61
<b>Due</b>	<b>\$0.00</b>

**Pet Doctors Tristram St**  
 Cnr Mill & Tristram St, Hamilton, 3200  
 P: 07 838 1200  
 E: tristram@nzpetdoctors.co.nz  
 www.nzpetdoctors.co.nz



**BILL TO**  
 [C1]  
 [A2]

**FAX INVOICE NO:**  
 INVOICE DATE:  
 CUSTOMER ID:  
 ANIMAL:  
 GST NO:

03-J4-2021  
 [G3]

DESCRIPTION	QTY	TOTAL
Consultation - Revisit		\$65.00
Gabapentin 300 300mg 100s (Per Capsule)	14	\$17.17
Torex Eye Drops		\$59.14

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 member you could have saved \$45.00  
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**PAYMENT TERMS: COD**  
 Payment in full is expected upon completion of treatment.  
 Administration fees and collection fee will be applied to  
 overdue accounts.  
**Bank Account: 06-0956-0700116-83**

Subtotal	\$141.61
Inc. GST	\$18.47
<b>Total</b>	<b>\$141.61</b>
Paid	\$141.61
<b>Due</b>	<b>\$0.00</b>

**Pet Doctors Tristram St**  
 Cnr Mill B, Tristram St, Hamilton, 3200  
 P: 07 838 2200  
 E: tristram@nzpetdoctors.co.nz  
 www.nzpetdoctors.co.nz



<b>BILL TO</b>	<b>TAX INVOICE NO:</b>	2239171
[C1]	INVOICE DATE:	22-01-2021
[A2]	CUSTOMER ID:	
	ANIMAL:	
	GST NO:	[G3]

DESCRIPTION	QTY	TOTAL
Consultation - Revisit	1	\$45.00
Gabapentin Apo 300mg 100s (Per Capsule)	10	\$16.55
Fluorescein Ophthalmic Test (In-House)	1	\$20.00

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 member you could have saved \$45.00  
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 a member today! [www.bestforpet.co.nz](http://www.bestforpet.co.nz)

**PAYMENT TERMS: COD**  
 Payment in full is expected upon completion of treatment.  
 Administration fees and collection fees will be applied to  
 overdue accounts.  
**Bank Account: 06-0956-0700116-83**

Subtotal	<b>\$81.55</b>
inc. GST	\$10.64
<b>Total</b>	<b>\$81.55</b>
Paid	\$81.55
<b>Due</b>	<b>\$0.00</b>



**Pet Doctors Tristram St**  
 Cnr Mill & Tristram St, Hamilton, 3200  
 P: 07 838 2200  
 E: [tristram@nzpetdoctors.co.nz](mailto:tristram@nzpetdoctors.co.nz)  
[www.nzpetdoctors.co.nz](http://www.nzpetdoctors.co.nz)



**BILL TO**

[C1]  
 [A2]

**TAX INVOICE NO:**  
 INVOICE DATE:  
 CUSTOMER ID:  
 ANIMAL:  
 GST NO:

2258665  
 10-05-2021  
 [G3]

DESCRIPTION	QTY	TOTAL
Consultation - Standard	1	\$65.00
CBC, Blood Chemistry 17 Panel, Electrolytes SDMA T4	1	\$265.92
Medetate Injection 1Mg/mL 10mL (Per mL)	0.25	\$24.42
Fresofol 1% 10mg/mL 10X50mL (Per ml)	12	\$20.80
Sedation Procedure - Large Dog 25-40kg	1	\$60.00
Hospital Dog Surgery After GA or Sedation	1	\$40.00
Anaesthetic Monitoring Fee	1	\$25.00
Histology Interpretation Of 1 Tissue (Nzvp)	1	\$227.24
Sample Handling & Interpretation	1	\$23.00
Urinalysis - Wcexx and SG (In House)	1	\$25.00
Cytology In House (In-House)	1	\$33.00
Xray Thoracic Study	1	\$199.50
PREMED Methadone Injection 10mg 10x1mL (Per mL)	0.5	\$0.00
Fluorescein Ophthalmic Test (In-House)	1	\$20.00
Schirmer Tear Test (In-House)	1	\$20.00
intraocular Pressure Measurement (in House)	1	\$25.00
Surgery Non Sterile (per 5 mins)	1	\$42.20
Surgical Materials Minor	1	\$30.00
Suture Lux Pdo Usp 3-0 26mm Rc 12pk (Each)	1	\$18.33
Elizabethan Collar Buster Clic 25cm Each	1	\$19.71
Iv Catheter Placement	1	\$52.33

**Pet Doctors Tristram St**

Cnr Mill & Tristram St, Hamilton, 3200

P: 07 838 2200

E: [tristram@nzpetdoctors.co.nz](mailto:tristram@nzpetdoctors.co.nz)

[www.nzpetdoctors.co.nz](http://www.nzpetdoctors.co.nz)



**BILL TO**

[C1]

[A2]

**TAX INVOICE NO:**

INVOICE DATE:

CUSTOMER ID:

ANIMAL:

GST NO:

2258665

10-05-2021

[G3]

Did you know that if you were a  
  
 member you could have saved \$140.17  
 Speak to our team about becoming  
 a member today! [www.bestforpet.co.nz](http://www.bestforpet.co.nz)

**PAYMENT TERMS: COD**

Payment in full is expected upon completion of treatment.  
Administration fees and collection fees will be applied to  
overdue accounts.

Bank Account: 06-0956-0700116-83

Subtotal

\$1,236.45

Inc. GST

\$161.28

**Total**

**\$1,236.45**

Paid

\$1,236.45

**Due**

**\$0.00**

**Pet Doctors Tristram St**  
 Cnr Mill & Tristram St, Hamilton, 3200  
 P: 07 838 2200  
 E: [tristram@nzpetdoctors.co.nz](mailto:tristram@nzpetdoctors.co.nz)  
[www.nzpetdoctors.co.nz](http://www.nzpetdoctors.co.nz)



<b>BILL TO</b>	<b>TAX INVOICE NO:</b>	2258899
<b>[C1]</b>	INVOICE DATE:	10-05-2021
<b>[A2]</b>	CUSTOMER ID:	
	ANIMAL:	<b>[G3]</b>
	GST NO:	

DESCRIPTION	QTY	TOTAL
Doxine 100mg 250s (Per Tablet)	42	\$20.29
Rimadyl 100Mg 60s (Per Chew)	5	\$41.16
Written Prescription Fee	1	\$25.00

Did you know that if you were a  
  
 member you could have saved \$0.00  
 Speak to our team about becoming  
 a member today! [www.bestforpet.co.nz](http://www.bestforpet.co.nz)

**PAYMENT TERMS: COD**  
 Payment in full is expected upon completion of treatment.  
 Administration fees and collection fees will be applied to  
 overdue accounts.  
 Bank Account: 06-0956-0700116-83

Subtotal	\$86.45
Inc. GST	\$11.78
<b>Total</b>	<b>\$86.45</b>
Paid	\$86.45
<b>Due</b>	<b>\$0.00</b>

**VSA**  
 ADVANCED VETERINARY CARE  
 MT ALBERT & SYLVIA PARK



VSA Surgical Ltd - Mt Albert  
 97 Carrington Road  
 Point Chevalier  
 Email: mtalbert@vsnz.co.nz  
 Phone: 09 845 5455

**BILL TO**

[A1] & [C1]  
 [A2]

**Tax Invoice**

GST #:  
 Date: 10-12-2019  
 Due Date: 10-12-2019  
 Customer No.:  
 Animal: [A12]  
 Clinical No.:  
 Referring Vet: . (Pet Doctors Flagstaff (The Pet Practice))

DESCRIPTION	QTY	TOTAL
Specialist Consultation URGENT	1	\$300.00
Hospitalisation Level 3 Care (Per 12 Hours)	1	\$150.00
In-House - Glucose	1	\$15.00
Butorphanol (Per ml)	0.0052	\$17.61
Treatment Room Consumables	1	\$50.00
In-House - Glucose	1	\$15.00
IV Catheter And Fluid Fee	1	\$165.00
Propofol CRI / TIVA Anaesthesia	1	\$0.00
Syringe Infusion Pump Fee	2	\$172.50
Fresofol 1% Vial (Per ml)	10	\$19.29
Remifentanyl 1mg/ml (1ml vial)	10	\$24.52
Fentanyl 500mcg (Per ml)	10	\$21.51
Anaesthesia Induction	1	\$120.00
Maintenance Anaesthesia	1	\$625.00
Anaesthesia Monitoring	1	\$69.81
Nursing Fee	3	\$150.01
Abdo Surgery	1	\$1,400.00
Surgical Preparation	1	\$145.00
Theatre Consumables 1	1	\$320.00
Theatre Maintenance Fee	1	\$187.79
Theatre Soft Tissue Equipment	1	\$171.70
Bandage- Incision	1	\$15.00
Histo- Single Tissue	1	\$201.62
Suture Ethilon 4/0	1	\$16.43
Suture Ethilon 3/0	1	\$16.10
Suture PDS 4/0	1	\$19.01
Suture PDS 5/0	1	\$24.03
Suture Monocryl 5/0	1	\$22.64
40cc Closed Suction Drain	1	\$60.28

**PAYMENT TERMS: COD**

Payment in full is expected upon completion of treatment.

Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.

**Bank Account: 01-0129-0310069-00**

Subtotal	\$4,514.85
Inc. GST	\$588.91
<b>Total</b>	<b>\$4,514.85</b>
Paid	\$4,514.85
<b>Due</b>	<b>\$0.00</b>

**PAYMENT TERMS: COD**  
**Payment in full is expected upon completion of treatment.**  
Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.  
**Bank Account: 01-0129-0310069-00**

Subtotal	\$4,514.85
Inc. GST	\$588.91
<b>Total</b>	<b>\$4,514.85</b>
Paid	\$4,514.85
<b>Due</b>	<b>\$0.00</b>



**VS Imaging Ltd - Mt Albert**  
 97 Carrington Road  
 Mt Albert  
 Email: mतालbert@vsnz.co.nz  
 Phone: 09 845 5455

**BILL TO**

[A1] & [C1]

[A2]

**Tax Invoice**

GST #:

Date: 10-12-2019

Due Date: 10-12-2019

Customer No.:

Animal: [A12]

Clinical No.:

Referring Vet: . (Pet Doctors Flagstaff (The Pet Practice))

DESCRIPTION	QTY	TOTAL
Radiography- Contrast Study	1	\$300.00
Omnipaque 300mg/ml (20ml Vial)	1	\$39.39
Ultrasound- Abdomen	1	\$395.00

**PAYMENT TERMS: COD**

**Payment in full is expected upon completion of treatment.**

Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.

**Bank Account: 01-0129-0310069-00**

Subtotal	\$734.39
Inc. GST	\$95.79
<b>Total</b>	<b>\$734.39</b>
Paid	\$734.39
<b>Due</b>	<b>\$0.00</b>

# VSA

ADVANCED VETERINARY CARE  
MT ALBERT & SYLVIA PARK



VSA Surgical Ltd - Mt Albert  
97 Carrington Road  
Point Chevalier  
Email: mtalbert@vsnz.co.nz  
Phone: 09 845 5455

**BILL TO**

[A1] & [C1]

[A2]

**Tax Invoice**

GST #: 113-971-606

Date: 11-12-2019

Due Date: 11-12-2019

Customer No.:

Animal: [A12]

Clinical No.:

Referring Vet: (Pet Doctors Flagstaff (The Pet Practice))

DESCRIPTION	QTY	TOTAL
455321	1	\$1,566.80

**COMMENTS**

AEC invoice 455321 11/12/19

**PAYMENT TERMS: COD**

Payment in full is expected upon completion of treatment.

Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.

**Bank Account: 01-0129-0310069-00**

Subtotal	\$1,566.80
Inc. GST	\$204.37
<b>Total</b>	<b>\$1,566.80</b>
Paid	\$1,566.80
<b>Due</b>	<b>\$0.00</b>

**VSA**  
 ADVANCED VETERINARY CARE  
 MT ALBERT & SYLVIA PARK



**VSA Surgical Ltd - Mt Albert**  
 97 Carrington Road  
 Point Chevalier  
 Email: mtalbert@vsnz.co.nz  
 Phone: 09 845 5455

**BILL TO**

[A1] &amp; [C1]

[A2]

**Tax Invoice**

GST #:

Date: 11-12-2019

Due Date: 11-12-2019

Customer No.:

Animal:

[A12]

Clinical No.:

Referring Vet: (Pet Doctors Flagstaff (The Pet Practice))

DESCRIPTION	QTY	TOTAL
WEDNESDAY	1	\$0.00
In-House - Glucose	1	\$15.00
Hospitalisation Level 4 Care (Per 12 Hours)	1	\$270.00
Nursing Fee - IV fluid maintenance (per 12 hours)	1	\$100.00
Nursing Fee - Handling Care Required	1	\$50.00
Nursing Fee - Hygienic Care Required	1	\$50.00
Nursing Fee - Recumbency Care (per 12 hours)	1	\$50.00
Nursing Fee - Feeding Tube Maintenance and Use (per 12 hours)	1	\$75.00
Nursing Fee - Drain Care (per 12 hours)	1	\$35.00
Temgesic 0.3mg (Per ml)	1	\$24.70
In-House - Glucose	1	\$15.00

**PAYMENT TERMS: COD**

Payment in full is expected upon completion of treatment.

Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.

Bank Account: 01-0129-0310069-00

Subtotal	\$684.70
Inc. GST	\$89.31
<b>Total</b>	<b>\$684.70</b>
Paid	\$684.70
<b>Due</b>	<b>\$0.00</b>



# VSA

ADVANCED VETERINARY CARE  
MT ALBERT & SYLVIA PARK



VSA Surgical Ltd - Mt Albert  
97 Carrington Road  
Point Chevalier  
Email: mtalbert@vsnz.co.nz  
Phone: 09 845 5455

**BILL TO**

[A1] & [C1]

[A2]

**Tax Invoice**

GST #:

Date: 11-12-2019

Due Date: 11-12-2019

Customer No.:

Animal: [A12]

Clinical No.:

Referring Vet: . (Pet Doctors Flagstaff (The Pet Practice))

DESCRIPTION	QTY	TOTAL
Cremation Puppy Separate Rimu Urn	1	\$300.00
Cremation Photo Charge	1	\$95.00

**PAYMENT TERMS: COD**

Payment in full is expected upon completion of treatment.

Administration fees and collection fees will be applied to overdue accounts. All costs incurred in the recovery of overdue funds including but not limited to debt recovery costs and legal fees may be added to the balance of your account.

**Bank Account: 01-0129-0310069-00**

Subtotal \$395.00

Inc. GST \$51.52

**Total \$395.00**

Paid \$395.00

**Due \$0.00**

**Attachment 15**

**Item 5**

## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject 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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Dog Control Hearings Panel Public Excluded Minutes - 4 June 2021	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987 ) )	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.                   to prevent the disclosure or use of official information for improper gain or improper advantage                   Section 7 (2) (j)