

Notice of Meeting:

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

Date: Thursday 17 April 2025
Time: 9:30 am
Meeting Room: Committee Room 1 and Audio Visual Link
Venue: Municipal Building, Garden Place, Hamilton

Lance Vervoort
Chief Executive

Dog Control Hearings Panel
He Koomiti Whiriwhiri I Ngaa Take Kuri
OPEN AGENDA

Membership

Chairperson Vacancy
Heamana

Members Cr Moko Tauariki
Cr Andrew Bydder
Cr Anna Casey-Cox
Cr Maria Huata

Quorum: Three members

Meeting Frequency: As required

Amy Viggers
Mana Whakahaere
Governance Lead

18 March 2025

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Purpose

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

<i>The Dog Control Hearings Panel is delegated the following Terms of Reference and powers:</i>

Terms of Reference:

2. 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:** 17 April 2025
Author: Charlotte Mitchell **Authoriser:** Michelle Hawthorne
Position: Graduate Governance Support **Position:** Governance and Assurance Manager
Report Name: Confirmation of the Dog Control Hearings Panel Open Minutes 14 November 2024

Report Status	Open
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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 14 November 2024 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Dog Control Hearings Panel Open Unconfirmed Minutes 14 November 2024



Dog Control Hearings Panel
He Koomiti Whiriwhiri I Ngaa Take Kuri
OPEN MINUTES

Minutes of a meeting of the Dog Control Hearings Panel held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Thursday 14 November 2024 at 9:30 am.

PRESENT

Chairperson <i>Heamana</i>	Cr Mark Donovan
Members	Cr Anna Casey-Cox Cr Maria Huata

- 1. Apologies – *Tono aroha***
Resolved: (Cr Donovan/ Cr Casey-Cox)
That the Dog Control Hearings Panel accepts the apologies for absence from Cr Andrew Bydder and Cr Moko Tauariki.
- 2. Confirmation of Agenda – *Whakatau raarangi take***
Resolved: (Cr Donovan/ Cr Huata)
That the Dog Control Hearings Panel confirms the agenda.
- 3. Declarations of Interest – *Tauaakii whaipanga***
No members of the Council declared a Conflict of Interest.
- 4. Confirmation of the Dog Control Hearings Panel Open Minutes 3 October 2024**

Resolved: (Cr Donovan/Cr Huata)
That the Dog Control Hearings Panel confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 3 October 2024 as a true and correct record.

5. **Objection to Menacing Classification of Dog - Thompson-Tarau**

Ms Thompson-Tarau and Mr Thompson spoke to their objection highlighting the steps that they have taken to prevent the Dog from roaming and preventive measures that they have done to ensure that an incident that prompted the Menacing Classification does not happen again.

The Response and Resilience Manager then highlighted the two separate incidents where the Dog has been found roaming. They explained how de-sexing of a dog could prevent future roaming incidents.

6. **Objection to Disqualification from Dog Ownership – Edmonds**

Mr Edmonds spoke to their submission for their objection, their experience with Animal Education and Control, his concerns with the process and that he has taken online courses to assist him with controlling his Dog better.

Staff spoke to the report highlighting the incidents which have cause the owner to be disqualified noting that the owner has had an extensive history of infringements.

7. **Resolution to Exclude the Public**

Resolved: (Cr Donovan/Cr Casey-Cox)

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. Dog Control Hearings Panel Public Excluded Minutes 3 October 2024) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
5. Objection to Menacing Classification of Dog - Thompson-Tarau) Official Information and) Meetings Act 1987)	
6. Objection to Disqualification from Dog Ownership – Edmonds		

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 maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
Item 5.	to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
Item 6.	to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)

The meeting moved to Public Excluded session at 10:09am

During the Public Excluded Session of the meeting the following was resolved to be released to the public:

Item 5:

That the Dog Control Hearings Panel:

- a) receives the report;
- b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection;
- c) notes that the Dog Control Hearings Panel in determining any objection can only either uphold or rescind the classification under the Dog Control Act 1996;
- e) upholds the menacing classification; and
- f) approves the release of the decision from Public Excluded via the open minutes of this meeting.

Item 6:

That the Dog Control Hearings Panel:

- a) receives the report;
- b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection;
- c) notes under the Dog Control Act 1996 that the Dog Control Hearings Panel in determining any objection can only either;
 - i. uphold the classification;
 - ii. bring forward the date of termination of the classification; or
 - iii. immediately terminate the disqualification; and
- d) classifies the dog owner as disqualified until 14 January 2029 (being the date that is five years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the dog owner to appeal to the District Court under section 27 of the Dog Control Act 1996.
- e) approves the release of the decisions from Public Excluded via the open minutes of this meeting

The meeting was closed at 10:18am.

Council Report

Item 5

Committee: Dog Control Hearings Panel **Date:** 17 April 2025
Author: Charlotte Mitchell **Authoriser:** Michelle Hawthorne
Position: Graduate Governance Support **Position:** Governance and Assurance Manager
Report Name: Objection to Menacing Classification of Dog - van Wyk

Report Status	Open
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Purpose - *Take*

1. To seek a determination from the Dog Control Hearings Panel on the classification of Enzo as a menacing dog.

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Dog Control Hearings Panel:
 - a) receives the report; and
 - b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection; and
 - c) notes that the Dog Control Hearings Panel in determining any objection can only either uphold or rescind the classification under the Dog Control Act 1996; and
 - d) the hearing is Public Excluded or adjourned for a decision to be made; and
 - e) either upholds or rescinds the menacing classification.

Executive Summary - *Whakaraapopototanga matua*

3. On 19 November 2024 Council received a complaint regarding 'Enzo' (the Dog) attacking another dog and biting another dog owner. (**Attachment 1**).
4. The Dog Control Act 1996 sets out the circumstances in which Council may classify a dog as menacing.
5. Staff recommend that the classification of the Dog as menacing is upheld.
6. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

7. On 19 November 2024 Council received a complaint regarding Enzo, a male unneutered Mastiff x Labrador Retriever, Colouring tan and white, approximately aged 7 years and 9 months (the Dog) (**Attachment 1**).

8. The complaint was in relation to the Dog attacking a member of the public and their dog. Refer to **Attachment 1** for further details.
9. On 20 January 2024 the Dog was classified by staff as menacing. Refer to **Attachment 2** for the Notice of Classification.
10. On 6 January 2024 an objection to the classification of the Dog as menacing was received from the Dog owners, refer to **Attachment 3** for a copy of the objection.
11. As a result, a hearing has been convened to hear the objection. The Hearing Panel should note the Owners have advised that they wish to be heard in person.
12. The normal order of the procedure of a hearing is as follows:
 - i. opening of the meeting by the Chair;
 - ii. the Objector presents their objection and supporting evidence;
 - iii. Any witnesses in support of the objection speak to their evidence;
 - iv. the Complainant and any witnesses in opposition of the objection speak to their evidence;
 - v. Staff summarise the Committee report and makes any comments regarding information provided at the hearing;
 - vi. the Objector has the opportunity to respond to any new matters or points not already covered during the hearing;
 - vii. the hearing is closed or adjourned for a decision to be made.
13. For the avoidance of doubt:
 - i. The Chair of the hearing may change the order of the hearing at their discretion.
 - ii. There is **no** opportunity for cross examination at the hearing by any party.
 - iii. Members of the Hearings Panel may ask questions for clarification of the parties during the hearing.

Discussion - *Matapaki*

14. Section 33B provides that in making its determination the Committee **must** have regard to:
 - i. the evidence which formed the basis for the classification;
 - ii. any steps taken by the owner to prevent any threat to the safety of persons or animals;
 - iii. the matters relied on in support of the objection; and
 - iv. any other relevant matters.

Evidence which formed the basis for the classification

15. In deciding to classify the Dog, staff have relied on the following evidence:
 - i. On 19 Nov 2024 a complaint was made to Council that the dog had gone through the fence line and attacked their dog and has also bitten the complainant.
 - ii. An Animal Control Officer called and spoke to the complainant about the attack. The complainant was able to supply photos of the injury and a vet report.
 - iii. Animal Control Officers were able to obtain statements from both witnesses and the complainant. **(See Attachment 4)**

Matters relied on or advanced in support of the objection

16. The Owner objects to the classification, however, has not provided information on why they object. Further information may be available from the objector at the hearing.
17. Refer to **Attachment 3** for the copy of the objection.

Steps taken by the owner to prevent any threat to the safety of persons or animals

18. Staff are **not** aware of any steps taken by the Owner to prevent any threat to the safety of persons or animals; the Owner may have further information on this matter at the hearing.

Other relevant matters

19. The Dog Control Act 1996 requires consideration of any other matters that the Hearings Panel considers relevant.
20. Council's Dog Control Policy provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw. The Hearing Panel should consider whether it's decision is consistent with the purposes in the Dog Control Policy, specifically:
- i. the need to minimise danger, distress, and nuisance to the community generally;
 - ii. the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
 - iii. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
 - iv. the exercise and recreational needs of dogs and their owners.
21. Ownership history and recorded dog behaviour can be a relevant consideration if it provides evidence of prior good or poor dog or ownership behaviour. Council has records of complaints regarding dogs registered to the Owner as follows:

Date and CRM	Complaint details	Result
11/03/2018 – 163745 (See Attachment 6)	Person made a complaint that dog had been able to get through fence from a neighbouring property. Owners not home and away for the week.	Microchip found, dog impounded
5/09/2024 – 424216 (See Attachment 7)	Historic Dog attack – Woman walking her dog on leash when a Tan chunky dog walked towards her and then bit her dog on the neck and ear.	Animal control officer provided advice to the attacking Dogs Owner.
19/11/2024 – 441731 (See Attachment 8)	Woman was in her property when dog came through her fence line and attacked her dog. Owner of dog was also bitten by the dog	Classified dog as menacing
24/11/2024 – 442776 (See Attachment 1)	Objector called and reporting the events of CRM 441731 from their perspective	Advice given, that party inside own property was not at fault

Options

22. Under the [Dog Control Act 1996](#), territorial authorities have two options when considering an outcome of an objection to a dog being classified as menacing:
- i. to uphold the classification; or
 - ii. to rescind the classification.
23. There are no other options open to the Dog Control Hearings Panel under the [Dog Control Act 1996](#).
24. The staff recommendation is that the Hearings Panel uphold the classification due to the aggressive behaviour of the dog on the 19th November 2024.

Financial Considerations - *Whaiwhakaaro Puutea*

25. This is a regular operating activity funded through the Long Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

Menacing Dog Classification

26. [Section 33A](#) of the [Dog Control Act 1996](#) provides that a territorial authority may classify dog as menacing that has not been classified as a dangerous dog under section 31; but a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—
- i. any observed or reported behaviour of the dog; or
 - ii. any characteristics typically associated with the dog's breed or type.

Effect of a menacing dog classification

27. If a dog is classified as a menacing dog under [section 33A](#) the owner of the dog:
- i. must not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
 - ii. must, if required by the territorial authority (refer below to Council's Dog Control Policy) within one month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a veterinarian certifying—
 - I. that the dog is or has been neutered; or
 - II. that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
 - iii. must, if a non-neutering certificate is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate that the dog has now been neutered.
28. A menacing classification extends to the whole of New Zealand and remains in place for the life of the dog.
29. There is no provision under the Dog Control Act 1996 to appeal this decision to the district Court.

Council's Dog Control Policy – Neutering of dogs classified as menacing:

30. Council's Dog Control Policy provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw.
31. The [Dog Control Policy](#) requires mandatory neutering of dogs classified as menacing in accordance with the provisions of the [Dog Control Act 1996](#). Mandatory neutering also includes dogs classified as menacing by other territorial authorities where that dog is in the jurisdiction of Hamilton City Council.

Right to make an objection

32. [Section 33B](#) provides a dog owner with the right to object to the classification. If a dog is classified under section 33A as a menacing dog, the owner:
- i. may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and
 - ii. has the right to be heard in support of the objection.

33. The territorial authority considering an objection under subsection (1) may uphold or rescind the classification, and in making its determination must have regard to—
 - i. the evidence which formed the basis for the classification; and
 - ii. any steps taken by the owner to prevent any threat to the safety of persons or animals; and
 - iii. the matters relied on in support of the objection; and
 - iv. any other relevant matters.
34. The territorial authority must, as soon as practicable, give written notice to the owner of—
 - i. its determination of the objection; and
 - ii. the reasons for its determination.

Climate Change Impact Statement

35. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

36. 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').
37. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
38. Staff consider that the keeping of animals can enhance the quality of life and wellbeing for individuals and families; however, the Council also has a responsibility to protect the community from unreasonable animal nuisances – families, whanau, iwi, hapuu, and communities should be safe from dangerous animals.

Risks - *Tuuraru*

39. Public safety risk: If a dog owner that should have been classified is not, their behaviour may mean that animals in their possession may continue to pose a potential threat to the public or other animals. This could result in attacks or incidents that cause harm.
40. Reputation and perception: Failure to properly classify a dog owner may affect the public perception of Council's approach to enforcement.

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

41. 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.
42. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Compliant Recieved (CRM – 441731)

Attachment 2 - Menancing Classification

Attachment 3 - Objection to Menacing Classification

Attachment 4 - Witness and Complainant Statements

Item 5

Attachment 5 - Compliant Recieved (CRM – 163745)

Attachment 6 - Compliant Recieved (CRM- 414216)

Attachment 7 - Compliant Recieved (CRM – 441731)

Animal Complaint Record 441731/2024

Item 5

Attachment 1

COMPLAINANT

Complaint Received	19/11/2024	Officer	D50
Name	Section 7 (2) (a)	Home Phone 1	
Address	Section 7 (2) (a)	Home Phone 2	
		Mob Phone	Section 7 (2) (a)

PROPERTY

Property Address	Section 7 (2) (a)	Section 7 (2) (a)	Safety Alert		
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ANIMAL DETAILS

Animal Number	234110	Animal Name	Enzo	Tattoo	90014180001176
Animal Location		Color	TAN /WHI	Sex	M
Owner Address		Owner Name		NAR No.	1094276

REQUEST DETAILS

Offence Date		Date and Time 19/11/2024 around 11am-1130am	Section 7 (2) (a)
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 - Historic		

A Chinese lady was walking her dog and it went through her fence line and attack her dog in lock itself to her dogs face. She has to take it to the vet for big puncture wound and broken teeth. Section 7 (2) (a) was also bitten on her left and right hand. Section 7 (2) (a) sister went out to help separate the dogs. Another by passer went to help because the lady don't know how to control her dog. She had seen this lady and this dog walk pass their area multiple times so she could just be nearby. Victim: husky x Offending dog: tan pitbull x staffy, really big, overweight.

INVESTIGATION DETAILS

Officer	D50	On 19/11/2024 at 1442hrs, I called and spoke with the complainant (D/O) of "Sace" - male, black, husky with A.N. 247565. The complainant said that her dog got bitten through her property fence line by a tan staffy/pitty cross dog who was being walked by an unknown Chinese lady. The D/O sustained injuries to her hands when she tried to separate the two dogs. The D/O dog sustained injuries to his face and teeth - was taken to the vet for treatment. The D/O will provide photos of her and her dog's injuries, and she is willing to provide a statement which will be taken once the complainant (D/O) has set a date & time. At this stage the attacking dog and its D/O are unknown, but the complainant (D/O) said that this Chinese lady walks her dog in the area frequently. D50 Section 7 (2) (a) - 19/11/2024
Start Date	24/11/2024 01:22	On 20/11/2024 at 1151hrs, called and spoke with the complainant - statement will be taken at the pound on 22/11/2024 at 1100hrs - photos of injuries and vet report attached. D50 (Edward Ward - 20/11/2024)
Finish Date	25/11/2024 08:42	On 22/11/2024 at 1100hrs, the complainant's statement was obtained at Animal Control Offices - statement has been attached to this CRM. D50 Section 7 (2) (a) - 22/11/2024
Outcome	* Completed	On 24/12/2024 at 1405hrs, I received an email from the complainant with identified witnesses to the dog attacked. The attacking dog has been identified as "Enzo" with AN. 234110 as per CRM: 442776. D50 Section 7 (2) (a) - 25/11/2024
Task	Investigation	On

complainant's injuries that I took during the date & time of the complainant's statement taking - 22/11/2024 at 1100hrs. D50 [Section 7 (2) (a)] 25/11/ 2024) O

25/11/2024 at 1243hrs, I called and spoke with [Section 7 (2) (a)] who is a witness to the attacked as per provided by the complainant. Arrangements has been made to obtain a statement from [Section 7 (2) (a)] 27/11/2024 at 1200hrs at his property - [Section 7 (2) (a)] [Section 7 (2) (a)] reported that the victim dog was on its property during the attack, and the attacking dog was on the other side of the property's fence - [Section 7 (2) (a)] [Section 7 (2) (a)] - 25/11/2024) On 25/11/2024 at 1253hrs, I called and spoke with the complainant to obtain a witness statement from the complainant's sister. The complainant reported that her sister has gone back to Taumarunui - my email address was provided to the complainant for her sister to do a witness statement via email. D50 [Section 7 (2) (a)] 25/11/2024) On 25/11/2024 at 2145hrs received a witness statement from the complainant's sister - [Section 7 (2) (a)] via email as per attached to this CRM. D50 [Section 7 (2) (a)] - 26/11/2024) On 27/11/2024 at 1236hrs, I called and spoke with [Section 7 (2) (a)] and reschedule our appointment to 28/11/2024 at noon. D50 [Section 7 (2) (a)] - 27/11/2024) On 28/11/2024 at 1300hrs, I obtain the witness statement from [Section 7 (2) (a)] who was identified by the complainant as per attached. The witness did not witness the attacked, he arrived afterwards on the complainant's property. According to the witness, he saw a solid build medium in height tan/brown pitty cross looking type dog being just off the sidewalk next to the complainant's property gate on a lead. A lady with dark hair, pale skin dress in a black & black skirt was holding onto the lead of this dog. The husky was on its own property who ran into the house of the property after the dog attack. D50 [Section 7 (2) (a)] 02 /12/2024) On 06/12/2024 at 1209hrs, I visited the property of 66 Lewis Street and spoke with the attacking dog: "Enzo" with AN. 234110 D/O's to obtain statement from the wife of Mr. van Wyk. I was informed by Mrs. Chau that she never went onto the complainant's property - she never moved off the sidewalk. Mrs. Chau said that just before the incident took place, her dog stopped next to the fence of property [Section 7 (2) (a)] or a second or two - not going off the sidewalk or onto the property of [Section 7 (2) (a)] Ave. When the residing (Husky) dog of property [Section 7 (2) (a)], stuck it's through the property fence and bit their dog first - over the right eye, and her dog just retaliated by biting the dog from property [Section 7 (2) (a)] back. Mrs. Chau reported further that during the incident - no one help her getting her dog off the dog from property [Section 7 (2) (a)], she did that herself by pulling her dog's jaw down with her fingers. Both D/O's said that their dog "Enzo" sustain injuries as well on his right eye, as per Mr. Van Wyk's words: "the dog's right eye was ripped open" - no medical attention was needed. I did saw the dog "Enzo" during my visit, and I could not see any injuries to his right eye - he did have a lot of scars on his body. Mr. Van Wyk also reported that the complainant is lying as to how incident took place, that the complainant and sister made Racial Comments towards his wife which has been reported to the Police. As soon as I started with the process of taking Mrs. Chau statement, the process was stopped by Mr. Van Wyk as he started to feel uncomfortable for his wife to make a formal statement, he felt that the Council is making him and his partner out to be the Guilty Parties. I explained to Mr. Van Wyk we can stop if he feels uncomfortable, and he can an informal statement via an email if he wishes to do so - I provided my work email address to him. Mr. Van Wyk also said that he might have a witness that can collaborate their side of the events. Which I welcome and said that I am more than willing to record this witness side of the events if he willing to do so. I also visited the property of the complainant - [Section 7 (2) (a)] and spoke with the complainant whereupon she pointed out on her property where the attack took place, as per the attach photos. D50

Classification completed for â??Enz oâ?? with A.N. 234110, male, ta & white, mastiff/Lab cross. Infringem ent Issue - 15711 for failure to keep dog under control, under Sec. 53 (1) Dog Control Act1996.
 Section 7 (2) (a) - 06/01/2025) On 06/01/2025 at approximately 1029hrs, the complainant has been infor med about the outcome of the investigation, closing off this CRM - NFA . D50
 Section 7 (2) (a) - 06/01/2025)
 European Husband of the Chinese lady at Lewis S went and spoke to Section 7 (2) (a) and said he was going to do her for her fence â?? also the offend ing dog rushed at a cyclist and a dog going past while he was talking to Section 7 (2) (a) she has photos Section 7 (2) (a) .
 24/11/2024)

Previous Complaints for Dog

CRM No.	163745/2018	Task	2INV
Animal	234110	Outcome	IMP
Maj Cat.	Animal Control (heading only)	Officer	D37
Min Cat.	Dogs - Offences (heading only)	Opened	11-Mar-18 11:05:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	11-Mar-18 11:05:00 AM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	212170/2020	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	30-Oct-20 04:27:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	20-Dec-20 07:50:01 PM
Cat 4	Dogs - Ranging - Unregistered Dog Report Compliance		

CRM No.	424216/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D17
Min Cat.	Dogs - Offences (heading only)	Opened	05-Sep-24 06:07:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	09-Sep-24 02:56:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2ACO
Animal	234110	Outcome	COMP

Maj Cat.	Animal Control (heading only)	Officer	SGM
Min Cat.	Dogs - Offences (heading only)	Opened	17-Sep-24 09:47:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	17-Sep-24 09:47:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	441731/2024	Task	ADIN
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 01:22:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	25-Nov-24 08:42:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	441731/2024	Task	2INV
Animal	234110	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	19-Nov-24 01:11:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	06-Jan-25 01:52:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	442776/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 11:28:00 AM
Cat 3	Dogs - Failure To Keep Control of Dog	Closed	18-Dec-24 08:24:00 AM
Cat 4			
CRM No.	449229/2024	Task	2INV
Animal	234110	Outcome	
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	23-Dec-24 02:15:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	
Cat 4	Dogs - Officer - Serve Dog Classification		

Notice of Classification of Dog as Menacing Dog

Section 33A, Dog Control Act 1996

To: *
(name of owner)

[REDACTED]

Address:

[REDACTED]

Hamilton 3206

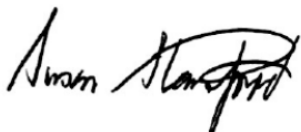
Dog Details:

Male, Unneutered Mastiff x Labrador Retriever,
Tan and White in colour, Named ENZO, Aged 7
years and 9 months approximately, Microchip 900
141 800 001 176

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

This is because of the aggressive behavior displayed by the dog on Tuesday, 19th November 2024, in Hamilton.

A summary of the effect of the classification and your right to object is provided below.



Animal Education and Control Manager

20 January 2025
Date

* For the purposes of the Dog Control Act 1996, you are the owner of a dog if:-

- you own the dog; or
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

S 33E(1) Effect of classification as a menacing dog

Sections 33E, 33F, 36A, Dog Control Act 1996

You —

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must produce to HCC within 1 month after receipt of this notice, a certificate issued by a veterinary surgeon certifying —

V2
16.3.2011
AC-F54

- (i) that the dog is or has been neutered; or
- (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) must, if a certificate under paragraph (b)(ii) is produced to HCC, produce to HCC, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

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

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

You are also required, for the purposes of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to HCC in accordance with the reasonable instructions of HCC for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement within 2 months after the dog is classified as menacing.

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

Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996. This is available to view online at www.legislation.govt.nz.

Right of Objection to Classification Under Section 33C

Section 33D, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with HCC a written objection within 14 days of receipt of this notice setting out the grounds on which you object. **This objection must be emailed to dog.registration@hcc.govt.nz**

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



Sent: Monday, January 6, 2025 1:32 PM

To: Susan (Sue) Stanford <Susan.Stanford@hcc.govt.nz>

Subject: Official Information Request under the Official Information Act 1982 : Notice Number 15711

Importance: High

Dear Ms. Stanford,

I am writing to formally request, under the Official Information Act 1982, the following information related to the recent infringement notice and classification imposed on my dog:

1. **All information held by the Animal Control Department concerning myself and my dog**, including but not limited to:
 - Records, reports, and notes
 - Correspondence
 - Internal communications
1. **Specific information pertaining to the infringement and classification**, including:
 - Statements and allegations made by complainant
 - Witness statements that might have been gathered
 - Details of **all** investigative work conducted pertaining this matter
2. **A detailed written statement outlining the processes undertaken** by Animal Control in relation to:
 - Issuing the infringement notice

- Imposing the classification
- The decision-making procedures followed

3. **Metadata for all relevant information**, including:

- Timestamps indicating when each piece of information was entered and stored
- Identification of any information compiled or entered after the date of this request

In accordance with section 15 of the Official Information Act 1982, I request that you:

- **Acknowledge receipt of this request** promptly.
- **Advise the expected timeframe for compliance**, considering that the Act stipulates a maximum of 20 working days for response. Given that the requested information should already be held by the Council, I anticipate that it can be provided within this period.

Please provide the requested information in electronic format to this email address. If any part of my request is unclear or requires further specification, I am available to discuss and refine the request to ensure its efficient processing.

I am also hereby advising that I am considering objecting to both the infringement issues as well as the classification imposed.

Thank you for your prompt attention to this matter.

Yours sincerely,

COMPLAINANT STATEMENT



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

Item 5

Attachment 4

DOCUMENTS

(Tick all that apply)

- ☒ Statement & Declaration
- ☐ Injury information sheet
- ☒ Photos
- ☐ Consent to obtain medical / veterinary records
- ☐ Medical bills / reports
- ☐ Complainant's dog details
- ☒ Veterinary bills / reports
- ☐ Victim impact statement
- ☐ Correspondence

CRM# 441731 / 2024

Animal ID _____

Offender ID _____

Property ID _____

DOG IDENTIFICATION

- ☒ Dog not positively identified
- ☐ Positive identification of the dog(s) on (date) _____ at (time) _____
- ☐ Familiar with the dog(s)
- ☐ Seen it / them confined on property at (address) _____
- ☐ Positively identified in Animal Control vehicle
- ☐ Positively identified at Animal Pound at (address) _____
- ☐ Positively identified from photos provided by Animal Control Officer #: _____
- ☐ Photo album (if applicable) _____

DOG OWNER IDENTIFICATION

- ☒ Does not know who owns the dog
- ☐ Knows the owner of the dog

Description of dog owner
(ethnicity, gender, build,
approximate age, clothing,
vehicle, etc.)

MIDDLE AGED, FEMALE, ASIAN, SHORT BUILD

Page 1 of 8

PERSONAL DETAILS	
<input checked="" type="checkbox"/> Complainant	<input type="checkbox"/> Victim <input type="checkbox"/> Victim's parent / guardian (select all that apply)

Title	Section 7 (2) (a)	Date of birth	Section 7 (2) (a)
Name	Section 7 (2) (a)		
Address	Section 7 (2) (a)		
Home phone	Section 7 (2) (a)	Work phone	
Mobile phone	Section 7 (2) (a)		
Email			

DOG DETAILS			
Number of dogs involved: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 or more (attach separate sheet)			
Dog 1	COMPLAINANTS DOG	Dog 2	ATTACKING DOG
Gender	MALE	Gender	MALE
Size	LARGE	Size	LARGE (OVER WEIGHT)
Ears	FLOPPY	Ears	POINTED
Tail	BUSHY UP TAIL	Tail	LONG SKINNY TAIL
Breed	HUSKY CROSS	Breed	STAFFY / PITTY CROSS
Colour	BLACK & WHITE	Colour	TAN WITH BLACK SNOUT
Collar		Collar	BLACK COLLAR WITH BLUE TAG
ID features	AN: 247565 = "SAGE"	ID features	

Date of Incident: 19/11/2024	Location of Incident: Section 7 (2) (a)
------------------------------	-----------------------------------------

COMPLAINANT STATEMENT	
ON THE ABOVE DATE, BETWEEN 11:00 AM AND 11:30 AM	
I WAS Section 7 (2) (a) AT Section 7 (2) (a)	
HAMILTON, PARKING ON THE PHONE WITH Section 7 (2) (a)	
FRONT DOOR STANDING OPEN.	
I THEN SAW A DOG - MALE, TAN WITH A BLACK SNOUT, PITTY / STAFFY CROSS, LARGE IN BUILD (OVER WEIGHT) WITH A BLACK COLLAR AND A BLUE TAG, STICKING IT'S HEAD THROUGH Section 7 (2) (a) SIDE GATE.	
Signature:	Section 7 (2) (a)

COMPLAINANT STATEMENT (continued)

(2) (a) MY DOG: "SAGE" BLACK & WHITE HUSKY CROSS RAN UP TO THE SIDE GATE TOWARDS THIS OTHER DOG.

ONCE MY DOG WAS NEXT TO THE SIDE GATE. THE OTHER DOG ATTACKED MY DOG. BY BITTING / GRABBING HER STICKING ITS HEAD THROUGH THE WIRE FENCE OF Section 7 (2) (a) NEXT TO THE SIDE GATE, AND BITTING, GRABBING HOLD OF MY DOGS LOWER JAW ON THE RIGHT SIDE.

THE ATTACKING DOG WAS ON A LEAD, AND THE DOG OWNER: A MIDDLE AGED, ASIAN FEMALE, SHORT IN BUILD JUST STOOD THERE ALLOWING HER DOG TO SNIFF Section 7 (2) (a) FENCE / GATE BEFORE THE ATTACKED OCCURRED.

I RAN OUTSIDE TOWARDS MY DOG AND THIS ATTACKING DOG, SCREAMING AT THE ASIAN LADY TO PULL HER DOG AWAY. BUT SHE SAID THAT SHE CANT, I THEN YELLED AT MY SISTER TO COME AND HELP ME. I FELL DOWN TO MY KNEES AND USING BOTH OF MY HANDS TRYING TO SEPARATE THE ATTACKING DOG BIT HOLD JAW LOCK ONTO MY DOG. I MANAGE TO RELEASE THE ATTACKING DOG HOLD JUST A MTIME, BEFORE HE BIT DOWN AGAIN ONTO MY DOG'S JAW WITH BOTH OF MY THUMBS IN THE PROCESS MIDDLE OF THIS DOGS BITE.

MY SISTER AND THE ASIAN LADY WAS TRYING TO PULL THE DOGS APART BY PUNING ON THE ATTACKING DOG'S LEAD. BUT THEY COULD NOT PULL THIS ATTACKING DOG OFF MY DOG.

AN UNKNOWN MALE AND A TEENAGER MALE RAN OVER TO HELP US, AND THEY MANAGE TO PULL THE DOGS APART.

(2) (a) ONCE THE TWO DOGS WERE APART, MY DOG RAN OFF INTO Section 7 (2) (a). I WAS STILL ON MY THE GROUND WHEN THE ATTACKING DOG LUNGES AGAIN

Signature: Section 7 (2) (a)

COMPLAINANT STATEMENT (continued)

TOWARDS ME THIS TIME AND BIT ME ON MY RIGHT FORE ARM. BY SCRATCHING ME ON MY LEFT FORE ARM.

I JUST GOT UP AND RAN AFTER MY DOG BECAUSE THERE WAS A LOT OF BLOOD. THIS IS ALSO WHEN THE ASIAN LADY AND HER DOG JUST WALKED OFF WITHOUT CHECKING IF ANY OF THE DOGS ARE OKAY.

I SAW THE FOLLOWING INJURIES TO MY DOG - "SACE": HE WAS BLEEDING FROM HIS MOUTH, THERE WAS A PUNCHED WOUND ON THE BOTTOM OF HIS JAW, AND HE HAD A CRACKED TOOTH ON HIS UPPER RIGHTSIDE TEETHLINE.

I SUSTAINED THE FOLLOWING INJURIES: I HAD BITE MARKS ON BOTH OF MY THUMBS AND A SCRATCH MARK ON MY LEFT FORE ARM.

THE ATTACKING DOG AND THE DOG OWNER ARE UNKNOWN TO ME. BUT I HAVE SEEN THIS ASIAN LADY WALKING HER DOG IN MY NEIGHBORHOOD ON A REGULAR BASIS. GOING PAST

Section 7 (2) (a)

I HAVE SUPPLIED ALL PHOTOS AND VET RECORDS OF THE INCIDENT TO ANIMAL CONTROL, AND I WANT THIS MATTER TO BE INVESTIGATED BECAUSE I FEEL THIS ASIAN LADY CAN'T CONTROL HER DOG.

Signature:

Section 7 (2) (a)

COMPLAINANT STATEMENT *(continued)*

[The body of the form is crossed out with a large diagonal line.]

Signature:

Section 7 (2) (a)

COMPLAINANT DECLARATION

This statement is true, and I have made it with the knowledge that it may be used in court proceedings (pursuant to section 82 of the Criminal Procedure Act 2011).

Name

Section 7 (2) (a)

Signature

Section 7 (2) (a)

Name of parent / guardian

(where complainant is less than 16 years old)

Signature of parent / guardian

(where complainant is less than 16 years old)

Date

22/11/2024

INTERPRETER DECLARATION (if applicable)

- I know (name of complainant / victim)
- He / she (delete one) is my (relationship to person)
- My mother tongue is (language)
- I can read and speak in English because I (give a reason, e.g. attended an English school in NZ, grew up in NZ, etc.)
- On (date), ACO (name) interviewed him / her (delete one) in my presence.
- I interpreted and translated all information and the questions put to and the answers given by him / her (delete one) from (language) into English and vice versa to the best of my skill and ability.
- The officer recorded the information I supplied in writing.
- I translated the completed statement back to (name of complainant / victim) , who confirmed that the content is true and correct.

Name of interpreter

Signature of interpreter

Date

ACO VERIFICATION

Statement recorded at (place)

217 EMMIS STREET, FRANKTON, HAMILTON

ACO Full Name

ACO Signature

Section 7 (2) (a)

ACO Number

Date

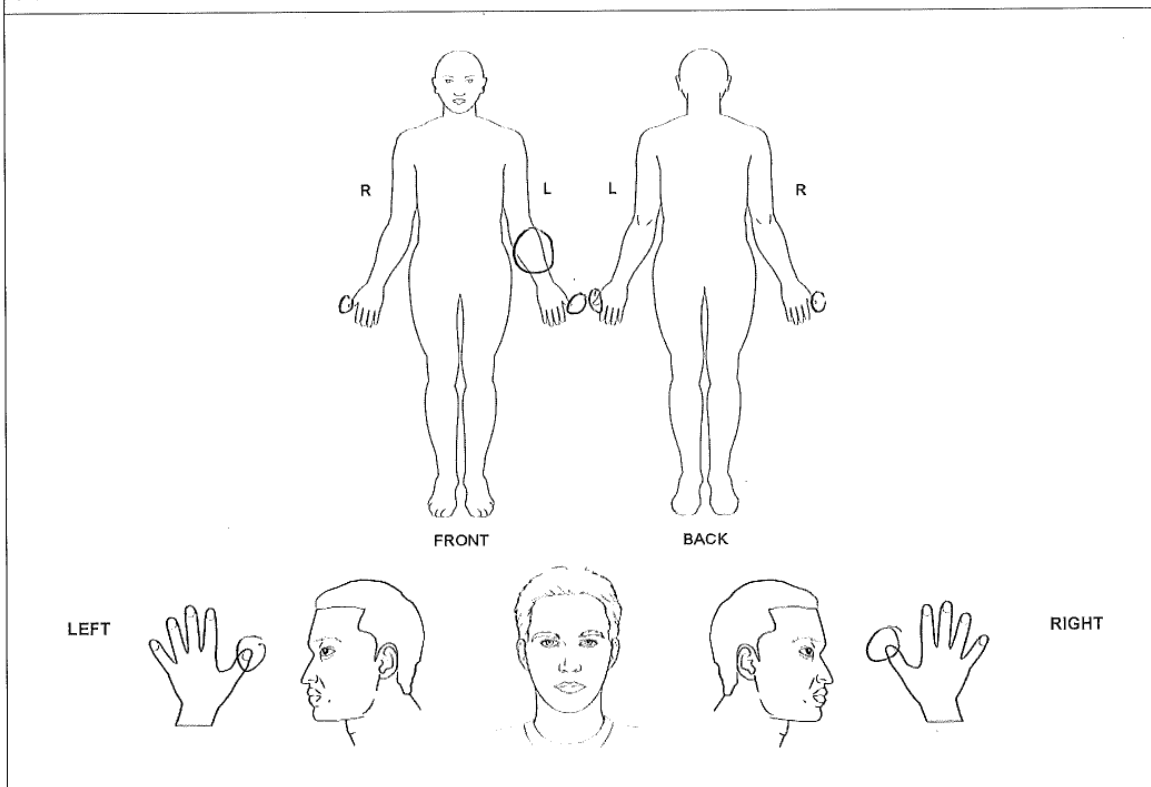
22/11/2024

Time

12:10 PM

INJURY INFORMATION SHEET – PERSON**INJURIES**Did you / the victim *(delete one)* receive injuries?☐ No ☒ Yes *(indicate on the diagrams below which body part(s) is/are injured)*Describe your / the victim's *(delete one)* injuries

BITE MARKS ON BOTH THUMBS
 SCRATCH MARK ON LEFT FORE ARM

DIAGRAMS**MEDICAL TREATMENT**Did you / the victim *(delete one)* seek medical treatment following the incident?☒ No☐ Yes

Date

Time

Where did you / the victim *(delete one)* receive treatment? *(attach medical bills / invoices)*

Medical costs \$

Describe the medical treatment you / the victim *(delete one)* received

N/A

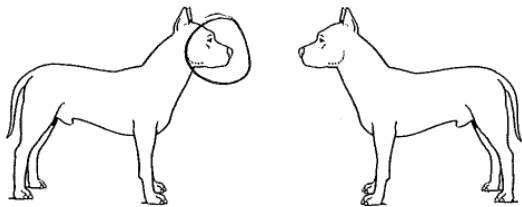
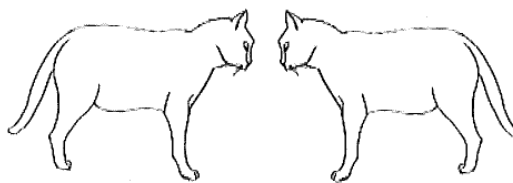
INJURY INFORMATION SHEET – ANIMAL(S)**INJURIES**

Did your animal(s) receive injuries?

☐ No ☒ Yes (indicate on the diagrams below which body part(s) is/are injured)

Describe the nature of the animal's injuries

BLEEDING FROM MOUTH
 PUNCHED WOUND ON BOTTOM OF JAW
 CRACKED TOOTH - UPPER JAW (R) SIDE

DIAGRAMS (Select the type of animal involved)**Domestic animals**☒ Dog☐ Cat☐ Other domestic animal(s) (describe the type)**Livestock**

Animal type

Number of animals injured

Number of animals deceased

VETERINARY TREATMENT

Did you seek veterinary treatment for your animal(s) following the incident?

☐ No☒ Yes

Date

19/11/2024

Time

13:00 AM

Where did your animal(s) receive treatment? (attach veterinary bills / invoices)

CARE VETS HAMILTON

Veterinary costs

\$ 200.00

Describe the veterinary treatment your animal(s) received

1. PAIN RELIEF
2. CLEANSING OF WOUND TO JAW.

Section 7 (2) (a)

Section 7 (2) (a)

Section 7 (2) (a)

25th November 2024

To whom it may concern, my name is Section 7 (2) (a) and was Section 7 (2) (a) was a witness to the dog attack incident that took place on Tuesday the 19th of November 2024 around 11am Section 7 (2) (a)

I do not reside with my sister. Section 7 (2) (a) and was on holiday. I became involved and witnessed the incident when I was sitting on the couch and my sister asked "Hey is that a dog outside by Section 7 (2) (a) I stood up, looked out the window, and saw an Asian woman with an overweight tanned pitbull with a red harness right up against the fence line by the mail box allowing it to sniff around. When Sace who is a black and white Siberian husky saw the dog, he started barking and went towards the fence line. In response, the dog on the other side of the fence lunged at him, it's muzzle slipping through the gap of the fence and clamping onto Sace's lower jaw. When Sace started yelping, my sister ran out to try get the lady's dog off. She screamed my name for help, so I rushed outside to assist her, as she couldn't get the dog to stop. I ran through the gate onto the other side of the fence line to help the Asian woman pull her pitbull away. Amid the chaos, a teenage boy rushed over with an older adult male after hearing the screams, and it took three of us outside of the property to finally pull the dog away. Once the dog was off Sace, Sace ran back to the house and hid in the bushes, leaving a trail of his own blood that had dripped on the ground, the grass and all over the rocks. At the time, I didn't know my sister had been bitten, but she had blood all over her hands and dirt on her from where she had to lie on the ground to physically try to pry the dogs mouth off Sace's jaw. The woman's dog then attempted to jump at the fence again, and she told me that we needed to keep 'our dog away from hers.' In that moment, fueled by fear and adrenaline, I snapped and swore at her, telling her to keep her dog away. There is even a sign on the gate that says 'Be aware of the dog'. The dogs face was smeared with Sace's blood, and it kept charging towards the fence where Sace had been. The teenage boy and the man asked if we were okay, and during this time the woman took her dog and quickly left the scene. Leaving my sister and myself to deal with the aftermath. We then took Sace to the nearest Section 7 (2) (a) Vets, Section 7 (2) (a) where they examined him and gave him medical aid for the puncture wound under his jaw as well as informed us that his tooth had been damaged and could need further attention in future. As for my sister, her injuries resulted in bites to her right and left thumbs and deep scratch marks to her upper left arm that left bruising. This was a horrific experience not only for Sace, but for myself and has left me traumatized.

Sincerely

Section 7 (2) (a)

WITNESS STATEMENT

(Insert this section in the prosecution file only if there is a witness available)



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

CRM#
Animal ID #
Offender ID #
Property ID #

DOCUMENTS

(Tick all that apply)

- ☒ Statement & Declaration
☐ Photos
☐ Correspondence

DOG IDENTIFICATION

- ☒ Dog not positively identified
☐ Positive identification of the dog(s) on (date) _____ at (time) _____
☐ Familiar with the dog(s)
☐ Seen it / them confined on property at (address) _____
☐ Positively identified in Animal Control vehicle
☐ Positively identified at Animal Pound at (address) _____
☐ Positively identified from photos provided by Animal Control Officer #: _____
☐ Photo album (if applicable)

DOG OWNER IDENTIFICATION

- ☒ Does not know who owns the dog
☐ Knows the owner of the dog

Description of dog owner (ethnicity, gender, build, approximate age, clothing, vehicle, etc.)	DARK HAIR, PALE SKIN, MEDIUM HEIGHT AND BUILD
	CLOTHING: BKK TEE AND BKK SHORTS

Page 1 of

PERSONAL DETAILS			
Title	Section 7 (2) (a)	Date of birth	Section 7 (2) (a)
Name	Section 7 (2) (a)		
Address	Section 7 (2) (a)		
Home phone		Work phone	
Mobile phone	Section 7 (2) (a)		
Email			

DOG DETAILS			
Number of dogs involved: <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 or more (attach separate sheet)			
Dog 1	VICTIM DOG	Dog 2	ATTACKING DOG
Gender	MALE	Gender	UNKNOWN
Size	BIG & TALL	Size	SMALL BUILD, MEDIUM BUILD
Ears	POINTY EAR	Ears	SHORT POINTY
Tail	BUSHY TAIL	Tail	UNKNOWN
Breed	HUSKY CROSS	Breed	PITTY CROSS
Colour	BLACK & WHITE	Colour	TAN BROWN COLOUR
Collar	CAN'T REMEMBER	Collar	DID NOT SEE
ID features	NOT SURE	ID features	NOT SURE

19/11/2024 Date of Incident: 1100 HRS & 1200 HRS	Location of Incident: Section 7 (2) (a)
--------------------------------------------------------	--------------------------------------------

WITNESS STATEMENT	
ON THE ABOVE DATE, BETWEEN 11:00 AM AND 12:00 PM, I WAS AT Section 7 (2) (a) WHEN I HEARD PEOPLE SCREAMING AND DOG WHENING.	
I WENT TO INVESTIGATE AND STARTED WALKING TOWARDS THE CORNER OF SACHA PLACE AND SPINNY AVE - THE NOISES BECOMING LOUDER.	
THIS IS WHEN I SAW PEOPLE AT Section 7 (2) (a)	
Section 7 (2) (a)	I SAW A LADY AS PER THE DESCRIPTION OF THIS WITNESS STATEMENT, HOLDING A HEAD IN HER - STANDING ON THE FOOTPATH NEXT TO THE
Signature:	Section 7 (2) (a)

WITNESS STATEMENT (continued)

PROPERTY OF **Section 7 (2) (a)** AS I GOT NEARER I SAW THIS LADY PUNING A DOG ON THE LEAD SHE WAS HOLDING TOWARDS HER. THE DOG WAS A SOUND BUILD, MEDIUM IN HEIGHT, TAN AND BROWN IN COLOUR. PITTY CROSS TYPE DOG.

THERE WAS A FEW PEOPLE STANDING NEXT TO THIS LADY AND THE DOG - I DID NOT SEE ANY INJURIES ON THIS DOG.

WHEN I ASKED WHAT HAS HAPPENED AND HOW CAN I HELP. I WAS INFORMED BY A MALE GENTLEMAN THAT THE LADY WHO WAS STANDING JUST OFF THE FOOTPATH WITH HER DOG - DOG HAS ATTACKED THE DOG (BLK & WHIT HUSKY) FROM

Section 7 (2) (a) THIS DOG IS KNOWN TO ME, BECAUSE I SEEN THE DOG AND THE OWNER WALKING IN NEIGHBOURHOOD A LOT OF TIMES.

THIS SAME MALE GENTLEMAN SAID THAT HE WITNESS THE WHOLE INCIDENT, AS HE HEARD PUNING THE DOGS APART.

I DID NOT SEE THE VICTIM DOG (BLK & WHIT HUSKY), I JUST SAW THE OWNER (A LADY) RUNNING INTO HER HOUSE AFTER THE DOG. NOR DID I OBSERVE ANY INJURIES TO THIS DOG.

WHEN I ARRIVED ON THE INCIDENT SCENE, THE ATTACK HAD ALREADY TAKEN PLACE.

THE LADY WITH THE SOUND BUILD, TAN & BROWN DOG ARE UNKNOWN TO ME, AND HER DOG AS WELL.

THE GENTLEMAN (MALE) WHO INFORMED ME ABOUT WHAT HAS HAPPENED - WHO PUNED THE DOG APART ARE UNKNOWN TO ME. I HAVE SEEN HIM ONLY A COUPLE OF TIME IN THE NEIGHBOURHOOD.

Signature: **Section 7 (2) (a)**

WITNESS STATEMENT (continued)

I COULD NOT SAY FORSURE IF THE LADY WITH THE ATTACKING DOG SAID ANYTHING TOWARDS ANYONE AFTER THE INCIDENT. I KNOW SHE JUST STOOD THERE WITH HER DOG, NOT MOVING WHILE ANOTHER LADY WAS YELLING AT HER TO MOVE HER DOG AWAY. AS I WAS WALKING BACK TOWARDS MY OWN PROPERTY, AFTERWARDS THIS LADY WITH THE BROWN DOG WALKED TOWARDS TO CORNER OF LEWIS STREET AND SPUTT AVE, WHEREUPON I A MALE (MAYBE) HER PARTNER) CAME TOWARDS HER AND THEY STOOD THERE TALKING FOR AWHILE AS I ENTERED MY PROPERTY.

I TRULY BELIEVE THAT THE LADY WITH THE BROWN DOG WAS AT FAULT HERE. SHE ALLOWED HER DOG ONTO THE PROPERTY OF VICTIM DOG - **Section 7 (2) (a)**

I HAVE WALKED PASSED **Section 7 (2) (a)** IN THE PAST. THE PROPERTY'S GATES ARE ALWAYS CLOSED AND THE DOG (HUSKY) CAN GET OUT. ONE HAS TO MOVE OFF THE THE FOOTPATH TO ENTER OR STAND NEXT TO THE **Section 7 (2) (a)**

THE LADY WITH THE BROWN DOG HAD OR AND ALLOWED HER DOG TO MOVE OFF THE FOOTPATH. THEN SHE ALLOWED HER DOG TO STUCK ITS HEAD THROUGH THE PROPERTY GATE AND BIT THE OTHER.

Signature: 

WITNESS DECLARATION

This statement is true and I have made it with the knowledge that it is to be used in court proceedings (pursuant to section 82 of the Criminal Procedure Act 2011).

Name	Section 7 (2) (a)
Signature	Section 7 (2) (a)
Name of parent / guardian (where witness is less than 16 years old)	
Signature of parent / guardian (where witness is less than 16 years old)	
Date	28/11/24

INTERPRETER DECLARATION (if applicable)

- I know (name of witness)
- He / she (delete one) is my (relationship to person)
- My mother tongue is (language)
- I can read and speak in English because I (give a reason, e.g. attended an English school in NZ, grew up in NZ, etc.)
- On (date), ACO (name) interviewed him / her (delete one) in my presence.
- I interpreted and translated all information and the questions put to and the answers given by him / her (delete one) from (language) into English and vice versa to the best of my skill and ability.
- The officer recorded the information I supplied in writing.
- I translated the completed statement back to (name of witness)
....., who confirmed that the content is true and correct.

Name of interpreter	
Signature of interpreter	
Date	

ACO VERIFICATION

Statement recorded at (place)	Section 7 (2) (a)
ACO Full Name	
ACO Signature	
ACO Number	

Page 5 of 5

Animal Complaint Record 163745/2018

Attachment 5

COMPLAINANT		Officer	D36
Complaint Received	11/03/2018	Home Phone 1	N/A
Name	Anonymous Anonymous Anonymous	Home Phone 2	
Address	No Details Provided C/- Hamilton City Council Private Bag 3010	Mob Phone	

PROPERTY

Property Address	Section 7 (2) (a)	Section 7 (2) (a)	Safety Alert		
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ANIMAL DETAILS

Animal Number	234110	Animal Name	Enzo	Tattoo	900141801001176
Animal Location	66 Lewis ST Glenview 3206	Color	TAN /WHI	Sex	M
Owner Address	66 Lewis Street Glenview Hamilton 3206	Owner Name	Wian Van Wyk	NAR No.	1094276

REQUEST DETAILS

Offence Date	11/03/2018	Dog from Section 7 (2) (a) Has broken through fence 3 times and now running around yard of Section 7 (2) (a). Dog is gold coloured, short and stocky - roughly 8 months old. Friendly. No collar. Owners are away for a week and a half and have left a bag of food on the deck for the dog to eat out of. Leah at Section 7 (2) (a) advised it is friendly but won't leave their property. To be collected. Section 7 (2) (a)
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	11:05 - Collected, impounded and scanned - microchip found. No records. Spoke with complainant who not home at time. K20 KR#45322 Linked to CAR Letter sent to Section 7 (2) (a) in where dog thought to come from. Dog in companion animals - message left on both phone numbers provided.
Start Date	11/03/2018 11:05	
Finish Date	11/03/2018 11:05	
Outcome	Animals - Impounded	
Task	Investigation	

Previous Complaints for Dog

CRM No.	163745/2018	Task	2INV
Animal	234110	Outcome	IMP
Maj Cat.	Animal Control (heading only)	Officer	D37

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Min Cat.	Dogs - Offences (heading only)	Opened	11-Mar-18 11:05:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	11-Mar-18 11:05:00 AM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	212170/2020	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	30-Oct-20 04:27:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	20-Dec-20 07:50:01 PM
Cat 4	Dogs - Ranging - Unregistered Dog Report Compliance		

CRM No.	424216/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D17
Min Cat.	Dogs - Offences (heading only)	Opened	05-Sep-24 06:07:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	09-Sep-24 02:56:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2ACO
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	17-Sep-24 09:47:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	17-Sep-24 09:47:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	441731/2024	Task	ADIN
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 01:22:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	25-Nov-24 08:42:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	441731/2024	Task	2INV
Animal	234110	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	D50

Min Cat.	Dogs - Offences (heading only)	Opened	19-Nov-24 01:11:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	06-Jan-25 01:52:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	442776/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 11:28:00 AM
Cat 3	Dogs - Failure To Keep Control of Dog	Closed	18-Dec-24 08:24:00 AM
Cat 4			
CRM No.	449229/2024	Task	2INV
Animal	234110	Outcome	2CMP
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	23-Dec-24 02:15:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	15-Jan-25 10:52:00 AM
Cat 4	Dogs - Officer - Serve Dog Classification		

Animal Complaint Record 424216/2024

Item 5

Attachment 6

COMPLAINANT

Complaint Received	05/09/2024	Officer	D17
Name	Section 7 (2) (a)	Home Phone 1	
Address	Section 7 (2) (a)	Home Phone 2	
		Mob Phone	Section 7 (2) (a)

PROPERTY

Property Address	Section 7 (2) (a)		Safety Alert		
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ANIMAL DETAILS

Animal Number	234110	Animal Name	Enzo	Tattoo	900141801001176
Animal Location		Color	TAN /WHI	Sex	M
Owner Address		Owner Name		NAR No.	1094276
Animal Number	238207	Animal Name	Section 7 (2) (a)	Tattoo	934000091221229
Animal Location	Section 7 (2) (a)	Color	WHI /BRO	Sex	M
Owner Address	Section 7 (2) (a)	Owner Name	Section 7 (2) (a)	NAR No.	943365

REQUEST DETAILS

Offence Date		Dog v dog historic at 1.30pm approx - Section 7 (2) (a) was walking in Glenview Park with her dog (white caboodle) on leash when another dog (tan brown chunky dog, not sure of breed) walking towards her onleash all of a sudden grabbed at her dog and bit it on the ear and neck, they couldn't get both off each other at first but thinks the offending dog had blood bubbling in mouth and let go. Took to vet and was treated for 3 wounds to the neck at vet (just missed jugular) and in the mix she thinks her dog bit her on finger, she was treated with antibiotics etc. OFFENDER DOG OWNER: Section 7 (2) (a) - she was very apologetic
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 - Historic	

INVESTIGATION DETAILS

Officer	SGRI
Start Date	17/09/2024 09:47
Finish Date	17/09/2024 09:47
Outcome	* Completed
Task	Investigation

D17 00/03/2024 3:10pm

I have visited the complainant address and obtained a statement from her.
(Note she has said in her statement that she is unsure which dog initiated the incident) Advice given to her in relation to the incident.

Section 7 (2) (a) 09/09/2024 (The complainant mentioned that the other dog owner contributed to her vet cost with \$100.) D17

09/09/2024 2:27pm

I have contacted the dog owner Section 7 (2) (a) of about the incident. I have explained how the complaint eventuated (The complainant was calling council on another matter and happened to mention the incident and was encouraged to report this even though she was not going to.

I have advised that no penalty was going to eventuate as the complainant could not advise which dog initiated it. Advice only both sides. Section 7 (2) (a) seemed to think the other dog was responsible as it was on a retractable lead. I have given advice to her suggesting a good rule of thumb don't take your dog over to unknown dogs to introduce them - far better to avoid them and prevent incidents. (Same advice given to complainant)

Advice only. Section 7 (2) (a) - 09/09/2024 See linked CRM regarding an incident between a MOP and Dog Owner. D37 is aware. Section 7 (2) (a) - 17/09/2024

Previous Complaints for Dog

CRM No.	163745/2018	Task	2INV
Animal	234110	Outcome	IMP
Maj Cat.	Animal Control (heading only)	Officer	D37
Min Cat.	Dogs - Offences (heading only)	Opened	11-Mar-18 11:05:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	11-Mar-18 11:05:00 AM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	212170/2020	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	30-Oct-20 04:27:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	20-Dec-20 07:50:01 PM
Cat 4	Dogs - Ranging - Unregistered Dog Report Compliance		

CRM No.	424216/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D17

Min Cat.	Dogs - Offences (heading only)	Opened	05-Sep-24 06:07:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	09-Sep-24 02:56:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2ACO
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	17-Sep-24 09:47:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	17-Sep-24 09:47:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2INV
Animal	238207	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D17
Min Cat.	Dogs - Offences (heading only)	Opened	05-Sep-24 06:07:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	09-Sep-24 02:56:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2ACO
Animal	238207	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	17-Sep-24 09:47:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	17-Sep-24 09:47:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	441731/2024	Task	ADIN
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 01:22:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	25-Nov-24 08:42:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	441731/2024	Task	2INV
Animal	234110	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	19-Nov-24 01:11:00 PM

Cat 3	Dogs - Attack (heading only)	Closed	00-Jan-25 01:02:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	442776/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 11:28:00 AM
Cat 3	Dogs - Failure To Keep Control of Dog	Closed	18-Dec-24 08:24:00 AM
Cat 4			
CRM No.	449229/2024	Task	2INV
Animal	234110	Outcome	2CMP
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	23-Dec-24 02:15:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	15-Jan-25 10:52:00 AM
Cat 4	Dogs - Officer - Serve Dog Classification		

COMPLAINANT		Officer	D50
Complaint received	19/11/2024	Home Phone 1	
		Home Phone 2	
Name	Section 7 (2) (a)	Mob Phone	Section 7 (2) (a)
Address	Section 7 (2) (a)		

PROPERTY					
Property Address	Section 7 (2) (a)	Section 7 (2) (a)	Safety Alert		

ANIMAL DETAILS					
Animal Number	234110	Animal Name	Enzo	Tattoo	90014180001176
Animal Location	66 Lewis ST Glenview 3206	Color	TAN /WHI	Sex	M
Owner Address	66 Lewis Street Glenview Hamilton 3206	Owner Name	Wian Van Wyk	NAR No.	1094276

REQUEST DETAILS	
Offence Date	Date and Time 19/11/2024 around 11am-1130am Section 7 (2) (a)
Major Category	████████████████████ A Chinese lady was walking her dog and it went through her fence line and attack her dog in lock itself to her dogs face. She has to take it to the vet for big puncture wound and broken teeth. Section 7 (2) (a)
Minor Category	████████████████████ was also bitten on her left and right hand. Section 7 (2) (a) sister went out to help separate the dogs.
Category 3	Another by passer went to help because the lady don't know how to control her dog. She had seen this lady and this dog walk pass their area multiple times so she could just be nearby. Victim: husky x
Category 4	Offending dog: tan pitbull x staffy, really big, overweight.

INVESTIGATION DETAILS		
Officer	D50	<p>On 19/11/2024 at 1442hrs, I called and spoke with the complainant (D/O) of "Sace" - male, black, husky with A.N. 247565. The complainant said that her dog got bitten through her property fence line by a tan staffy/pitty cross dog who was being walked by an unknown Chinese lady. The D/O sustained injuries to her hands when she tried to separate the two dogs. The D/O dog sustained injuries to his face and teeth - was taken to the vet for treatment. The D/O will provide photos of her and her dog's injuries, and she is willing to provide a statement which will be taken once the complainant (D/O) has set a date & time. At this stage the attacking dog and its D/O are unknown, but the complainant (D/O) said that this Chinese lady walks her dog in the area frequently. D50 Section 7 (2) (a) - 19/11/2024</p> <p>On 20/11/2024 at 1151hrs, called and spoke with the complainant - statement will be taken at the pound on 22/11/2024 at 1100hrs - photos of injuries and vet report attached. D50 (Edward Ward - 20/11/2024) On 22/11/2024 at 1100hrs, the complainant's statement was obtained at Animal Control Offices - statement has been attached to this CRM. D50 Section 7 (2) (a) - 22/11/2024</p> <p>On 24/12/2024 at 1405hrs, I received an email from the complainant with identified witnesses to the dog attacked. The attacking dog has been identified as "Enzo" with AN. 234110 as per CRM: 442776. D50 Section 7 (2) (a) - 25/11/2024</p>
Start Date	24/11/2024 01:22	
Finish Date	25/11/2024 08:42	
Outcome	* Completed	
Task	Investigation	

complainant's injuries that took during the date & time of the complainant's statement taking - 22/11/2024 at 1100hrs. D50 [Section 7 (2) (a)] 25/11/ 2024) O

25/11/2024 at 1243hrs, I called and spoke with [Section 7 (2) (a)] who is a witness to the attacked as per provided by the complainant. Arrangements has been made to obtain a statement from [Section 7 (2) (a)] 27/11/2024 at 1200hrs at his property - [Section 7 (2) (a)] [Section 7 (2) (a)] reported that the victim dog was on its property during the attack, and the attacking dog was on the other side of the property's fence - 3 Sp litt Ave (footpath side). D50 [Section 7 (2) (a)] - 25/11/2024) On 25/11/2024 at 1253hrs, I called and spoke with the complainant to obtain a witness statement from the complainant's sister. The complainant reported that her sister has gone back to Taumarunui - my email address was provided to the complainant for her sister to do a witness statement via email. D50 [Section 7 (2) (a)] 25/11/2024) On 25/11/2024 at 2145hrs received a witness statement from the complainant's sister - [Section 7 (2) (a)] via email as per attached to this CRM. D50 [Section 7 (2) (a)] - 26/11/2024) On 27/11/2024 at 1236hrs, I called and spoke with [Section 7 (2) (a)] and reschedule our appointment to 28/11/2024 at noon. D50 [Section 7 (2) (a)] - 27/11/2024) On 28/11/2024 at 1300hrs, I obtain the witness statement from [Section 7 (2) (a)] who was identified by the complainant as per attached. The witness did not witness the attacked, he arrived afterwards on the complainant's property. According to the witness, he saw a solid build medium in height tan/brown pitty cross looking type dog being just off the sidewalk next to the complainant's property gate on a lead. a Lady with dark hair, pale skin dress in a black & black skirt was holding onto the lead of this dog. The husky was on its own property who ran into the house of the property after the dog attack. D50 [Section 7 (2) (a)] 02 /12/2024) On 06/12/2024 at 1209hrs, I visited the property of 66 Lewis Street and spoke with the attacking dog: "Enzo" with AN. 234110 D/O's to obtain statement from the wife of Mr. van Wyk. I was informed by Mrs. Chau that she never went onto the complainant's property - she never moved off the sidewalk. Mrs. Chau said that just before the incident took place, her dog stopped next to the fence of property [Section 7 (2) (a)] or a second or two - not going off the sidewalk or onto the property of [Section 7 (2) (a)] Ave. When the residing (Husky) dog of property [Section 7 (2) (a)], stuck it's through the property fence and bit their dog first - over the right eye, and her dog just retaliated by biting the dog from property [Section 7 (2) (a)] back. Mrs. Chau reported further that during the incident - no one help her getting her dog of the dog from property [Section 7 (2) (a)], she did that herself by pulling her dog's jaw down with her fingers. Both D/O's said that their dog "Enzo" sustain injuries as well on his right eye, as per Mr. Van Wyk's words: "the dog's right eye was ripped open" - no medical attention was needed. I did saw the dog "Enzo" during my visit, and I could not see any injuries to his right eye - he did have a lot of scars on his body. Mr. Van Wyk also reported that the complainant is lying as to how incident took place, that the complainant and sister made Racial Comments towards his wife which has been reported to the Police. As soon as I started with the process of taking Mrs. Chau statement, the process was stopped by Mr. Van Wyk as he started to feel uncomfortable for his wife to make a formal statement, he felt that the Council is making him and his partner out to be the Guilty Parties. I explained to Mr. Van Wyk we can stop if he feels uncomfortable, and he can an informal statement via an email if he wishes to do so - I provided my work email address to him. Mr. Van Wyk also said that he might have a witness that can collaborate their side of the events. Which I welcome and said that I am more than willing to record this witness side of the events if he willing to do so. I also visited the property of the complainant - [Section 7 (2) (a)] and spoke with the complainant whereupon she pointed out on her property where the attack took place, as per the attach photos. D50

Classification completed for â??Enz oâ?? with A.N. 234110, male, ta & white, mastiff/Lab cross. Infringem ent Issue - 15711 for failure to keep dog under control, under Sec. 53 (1) Dog Control Act1996. Section 7 (2) (a) - 06/01/2025) On 06/01/2025 at approximately 1029hrs, the complainant has been infor med about the outcome of the investigation, closing off this CRM - NFA . D50 Section 7 (2) (a) - 06/01/2025)

European Husband of the Chinese lady at Lewis S went and spoke to Section 7 (2) (a) and said he was going to do her for her fence â?? also the offend ing dog rushed at a cyclist and a dog going past while he was talking to Section 7 (2) (a) she has photos Section 7 (2) (a) . 24/11/2024)

Previous Complaints for Dog

CRM No.	163745/2018	Task	2INV
Animal	234110	Outcome	IMP
Maj Cat.	Animal Control (heading only)	Officer	D37
Min Cat.	Dogs - Offences (heading only)	Opened	11-Mar-18 11:05:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	11-Mar-18 11:05:00 AM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	212170/2020	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D24
Min Cat.	Dogs - Offences (heading only)	Opened	30-Oct-20 04:27:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	20-Dec-20 07:50:01 PM
Cat 4	Dogs - Ranging - Unregistered Dog Report Compliance		

CRM No.	424216/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D17
Min Cat.	Dogs - Offences (heading only)	Opened	05-Sep-24 06:07:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	09-Sep-24 02:56:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		

CRM No.	424216/2024	Task	2ACO
Animal	234110	Outcome	COMP

Maj Cat.	Animal Control (heading only)	Officer	SGM
Min Cat.	Dogs - Offences (heading only)	Opened	17-Sep-24 09:47:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	17-Sep-24 09:47:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	441731/2024	Task	ADIN
Animal	234110	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 01:22:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	25-Nov-24 08:42:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	441731/2024	Task	2INV
Animal	234110	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	19-Nov-24 01:11:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	06-Jan-25 01:52:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Historic		
CRM No.	442776/2024	Task	2INV
Animal	234110	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D50
Min Cat.	Dogs - Offences (heading only)	Opened	24-Nov-24 11:28:00 AM
Cat 3	Dogs - Failure To Keep Control of Dog	Closed	18-Dec-24 08:24:00 AM
Cat 4			
CRM No.	449229/2024	Task	2INV
Animal	234110	Outcome	
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	23-Dec-24 02:15:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	
Cat 4	Dogs - Officer - Serve Dog Classification		

Council Report

Item 6

Committee: Dog Control Hearings Panel **Date:** 17 April 2025
Author: Charlotte Mitchell **Authoriser:** Michelle Hawthorne
Position: Graduate Governance Support **Position:** Governance and Assurance Manager
Report Name: Objection to Disqualification from Dog Ownership - M Rite

Report Status	Open
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Purpose - *Take*

1. To seek a determination from the Dog Control Hearings Panel on the classification of Melinda Rite as a disqualified dog owner.

Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Dog Control Hearings Panel:

- a) receives the report;
- b) confirms it has considered the mandatory matters specified under the [Dog Control Act 1996](#), and other matters relevant to the objection;
- c) notes under the [Dog Control Act 1996](#) that the Dog Control Hearings Panel in determining any objection can only either:
 - i. uphold the classification;
 - ii. bring forward the date of termination of the classification; or
 - iii. immediately terminate the disqualification;
- d) **EITHER**
 - i. classifies the dog owner as disqualified until 27 October 2027 (being the date that is 5 years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the dog owner to appeal to the District Court under section 27 of the Dog Control Act 1996.
OR
 - ii. brings forward the date of termination of the classification to [a the date that is no more than 5 years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the dog owner to appeal to the District Court under section 27 of the Dog Control Act 1996.
OR
 - iii. immediately terminates the classification.

Executive Summary - *Whakaraapopototanga matua*

2. On 23 May 2023, M Rite (the Dog Owner) was classified by staff as disqualified from dog ownership **Attachment 1** is the Notice of Classification.

3. The trigger under the [Dog Control Act 1996](#) for the classification was the Dog Owner received three or more infringements in a 24-month period. Details of the infringements are further on in this report.
4. On the 16 January 2025 staff received notice of an objection to M Rite's disqualified status. The Dog Control Act 1996 permit objections to be lodged as long as they are not within 12 months of a previous objection to the disqualification. M Rite last lodged an objection on 7 August 2023.
5. The Dog Control Act 1996 sets out the circumstances in which Council may classify a Dog Owner as disqualified.
6. The staff recommendation is that the Hearings Panel classify the dog owner as disqualified until 27 October 2027, 5 years from the date of the last infringement offence in respect of which the person is disqualified and notes the right of the dog owner to appeal to the District Court under section 27 of the Dog Control Act 1996.
7. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

8. On 23 May 2023 the Dog Owner was classified by staff as disqualified from dog ownership, **Attachment 1** is the Notice of Classification. Due to a clerical error, the date of the end of the Disqualification period was corrected from 2028 to 27 October 2027 in a subsequent letter in Attachment 1.
9. The trigger under the [Dog Control Act 1996](#) for the classification was the Dog Owner received three or more infringements in a 24-month period. Details of the infringements are outlined later in this report.
10. On 16 January 2025 a second objection to the classification of the Dog Owner as disqualified was received by Council. Refer to **Attachment 2** for a copy of the second objection. As a result, a hearing has been convened to hear the objection. The Hearing Panel should note the Owner has advised that they wish to be heard in person.
11. The normal order of the procedure of a hearing is as follows:
 - i. Opening of the meeting by the chairperson
 - ii. the Objector presents their objection and supporting evidence.
 - iii. Any witnesses in support of the objection speak to their evidence.
 - iv. The Complainant and any witnesses in opposition of the objection speak to their evidence.
 - v. Council staff summarise the council report and makes any comments regarding information provided at the hearing
 - vi. The Objector has the opportunity to respond to any new matters or points not already covered during the hearing.
 - vii. The hearing is closed or adjourned for a decision to be made.
12. For the avoidance of doubt:
 - i. The Chair of the hearing may change the order of the hearing at their discretion.
 - ii. There is no opportunity for cross examination at the hearing by any party.
 - iii. Members of the Hearings Panel may ask questions for clarification of the parties during the hearing.

Discussion - *Matapaki*

13. [Section 26](#) provides that in making its determination Council **must** have regard to:
- i. the circumstances and nature of the offence or offences in respect of which the Dog Owner was classified;
 - ii. the competency of the person objecting in terms of responsible dog ownership;
 - iii. any steps taken by the owner to prevent further offences (including, but not limited to, the disposal of any dog or dogs or the fencing of the property on which the dog is kept);
 - iv. the matters advanced in support of the objection; and
 - v. any other relevant matters.

Circumstances and nature of the offence(s) in respect of which the person was originally disqualified

14. In deciding to classify the Dog Owner, staff originally relied on the following evidence which is included in **Attachment 3**:
- i. Infringement offence # 1: The offence on 23 May 2022 was for failure to comply with Hamilton City Council bylaw in that both the owners' dogs were out roaming. An infringement was issued for each of the dog, **INF# 13295** for Zephr and **INF# 13296** for Runt.
 - ii. Infringement offence # 2: The offence on 23 June 2022 was for failure to comply with Hamilton City Council bylaw in that both the owners' dogs were out roaming. An infringement was issued for each of the dog, **INF# 13328** for Zephr and **INF# 13329** for Runt.
 - iii. Infringement offence # 3: The offence on 21 June 2022 was for failure to comply with Hamilton City Council bylaw in that both the owners' dogs were out roaming. An infringement was issued for each of the dog, **INF# 13354** for Zephr and **INF# 13355** for Runt.
 - iv. Infringement offence # 4: The offence on 28 July 2022 was for failure to comply with Hamilton City Council bylaw in that both the owners' dogs were out roaming. An infringement was issued for each of the dog, **INF# 13532** for Zephr and **INF# 13533** for Runt.
 - v. Infringement offence # 5: The offence on 11 August 2022 was for failure to comply with Hamilton City Council bylaw in that the dog Runt was out roaming resulting in **INF# 13468** being issued.
 - vi. Infringement offence # 6: The offence on 18 September 2022 was for failure to comply with Hamilton City Council bylaw in that the dog Runt was out roaming resulting in **INF# 13545** being issued.
 - vii. Infringement offence #7: The offence on 28 October 2022 was for failure to keep dog controlled or confined in that the dog Zephr was free to leave and the owner seemed unable to contain or control her dog resulting in **INF# 12942** being issued.
15. Ownership history and recorded dog behaviour can be a relevant consideration if it provides evidence of prior good or poor dog ownership behaviour. Refer to **Attachment 5** for the infringement disqualification process.
16. The dog owner first came to the notice of Animal Education and Control (AEC) in March 2022 when her dogs were first reported out roaming.
17. Leading up to the original decision to disqualify the Dog Owner, AEC have received several complaints about two dogs and the Dog Owner:

Item 6

Date & CRM#	Complaint details	Investigation	Outcome
23/3/2022 258334	Two dogs from XXXXXX – out the front and free to leave (uncontained)	Animal Education and Control (AEC) followed up with the address and gave advice re containing dogs and registration.	Advice given (containment and registration)
1/5/2022 262839	Barking complaint for XXXXXX. Complainant reported multiple dogs at the property	Barking information/advice posted to dog owner. As complainant wanted to remain anonymous no further action taken.	Advice given (barking)
23/5/2022 266117	7-8 pit bull type dogs loose in Snell's Park, Porritt Stadium. Two dogs are chained together. Dogs are rushing at members of the public. Complainant is concerned for children heading home from school	AEC went to Snell's Park, no dogs sighted initially but dogs heard in the gully. Dog owner (from XXXXX) was sighted walking about calling dogs. Two dogs emerged from gully and ran to XXXXXX, followed by another dog. More dogs could be heard in the gully. Another dog owner appeared, and the dog owners went into the gully to retrieve the dogs while the attending AECO's went to XXXXXX where they sighted the dogs from the park inside the house through the front door – they closed the door to contain the dogs. Dog owners and remaining dogs returned to address – all but two dogs were visiting from Huntly. Owner was requested to hand dogs over as not registered and roaming – owner refused.	INF 13295 issued for Zeph INF 13296 issued for Runt (Failure to comply with bylaw) Advice given re visiting dogs and containment.
21/6/2022 269657	3 dogs running together on east side of Magee Place reported to HCC. Two black and one brown and white. Caller worried as running in a pack and noted they seem to be coming and going from a house nearby.	AEC attended the area where the one of the dogs from XXXXXX and one from XXXXXX were sighted, another dog came out of XXXXXX and joined the other dogs. Dog owner at XXXXXX was spoken to again about containment. AEC Officer noted dog owner had little control over her dogs.	INF 13354 issued for Zeph INF 13355 issued for Runt (Failure to comply with bylaw) Advice – containment/fencing
23/6/2022 269906	2 roaming dogs from XXXXXXXX are on callers property, while on phone to HCC dogs left callers property and headed towards McIntosh St	AEC investigated, attending the address where both dogs were sighted as free to leave. Tried securing the dogs in the rear of the section. One dog contained the other ran off. No phone number on record for dog owner. Dogs still not registered.	INF 13328 issued for Zeph INF 13329 issued for Runt (Failure to comply with bylaw)
14/7/2022 272822	Caller reports a dog from corner of Magee and McIntosh roaming on and off the property and chasing workers nearby	AEC attended address. One dog out front free to leave, front door open. Dog owner on crutches asked AEC Officers to chase dog inside where she secured the front door. Dogs remain unregistered.	Advice given re containment and keeping property secure (closing doors)
28/7/2022 274886	Two black dogs sighted roaming on Snell Drive, they came out of Magee Place, last seen heading towards Tramway Road	AEC attended area, dogs matching description given were seen running around on the street. Dogs identified as those belonging to XXXXX. Dog owner sighted trying to round up the dogs AEC Officers have assisted owner contain the dogs. Informed due to the number of complaints about the dogs roaming and that they were out again the owner would receive infringements. Dogs not registered.	INF 13532 issued for Zeph INF 13533 issued for Runt (Failure to comply with bylaw)
3/8/2022 275801	Registration compliance follow-up. Two unregistered dogs at XXXXXXXX.	Two dogs (Zeph and Runt) have not been registered for the 2022/23 registration year, remaining unregistered since found in March 2022. Search warrant sought and Team	Dogs seized and impounded for not being registered. Dogs collected by

Date & CRM#	Complaint details	Investigation	Outcome
		<p>Policing engaged to seize both dogs, for not being registered, as owner has been uncooperative in the past and refusing to register the dogs.</p> <p>During the seizure process dog owner was abusive and uncooperative until Police noted they would forcibly enter the property if the dogs were not handed to AEC.</p>	owner, registered and microchipped
6/8/2022 276273	Two black dogs from XXXXX reported roaming up and down street. Complainant noted there were five dogs at the property.	AEC visited XXXXXXX. Four dogs sighted in a car, spoke to the car/dog owner – dogs registered to Huntly, owner denies they were roaming. Given containment advice. Two dogs registered to the property were in the house.	No further action
11/08/2022 277077	Black dogs from XXXXX out roaming again. Caller is concerned for her safety when walking her dog.	AEC attended area. Phoned complainant on route, she confirmed she has video footage of the dog out. Officer phoned dog owner – no reply message left that dogs are out. On arrival one dog out, photo taken, and dog pushed back into XXXXXXX No one home, phoned dog owner again left another message re containment, where dog is jumping the fence and that an infringement will be issued for this event.	INF 13468 (Failure to comply with HCC bylaw)
15/9/2022 282319	Roaming dog sighted on Tramway Road by patrolling officer.	Officer followed dog back to XXXXXXX. Dog contained in AEC vehicle with assistance from a person at the address, not the dog owner. Dog scanned and identified as “Runt”, was then taken to AEC Centre and impounded.	Dog impounded and collected by owner.
18/9/2022 282593	While patrolling area AEC Officer sighted black dog out on XXXXX.	Officer attempted to chase dog on to property and in to open front door. Dog would not go in front door but jump fence into back part of section. Spoke to dog owner re containment and likely infringement. Dog owner displayed little control over the dog and was not interested in talking to the officer – just walked inside and closed the door.	INF 13545 issued for Runt (Failure to comply with bylaw)
20/10/2022 288203	Lost dog report Black Labrador cross named Runt has been missing for three weeks. Caller reported dog missing on behalf of the owner.	Dog had returned home.	No further action required.
28/10/2022 289889	Dog sighted as free to leave on front section of XXXXXXXXX.	Dog jumped fence into back of section. AEC Officer spoke with dog owner about dog being free to leave. Advice given about making sure dogs cannot leave section. Dog owner informed she would be getting another infringement as her dogs roaming is an ongoing issue and there has been no change in behaviour and she seems to have little willingness to control or contain her dogs.	INF 12942 issued for Zephrr (Failing to keep dog controlled or confined)
10/11/2022 292720	Two black dogs rushed out at callers’ mother and son when they were walking down Magee Place. Caller is worried as these dogs are always out and act	AEC Officers attended the area and spoke with the complainant who identified the dogs as coming from XXXXXXXX. Officers visited XXXXXX, sighted dogs in the house window. Dog owner arrived home, admitted one dog out earlier but didn’t see him rush	Advice given

Date & CRM#	Complaint details	Investigation	Outcome
	aggressively.	anyone.	
18/1/2023 305000	Roaming black dog from XXXXX is out, caller who is out walking is too scared to return home to their address in Magee.	AEC Officer patrolled area; no dogs seen out. Called to XXXX, dog was at home, spoke with owner about containment.	Advice given re containment
24/5/2023 328437			
21/06/2023 333606	Dog from XXXXX sighted as free to leave by AEC Officer patrolling the area for an unrelated matter.	Dog sitting on front porch of house, free to leave. AEC Officers have stopped to get dog owners attention to secure the dog. Dog has then run off towards Snell Drive. AEC officers have managed to push the dog back onto its property. After multiple knocks to the door the dog owner has answered, was spoken with about containment and this being an ongoing issue. Dog owner noted that the dog doesn't listen to her. Given further advice re containment and some tips on improving dogs recall.	INF 13858 issued for Runt (Failure to keep dog controlled or confined) Advice on containment and positive reinforcement training to improve recall

Second objection to Classification as a disqualified owner

18. Since the owners Dog Control Hearings Panel on 7 August 2023, decision letter attached as **Attachment 4**, there have been two infringements in relation to her and dogs in her possession (**Attachments 5, 6 and 7**).

Date & CRM#	Complaint details	Investigation	Outcome
09/09/2023 CRM 345961 & 348759	Dog Owner reports missing Dog "Zeph"r	Deceased Dog found on Wairere Drive delivered to Animal Control which was later identified to be "Zeph"r.	
06/01/2025	Report of free to leave and roaming dog	AECO sighted roaming dog. Identified that the Dog was owned by M Rite. Dog was seen to be free to leave with the property gates open. Dog was seized by AEC, M Rite claimed she was not the owner that it was her daughter. Dog was collected from kennels and was homed by another person know to M Rite.	M Rite was issued Infringement 15810 under the Dog Control Act 1996 Section 28 (5) – Failure to comply with effects of disqualification – disqualified dog owner in possession of a dog.
14/01/2025 CRM 452584	Report of dog living at disqualified owner address	AECO sighted dog at property, with the help of Police officers entered the house and have impounded dog "Isol"	Infringement 15809 issued – Failure to comply with effects of disqualification – disqualified dog owner in possession of a dog.

Other relevant matters

19. The [Dog Control Act 1996](#) requires consideration of any other matters that the Hearings Panel considers relevant. **Attachment 8** to this report outlined the disqualification process.
20. Council's Dog Control Policy provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw. The Hearing Panel should consider whether its decision is consistent with the purposes in the Dog Control Policy, specifically:
- the need to minimise danger, distress, and nuisance to the community generally;
 - the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;

- iii. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
- iv. the exercise and recreational needs of dogs and their owners.

Options

21. Under the [Dog Control Act 1996](#), the Hearing Panel has limited options when considering an outcome of an objection to a decision to classify a Dog Owner as disqualified. The Hearing Panel may:
 - i. uphold the classification;
 - ii. bring forward the date of termination of the classification; or
 - iii. immediately terminate the disqualification.
22. There are no other options open to the Hearings Panel under the Dog Control Act 1996.
23. The staff recommendation is that the Hearings Panel upholds the classification of the dog owner as disqualified until 27 October 2027 that is no more than five years from the date of the third infringement offence(s) in respect of which the person is disqualified and notes the right of the dog owner to appeal to the District Court under [section 27](#) of the [Dog Control Act 1996](#).
24. Staff make this recommendation as since the Dog Owner's disqualified classification she has continued to disregard the requirements of disqualification under the Dog Control Act 1996.
25. The professional opinion of Animal Control staff is that the Dog Owner has shown little regard for the rights of community members to move around their community free from harm or harassment by dogs. Legislative requirements have been ignored and has continued to have dogs in her possession.
26. The professional opinion of Animal Education and Control staff is that M Rite is not a responsible dog owner.

Financial Considerations - *Whaiwhakaaro Puutea*

27. This is a regular operating activity funded through the Long-Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

Disqualified Classification

28. [Section 25](#) of the [Dog Control Act 1996](#) provides that a territorial authority must classify a Dog Owner as disqualified if:
 - i. the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months; or
 - ii. the person is convicted of an offence (not being an infringement offence) against the Dog Control Act 1996; or
 - iii. the person is convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 56I of the National Parks Act 1980.
29. This requirement does not apply if the territorial authority is satisfied that the circumstances of the offence or offences are such that:
 - i. disqualification is not warranted; or
 - ii. the territorial authority staff will instead classify the person as a probationary owner under section 21.

Effect of classification as a disqualified owner

30. A disqualification under the [Dog Control Act 1996](#) continues in force for a period specified by the territorial authority not exceeding five years from the date of the third infringement offence(s) in respect of which the person is disqualified.
31. The disqualified owner must:
 - i. within 14 days dispose of every dog owned by the person; and
 - ii. not be in possession of a dog at any time (there are some limited exceptions to this).
32. The disqualification extends over all of New Zealand.

Right to make an objection

33. [Section 26](#) provides a dog owner with the right to object to Council, to the classification as disqualified.
34. An objection under [Section 26](#) may be lodged at any time but no objection can be lodged within 12 months of the hearing of any previous objection to the disqualification.
35. The territorial authority must, as soon as practicable, give written notice to the owner of:
 - i. its determination of the objection;
 - ii. the reasons for its determination; and
 - iii. the right of appeal to the District Court under section 27.

Appeal to the District Court

36. Any person who has lodged an objection under [section 26](#) and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is given to that person, appeal to the District Court against that decision.
37. The District Court, in hearing the appeal, shall consider the matters specified in [section 26\(3\)](#) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

38. 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').
39. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
40. Staff consider that the keeping of animals can enhance the quality of life and wellbeing for individuals and families; however, the Council also has a responsibility to protect the community from unreasonable animal nuisances – families, whanau, iwi, hapuu, and communities should be safe from dangerous animals.

Risks - *Tuuraru*

41. Public safety risk: If a dog owner that should have been classified is not, their behaviour may mean that animals in their possession may continue to pose a potential threat to the public or other animals. This could result in attacks or incidents that cause harm.
42. Reputation and perception: Failure to properly classify a dog owner may affect the public perception of Council's approach to enforcement.

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

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

Attachments - *Ngaa taapirihanga*

Attachment 1 - Notice of Disqualification of Ownership

Attachment 2 - Objection Recieved

Attachment 3 - Infringements - 2023 Disqualification

Attachment 4 - Dog Control Hearings Panel Decision Letter 7 August 2023

Attachment 5 - Customer Record 09/09/2023 Deceased Dog

Attachment 6 - Customer Record - 06/01/2025 Roaming Dog

Attachment 7 - Customer Record - 14/01/2025 Disqualified Compliance

Attachment 8 - Disqualification Process



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) [REDACTED]

ADDRESS: [REDACTED] Magee Place, Chartwell, Hamilton 3210

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 23rd May 2023 until 23rd May 2028

A summary of the effect of the disqualification and your right to object is attached.

[REDACTED]

Signature of officer /

23/5/2023

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.

AC/F07
Version 4
24.1.05



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Hamilton 3240
New Zealand

TEL 07 838 6699
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RIGHT OF OBJECTION TO DISQUALIFICATION
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



Hamilton City Council
Te Kaunihera o Kiriikiriroa

Private Bag 3010
Hamilton 3240
New Zealand

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

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)

This document was served by me by leaving a copy of the same for the Dog Owner/Occupier on the

Wednesday, 24th Day of May, 2023

At ██████████ Magee Place, Chartwell, Hamilton, 3210.

(Show full address of service)

Dog Control Officer D47 T.P. 24/05/2023 0825 am

Registered Letter

Date Posted: 24/05/2023

AC/F07
Version 4
24.1.05

27/6/2023

[REDACTED]
Magee Place
Chartwell
Hamilton 3210

Dear Melinda

Re: Disqualification from dog ownership

This is to inform you that in the notice of disqualification sent to you there was an error in the dates included.

The disqualification will apply from 28 October 2022 to 27 October 2027, 28 October 2022 being the date of the last offence for which you were issued an infringement.

This amendment to the dates will not affect your objection which will proceed as scheduled.

Apologies for any inconvenience this may have caused you.

Regards



[REDACTED]
Animal Education and Control Manager



Private Bag 3010
Hamilton 3240
New Zealand

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

To: Susan (Sue) Stanford <Susan.Stanford@hcc.govt.nz>

Subject: Re: Objection to disqualification

Kia ora, Susan.

Thank you for your reply, Yes mum is definitely wanting to pursue with the objection to disqualification.

Thank you
Nga mihi

On Fri, 17 Jan 2025, 9:42 am Susan (Sue) Stanford, <Susan.Stanford@hcc.govt.nz> wrote:

Hi [REDACTED]

Thank you for your email requesting your mums disqualification is overturned.

To do this there is a process that includes a council hearing, I am happy to get the ball rolling on this for you, once I have confirmation your mum would like to do so (this is a process she has been through before).

In regards to some of the information in your email.

1. Disqualification documentation was served on [REDACTED] on 24 May 2023
2. On 31 May 2023 we received an objection to disqualification from you mum.
3. On 7 August 2023 there was a hearing regarding the matter of her disqualification – I have attached the hearing agenda and the outcome letter from the hearing.
4. In the agenda it outlines the process from the issuing of infringements to disqualification, this should help you understand why it can take some time before we disqualify someone. Also we like to give people a chance and as you can see we gave your mum plenty of chances.
5. As a disqualified owner Melinda breached the disqualification by having another dog. The dog Isil has been registered by someone else when last released from the pound. We can only engage with the owner about the dog.

Your mum phoned and was upset this morning wanting to engage in dialogue about the dog, when I let her know we can't talk with her about the dog as she is not the owner, she got a bit shouty and hung up. Consequently I didn't get to as her about the objection.

I look forward to hearing from you about whether or not your mum wishes to pursue another objection to disqualification.

Regards
Sue

Susan Stanford

Animal Education and Control Manager | City Safety & Resilience

DDI: 07 838 6895 | Mob: 021 796 565 | Email susan.stanford@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.co.nz

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[REDACTED]
Sent: Thursday, January 16, 2025 12:11 PM
To: Animal Education & Control Officers <AECO@hcc.govt.nz>
Subject: URGENT ATTENTION !!!

To whom this may concern

Name: [REDACTED]
[REDACTED]
[Magee Place, Chartwell-Hamilton 3210](#)

Kia ora

My name is [REDACTED] and I am here on behalf of my mother [REDACTED]
She is currently a disqualified dog owner, due to her past 2 dogs being impounded multiple times for wondering & barking at people.
She is wanting the disqualification uplifted.

Reasons being:

- 1) She had no notification, email or letter stating she was disqualified until she owned a 3rd dog named Isil, she was notified months or possibly a year later that she was disqualified. Pretty slack in my opinion.
- 2) Her 2 dogs named Runt & Zyphyr were released 3-6 times by a visitor, which resulted in both dogs being impounded for wondering, and this visitor that made this mistake is willing to take full responsibility for her actions.
- 3) Mum [REDACTED] asked, Why was she charged so many times?
And yet the pound still continued to release Runt & Zyphyr back into her care?
- 4) If my mother were such an irresponsible dog owner, Then why would she go through all the agony & distress of working & pushing so hard to have them released so many times, taking care of them so well, housing them, feeding them breakfast, lunch & dinner, to be honest i have never met or seen a spoilt dog in my life.

\$920 for her 1st 2 dogs she owned to be released from the impound (Runt & Zyphyr)

\$110 Runt was picked up a week late & stayed in the pound overnight then released a the next day.

Runt had run away & never returned.

\$350 was paid for Zyphyr to be released from the impound, this occurred after Runt leaving and never returning Zyphyr had jumped out of the window to look for his brother Runt.

\$100 gas was spent for all the running around from home to town to collect money + multiple trips to & from the impound.

Total: \$1480

I do understand the circumstances given & laws but i do wish that my mum could have the disqualification uplifted because i know deep down in my heart her intentions are good not only for herself but her dogs also including her new dog Isil who is unfortunately in the pound & we know for a fact that he will be in stress .
So please I do hope this helps.

Nga mihi

e_anuus - Animals Enquiry - Hamilton_LIVE - 9348 - 7.0

Document Edit Name and Address Payments Animals Other Mod

OK Cancel Cut Copy Paste Find Excel Help Mapping

Document Browse

2 Memos Recorded

Animal Type 1 Dogs Number 2

MicroChip Brand MICROCHIP Id 982091064927199

Alpha Key

Assessment 41925 Parcel 44286

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

OutsideTag

Animal Name Zeph

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 1 Years 1 Mo

Features

Registration Details

Tag Number 1063 Tag Set 2022/23

Recpt Date 05/08/2022

CRM# 289889

ENTERED
02 NOV 2022

Hamilton City Council
Animal Education and Control

16 MAR 2023

LAI IN COURT

D45

INFRINGEMENT NOTICE
(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER **12942**

TERRITORIAL AUTHORITY

Hamilton City Council
Te kaunihera o Kiriikiriri
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames Surname

Name of dog owner:

Address: Magee Place Chartwell, Hamilton

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date	Time	Day of Week:
28/10/22	9am	S M T W T F S

Road/Street: Magee Place Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK /	IDENTIFYING NUMBER
<input type="checkbox"/> Willful obstruction of dog control officer or ranger	1
<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 checked="" 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:

Dog free to leave on front section. \$200.00

Reg. No. or Description of Dog: AN# 243496 Black lab cross male named Zeph

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 4/11/22 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D37 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
COUNCIL: Ground Floor 217 Ellis Street

Item 6

Attachment 3

Hamilton City Council - Animals Enquiry - Hamilton_LIVE - 20248 - 7.0

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1 of 1

Document Browse

1 Memo Recorded

Animal Type: 1 Dogs Number: []

MicroChip Brand: [] Id: []

Alpha Key: [] M

Assessment: 41925 Parcel: 44

Owner: 706718

House Number: []

Street Name: Magee

Suburb Name: Chartwell 3210

Animal Details

Kept at Address: Magee Place Chartwell Hamilton 3210

OutsideTag: []

Animal Name: Zephyr

Breed: LABR Retriever Labrador

Main Colour: BLK Black

Birth: 23/09/2021 Age: 0 Years: 8

Features: []

Registration Details

Tag Number: 1788 Tag Set: 2021/22

Tran: [] Recpt Date: 28/04/2022

please see CRM 2661 entered 21/6/22

Hamilton City Council
Animal Education and Control

05 OCT 2022

LAI IN COURT

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER **13295**

TERRITORIAL AUTHORITY

Hamilton City Council
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599
Te kaunihera o Kirikiriroa

Forenames: [] Surname: []

Name of dog owner: []

Address: [] Magee place Chartwell Hamilton 3210

Date of birth: []

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date: 23/05/2022 Time: 3:45pm Day of Week: S M T W T F S

Road/Street: Crosby Road Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK	IDENTIFYING NUMBER
<input type="checkbox"/>	Wilful 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 33(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
<input checked="" 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
<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:

Roaming dog off property Section 20(5) by law **\$ 300**

Reg. No. or Description of Dog: 'Zephyr' black Retriever Labrador - Cross AN 243 496

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 2/6/2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: 041 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

en005 - Animals Enquiry - Hamilton_LIVE - 20248 - 7.0

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1 of 1

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1 Memo Recorded

Animal Type 1 Dogs Number 2

MicroChip Brand Id

Alpha Key M

Assessment 41925 Parcel 44286

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

OutsideTag

Animal Name Runt

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 8 M

Features

Registration Details

Tag Number 1789 Tag Set 2021/22

Recpt Date 28/04/2022

please see CRM 266117

ENTERED
22 JUN 2022

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13296

TERRITORIAL AUTHORITY

Hamilton City Council
Te kaunihera o Kiriwhiri
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames Surname

Name of dog owner:

Address: Magee Place
Chartwell Hamilton

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 23/05/2022 Time 3:05pm Day of Week: S M T W T F S

Road/Street: Crosby Road 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
<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
<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:

Section 20(5) failure to comply with bylaw 7300

Reg. No. or Description of Dog: 243495 Male Labrador / Retriever cross black "Runt"

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after (Earliest date notice delivered personally or posted) 02/06/2022

OFFICER NUMBER: D41 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

Item 6

Attachment 3

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1 Memo Recorded

Animal Type 1 Dogs Number 24

MicroChip Brand Id

Alpha Key RITE M

Assessment 41925 Parcel 44286

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address 7 Magee Place Chartwell Hamilton 3210

Outside Tag

Animal Name Zeph

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 9 Mon

Features

Registration Details

Tag Number 1788 Tag Set 2021/22

eTran Recpt Date 28/04/2022 Reg

D17.

CRM 269906. 23/6/22 4:13pm.

This dog roaming in Magee Pl.

infringed N 13328 posted 2

ENTERED

20 JUL 2022

Hamilton City Council
Animal Education and Control

11 6 NOV 2022

LAID IN COURT

D17

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13328 Posted 23/6/22

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:

Address: Magee Place
Hamilton

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 23/6/22 Time 4:13pm Day of Week: S M T W T F S

Road/Street: Magee Place Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK ☒ IDENTIFYING NUMBER

☐ Willful obstruction of dog control officer or ranger 11

☐ Failure or refusal to supply information or wilfully providing false particulars 19(2)

☐ Failure to supply information or wilfully providing false particulars about dog 19A(2)

☒ Failure to comply with any bylaw authorised by the section 20(5)

☐ Failure to comply with effects of disqualification 28(5)

☐ Failure to comply with effects of classification of dog as dangerous dog 32(2)

☐ Fraudulent sale or transfer of dangerous dog 32(4)

☐ Failure to comply with effects of classification of dog as menacing dog 33E(C)

☐ Failure to implant microchip transponder in dog 36A(6)

☐ False statement relating to dog registration 41

☐ Failure to register dog 42

☐ Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)

☐ Failure to advise change of dog ownership 48(3)

☐ Failure to advise change of address 49(4)

☐ Removal, swapping, or counterfeiting of registration label or disc 51(1)

☐ Failure to keep dog controlled or confined 52A

☐ Failure to keep dog under control 53(1)

☐ Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)

☐ Failure to carry leash in public 54A

☐ 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:

Ref CRM 269906 \$300 =

This dog was loose and roaming in Magee Place.

Reg. No. or Description of Dog: Zeph, the male, Labrador Retriever cross, Black in colour, 9 months old approx.

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 28/6/22 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D17 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

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1 Memo Recorded

Animal Type 1 Dogs Number 24
MicroChip Brand Id
Alpha Key M
Assessment 41925 Parcel 44286
Owner 706718
House Number
Street Name Magee
Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

Outside Tag

Animal Name Runt

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 9 Mo

Features

Registration Details

Tag Number 1789 Tag Set 2021/22

eTran Recpt Date 28/04/2022 Reg

D17.

269906 23/6/22 4.13pm.
This dog roaming in Magee
Infringement 13329 posted

ENTERED
20 JUL 2022

Hamilton City Council
Animal Education and Control

16 NOV 2022

LAI IN COURT

131/16

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13329

TERRITORIAL AUTHORITY



Hamilton City Council
Te kaunihera o Kiriikiriri
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames Surname

Name of dog owner:

Address:

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 23/6/22 Time 4:13pm Day of Week: S M T W T F S
Road/Street: Magee Place 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 willfully providing false particulars 19(2)
<input type="checkbox"/>	Failure to supply information or willfully 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
<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
<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:

Ref CRM 269906
This dog was loose and roaming in Magee Place. \$300 =

Reg. No. or Description of Dog: Runt, the male, Labrador Retriever cross, Black in colour, 9 months old approx.

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 28/6/22 (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
COUNCIL Ground Floor 217 Ellis Street
Municipal Complex Hamilton

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1 Memo Recorded

Animal Type 1 Dogs Number

MicroChip Brand Id

Alpha Key M

Assessment 41925 Parcel 44

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

OutsideTag

Animal Name Zeph

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 8

Features

Registration Details

Tag Number 1788 Tag Set 2021/22

eTran Recpt Date 28/04/2022

ENTERED 22 JUL 2022

CRM 2696

Hamilton City Council Animal Education and Control

16 NOV 2022

PAID IN COURT

BD34

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13354

TERRITORIAL AUTHORITY

Hamilton City Council

Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Te kaunihera o Kiriikiriroa

Name of dog owner: Forenames Surname

Address: Magee Place Chartwell Hamilton

Date of birth: Chartwell Hamilton

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 21/06/2022 Time 11:15am Day of Week: S M T W T F S

Road/Street: Magee Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK ✓ IDENTIFYING NUMBER

☐ Willful obstruction of dog control officer or ranger 18

☐ Failure or refusal to supply information or wilfully providing false particulars 19(2)

☐ Failure to supply information or wilfully providing false particulars about dog 19A(2)

☒ Failure to comply with any bylaw authorised by the section 20(5)

☐ Failure to comply with effects of disqualification 28(5)

☐ Failure to comply with effects of classification of dog as dangerous dog 32(2)

☐ Fraudulent sale or transfer of dangerous dog 32(4)

☐ Failure to comply with effects of classification of dog as menacing dog 33E(C)

☐ Failure to implant microchip transponder in dog 36A(6)

☐ False statement relating to dog registration 41

☐ Failure to register dog 42

☐ Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)

☐ Failure to advise change of dog ownership 48(3)

☐ Failure to advise change of address 49(4)

☐ Removal, swapping, or counterfeiting of registration label or disc 51(1)

☐ Failure to keep dog controlled or confined 52A

☐ Failure to keep dog under control 53(1)

☐ Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)

☐ Failure to carry leash in public 54A

☐ 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:

Dog roaming in park on Magee place and Mackintosh Street. \$300

Reg. No. or Description of Dog: Name Zeph

AN: 243496 Black Labrador retriever cross, 8 month male.

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 23/06/2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D43 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

COUNCIL Ground Floor 217 Ellis Street

Municipal Complex Hamilton

Garden Place

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2 Memos Recorded

Animal Type 1 Dogs Number

MicroChip Brand MICROCHIP Id 982091065052201

Alpha Key M

Assessment 41925 Parcel 4428

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address 7 Magee Place Chartwell Hamilton 3210

Outside Tag

Animal Name Runt

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 10 M

Features

Registration Details

Tag Number 1062 Tag Set 2022/23

eTran Recpt Date 05/08/2022

ENTERED
29 AUG 2022

Hamilton City Council
Animal Education and Control

05 DEC 2022

LAI IN COURT

(ISSUED UNDER AUTHORITY OF SECTION 56 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13468

TERRITORIAL AUTHORITY

Hamilton City Council
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames Surname

Name of dog owner:

Address: Magee Place
Chartwell, Hamilton 3210

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 11/08/2022 Time 4:30pm Day of Week: S M T W T F S

Road/Street: Magee Place Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK ✓	IDENTIFYING NUMBER
<input type="checkbox"/>	Wilful 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
<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
<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:

Section 20(5): Failure to prevent dog from wandering. \$300

Reg. No. or Description of Dog: AN 243495 Runt
Male, black, labrador cross

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 29/08/2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D45 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

Item 6

Attachment 3

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2 of 2

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2 Memos Recorded

Animal Type: 1 Dogs Number: []

MicroChip Brand: MICROCHIP Id: 982091064927199

Alpha Key: [] M

Assessment: 41925 Parcel: 4428

Owner: 706718

House Number: []

Street Name: Magee

Suburb Name: Chartwell 3210

Animal Details

Kept at Address: 7 Magee Place Chartwell Hamilton 3210

OutsideTag: []

Animal Name: Zephr

Breed: LABR Retriever Labrador

Main Colour: BLK Black

Birth: 23/09/2021 Age: 0 Years 10 M

Features: []

Registration Details

Tag Number: 1063 Tag Set: 2022/23

eTran: [] Recpt Date: 05/08/2022

PLEASE SEE C

ENTERED 15 AUG 2022

Hamilton City Council
Animal Education and Control

05 DEC 2022

LAI IN COURT

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER: 13532

TERRITORIAL AUTHORITY: Hamilton City Council
Te kaunihera o Kiriwhiri
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames: [] Surname: []

Name of dog owner: []

Address: [] Magee Place Chartwell Hamilton

Date of birth: []

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date: 28-7-2022 Time: 3:30 pm Day of Week: S M T W T F S

Road/Street: Magee Place Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK ✓

IDENTIFYING NUMBER

Wilful obstruction of dog control officer or ranger 18

Failure or refusal to supply information or wilfully providing false particulars 19(2)

Failure to supply information or wilfully providing false particulars about dog 19A(2)

Failure to comply with any bylaw authorised by the section 20(5)

Failure to comply with effects of disqualification 28(5)

Failure to comply with effects of classification of dog as dangerous dog 32(2)

Fraudulent sale or transfer of dangerous dog 32(4)

Failure to comply with effects of classification of dog as menacing dog 33(C)

Failure to implant microchip transponder in dog 36A(6)

False statement relating to dog registration 41

Failure to register dog 42

Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)

Failure to advise change of dog ownership 48(3)

Failure to advise change of address 49(4)

Removal, swapping, or counterfeiting of registration label or disc 51(1)

Failure to keep dog controlled or confined 52A

Failure to keep dog under control 53(1)

Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)

Failure to carry leash in public 54A

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:

Section 20(5) dogs seen roaming \$300

Reg. No. or Description of Dog: 243496 Male Retriever Labrador - cross Black, Zepher

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 15-8-2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: 041 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
COUNCIL Ground Floor 217 Ellis Street
Municipal Complex Hamilton

Scene005 - Animals Enquiry - Hamilton_LIVE - 18580 - 7.0

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1 of 2

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2 Memos Recorded

Animal Type 1 Dogs Number 2

MicroChip Brand Id

Alpha Key M

Assessment 41925 Parcel 44286

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

Outside Tag

Animal Name Runt

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 10 M

Features

Registration Details

Tag Number 1062 Tag Set 2022/23

eTran Recpt Date 05/08/2022

Please See CP

ENTERED
15 AUG 2022

Hamilton City Council
Animal Education and Comm.

05 DEC 2022

INFRINGEMENT NOTICE
(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER **13533**

TERRITORIAL AUTHORITY **Hamilton City Council**
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Forenames Surname

Name of dog owner:

Address: Magee Place Chartwell Hamilton

Date of birth:

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date	Time	Day of Week:
28-7-2022	3:30 pm	S M T W T F S

Road/Street: Magee Place Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK	DESCRIPTION	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
<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
<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:

Section 20(5) dogs Seen Roaming \$300

Reg. No. or Description of Dog: 243495: Male, Retriever Labrador - cross, Black, Runt

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 15-8-2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: 1241 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
COUNCIL Ground Floor 217 Ellis Street
Hamilton

Item 6

Attachment 3

Animal Education and Control

ENTERED
22 JUL 2022

16 NOV 2022
LAID IN COURT

emo Recorded

Animal Type: 1 Dogs Number: [] Id: []

MicroChip Brand: []

Alpha Key: [] M

Assessment: 41925 Parcel: 44

Owner: 706718

House Number: []

Street Name: Magee

Suburb Name: Chartwell 3210

Animal Details

Kept at Address: Magee Place Chartwell Hamilton 3210

OutsideTag: []

Animal Name: Runt

Breed: LABR Retriever Labrador

Main Colour: BLK Black

Birth: 23/09/2021 Age: 0 Years

Features: []

Registration Details

Tag Number: 1789 Tag Set: 2021/22

eTran: [] Recpt Date: 28/04/2022

CRM 269657

NOTICE UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996

NOTICE NUMBER: 13355

TERRITORIAL AUTHORITY: Hamilton City Council

Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599

Name of dog owner: []

Address: []

Date of birth: []

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date: 24/06/2022 Time: 11:13 am Day of Week: S M T W T F S

Road/Street: Magee Locality: HAMILTON

OFFENCE COMMITTED INDICATED BY BOX TICKED

TICK ✓

Identifying Number

Willful obstruction of dog control officer or ranger 18

Failure or refusal to supply information or wilfully providing false particulars 19(2)

Failure to supply information or wilfully providing false particulars about dog 19A(2)

Failure to comply with any bylaw authorised by the section 20(5)

Failure to comply with effects of disqualification 28(5)

Failure to comply with effects of classification of dog as dangerous dog 32(2)

Fraudulent sale or transfer of dangerous dog 32(4)

Failure to comply with effects of classification of dog as menacing dog 33E(C)

Failure to implant microchip transponder in dog 35A(6)

False statement relating to dog registration 41

Failure to register dog 42

Fraudulent procurement or attempt to procure replacement dog registration label or disc 46(4)

Failure to advise change of dog ownership 48(3)

Failure to advise change of address 49(4)

Removal, swapping, or counterfeiting of registration label or disc 51(1)

Failure to keep dog controlled or confined 52A

Failure to keep dog under control 53(1)

Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise 54(2)

Failure to carry leash in public 54A

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:

Dog roaming in park in Magee place & Mackintosh Street B 300

Reg. No. or Description of Dog: Name: Runt AN: 243495 Black Labrador cross 8 months old Male

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 23/06/2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D43

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
Ground Floor
Municipal Complex
Garden Place

or
Animal Care and Control
217 Ellis Street
Hamilton

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1 of 1

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2 Memos Recorded

Animal Type 1 Dogs Number

MicroChip Brand MICROCHIP Id 982091065052201

Alpha Key M

Assessment 41925 Parcel 442

Owner 706718

House Number

Street Name Magee

Suburb Name Chartwell 3210

Animal Details

Kept at Address Magee Place Chartwell Hamilton 3210

OutsideTag

Animal Name Runt

Breed LABR Retriever Labrador

Main Colour BLK Black

Birth 23/09/2021 Age 0 Years 11

Features

Registration Details

Tag Number 1062 Tag Set 2022/23

Tran Recpt Date 05/08/2022

Please See

ENTERED
12 SEP 2022

6

Hamilton City Council
Animal Education and Control

12 JAN 2023

LAD IN COURT

(ISSUED UNDER AUTHORITY OF SECTION 66 OF THE DOG CONTROL ACT 1996)

NOTICE NUMBER 13545 (F) POSTED

TERRITORIAL AUTHORITY

Hamilton City Council
Garden Place, Hamilton
Ph (07) 838 6699, Fax (07) 838 6599
Te kaunihera o Kirikiriroa

Forenames Surname

Name of dog owner: [REDACTED]

Address: Magee Place
Chartwell Hamilton

Date of birth: [REDACTED]

ALLEGED INFRINGEMENT OFFENCE DETAILS

Date 18/09/2022 Time 2:40pm Day of Week S M T W T F S

Road/Street: Magee Place 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 33(1)(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
<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
<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:

Section 20(5)
Dog free to roam

Reg. No. or Description of Dog: Runt 243495
Retriever Labrador X
Black male

PAYMENT OF INFRINGEMENT FEE

The infringement fee is payable within 28 days after 23/09/2022 (Earliest date notice delivered personally or posted)

OFFICER NUMBER: D41

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

\$300-

Item 6

Attachment 3

Dog Control Act 1996**26 Objection to disqualification**

- (1) Every person disqualified under section 25—
 (a) may object to the disqualification by lodging with the territorial authority a written objection to the disqualification; and
 (b) shall be entitled to be heard in support of the objection.
- (2) An objection under this section may be lodged at any time but no objection shall be lodged within 12 months of the hearing of any previous objection to the disqualification.
- (3) In considering any objection under this section, the territorial authority shall have regard to—
 (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
 (b) the competency of the person objecting in terms of responsible dog ownership; and
 (c) any steps taken by the owner to prevent further offences; and
 (d) the matters advanced in support of the objection; and
 (e) any other relevant matters.
- (4) In determining any objection, the territorial authority may uphold, bring forward the date of termination, or immediately terminate the disqualification of any person and shall give written notice of its decision, the reasons for it, and the right of appeal under section 27 to the objector.
- 27 Appeal to District Court**
- (1) Any person who has lodged an objection under section 26 and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is, under section 26(4), given to that person, appeal to the District Court against that decision.
- (2) The District Court, in hearing the appeal, shall consider the matters specified in section 26(3) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.
- 28 Effect of Disqualification**
- (1) Subject to this section, if a person is disqualified from owning a dog under section 25 the person must,—
 (a) within 14 days of the date on which notice of the decision is given to the person, dispose of every dog owned by the person; and
 (b) not subsequently be in possession of a dog at any time, except for the purpose of—
 (i) preventing a dog from causing injury, damage, or distress; or
 (ii) returning, within 72 hours, a lost dog to the territorial authority for the purpose of restoring the dog to its owner.
- (2) Every dog disposed of under subsection (1)(a)—
 (a) shall be disposed of in a manner that does not constitute an offence against this or any other Act; and
 (b) shall not be disposed of to any person who resides at the same address as the person disqualified.
- (3) Where any person has, within 14 days after the date on which the notice of disqualification under section 25 (4) is given to that person, lodged an objection under section 26, subsection (1) of this section shall apply in relation to that person as if the reference in that subsection to section 25(4) were a reference to section 26(4).
- (4) Where any person has, within 14 days after the date on which the notice under section 26(4) is given to that person in respect of an objection to which subsection (3) of this section refers, lodged an appeal under section 27, subsection (1) of this section shall apply in relation to that person as if the reference in that subsection to the date on which the notice under section 25(4) was given to that person were a reference to the date of the decision of a District Court on that appeal.
- (5) Every person commits an offence and is liable on conviction to a fine not exceeding \$3,000 who—
 (a) fails to comply with subsection (1); or
 (b) fails, in disposing of a dog under subsection (1), to comply with subsection (2); or
 (c) at any time while disqualified under section 25, becomes the owner of any dog in terms of this Act; or
 (d) disposes or gives custody or possession of any dog to any person, knowing that person to be disqualified under section 25.
- (6) Where any person is convicted of an offence against paragraph (a) or paragraph (c) of subsection (5), the territorial authority may extend the period of disqualification of that person until a date not later than 5 years after the date on which the offence occurred.
- (7) Where any person fails to comply with subsection (1), any dog control officer may seize any dog owned by that person and, for that purpose, may, at any reasonable time, with all persons he or she calls to his or her assistance, enter onto the land or premises, including any dwelling house, of the owner of the dog.

Animal Complaint Record 348759/2023

Item 6

Attachment 5

COMPLAINANT		Officer	D40
Complaint Received	09/09/2023	Home Phone 1	N/A
Name	Anonymous Anonymous Anonymous	Home Phone 2	
Address	No Details Provided C/- Hamilton City Council Private Bag 3010	Mob Phone	

PROPERTY

Property Address		Safety Alert	
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ANIMAL DETAILS

Animal Number	243496	Animal Name	Zephr	Tattoo	98209106 927199
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	706718

REQUEST DETAILS

Offence Date		DECEASED - Deceased Dog delivered to AECU by MOP who found it on Wairere Dr, Chartwell.
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	D40	Tele Ops called advising a MOP was on her way to AECU to deliver the body of a deceased dog to AECU. Dog brought in, MOP advised there was no microchip. Kennels staff have scanned the dog and did not find a micro chip - [REDACTED]. Comes back to Zephyr from [REDACTED]. Dog owner had contacted HCC on 28/08/2023 to advise the dog was missing. Phoned dog owner who said she will be in on Monday to pick him up. Record deactivated by admin. NFA ([REDACTED] - 11/09/2023)
Start Date	09/09/2023 09:00	
Finish Date	11/09/2023 09:07	
Outcome	* Complete & Close CRM	
Task	Investigation	

Previous Complaints for Dog

CRM No.	258334/2022	Task	2INV
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	23-Mar-22 04:39:00 PM

Attachment 5

Cat 3	Dogs - Roaming (heading only)	Closed	29-Apr-22 12:24:00 PM
Cat 4	Dogs - Roaming - 52A Free To Leave		
CRM No.	262839/2022	Task	2INV
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	01-May-22 09:17:00 AM
Cat 3	Dogs - Barking	Closed	02-May-22 08:20:00 AM
Cat 4			

CRM No.	266117/2022	Task	2INV
Animal	243496	Outcome	INFR
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	23-May-22 03:26:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	30-May-22 03:04:00 PM
Cat 4	Dogs - Roaming - Public Place		

Item 6

CRM No.	269657/2022	Task	2INV
Animal	243496	Outcome	INFR
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	21-Jun-22 11:04:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	21-Jun-22 02:01:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	269906/2022	Task	2INV
Animal	243496	Outcome	S205
Maj Cat.	Animal Control (heading only)	Officer	D17
Min Cat.	Dogs - Offences (heading only)	Opened	23-Jun-22 03:46:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	27-Jun-22 01:46:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	274886/2022	Task	2INV
Animal	243496	Outcome	S205
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	28-Jul-22 03:13:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	09-Aug-22 11:05:00 AM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	215801/2022	Task	2INV
Animal	243496	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	03-Aug-22 12:00:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	03-Aug-22 12:44:00 PM
Cat 4	Dogs - Ranging - Unregistered Dog Report Compliance		

CRM No.	276273/2022	Task	2INV
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D44
Min Cat.	Dogs - Offences (heading only)	Opened	06-Aug-22 02:46:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	06-Aug-22 04:03:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	289889/2022	Task	2INV
Animal	243496	Outcome	INFR
Maj Cat.	Animal Control (heading only)	Officer	D37
Min Cat.	Dogs - Offences (heading only)	Opened	28-Oct-22 10:06:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	28-Oct-22 10:12:00 AM
Cat 4	Dogs - Roaming - 52A Free To Leave		

CRM No.	292720/2022	Task	2INV
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D44
Min Cat.	Dogs - Offences (heading only)	Opened	10-Nov-22 01:15:00 PM
Cat 3	Dogs - Rushing (heading only)	Closed	16-Nov-22 11:17:00 AM
Cat 4	Dogs - Rushing Person - Urgent		

CRM No.	305000/2023	Task	2INV
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D40
Min Cat.	Dogs - Offences (heading only)	Opened	18-Jan-23 10:48:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	18-Jan-23 03:12:00 PM
Cat 4	Dogs - Roaming - Public Place		

Attachment 5

CRM No.	328437/2023	Task	2ACV
Animal	243496	Outcome	DISQ
Maj Cat.	Animal Control (heading only)	Officer	D47
Min Cat.	Dogs - Offences (heading only)	Opened	24-May-23 07:50:00 AM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	25-May-23 07:55:00 AM
Cat 4	Dogs - Officer - Serve Owner Classification		

CRM No.	328437/2023	Task	2ACO
Animal	243496	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	31-May-23 03:13:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	31-May-23 03:20:00 PM
Cat 4	Dogs - Officer - Serve Owner Classification		

Item 6

CRM No.	328437/2023	Task	2ACO
Animal	243496	Outcome	2CMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	31-May-23 04:22:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	31-May-23 04:35:00 PM
Cat 4	Dogs - Officer - Serve Owner Classification		

CRM No.	328437/2023	Task	2ACO
Animal	243496	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	21-Jun-23 11:06:00 AM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	21-Jun-23 11:08:00 AM
Cat 4	Dogs - Officer - Serve Owner Classification		

CRM No.	337469/2023	Task	2ACO
Animal	243496	Outcome	COMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	Dogs - Offences (heading only)	Opened	20-Jul-23 09:04:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	20-Jul-23 09:07:00 AM

Cat 4 Dogs - Attack - Dog
v Animal - Urgent

CRM No.	337469/2023	Task	2INV
Animal	243496	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	14-Jul-23 03:42:00 AM
Cat 3	Dogs - Attack (heading only)	Closed	08-Aug-23 08:21:00 AM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		

CRM No.	345961/2023	Task	2INV
Animal	243496	Outcome	2CMP
Maj Cat.	Animal Control (heading only)	Officer	SGRI
Min Cat.	General Tasks (heading only)	Opened	28-Aug-23 12:27:00 PM
Cat 3	Dogs - Lost Dog	Closed	28-Aug-23 01:28:00 PM
Cat 4			

CRM No.	348759/2023	Task	2INV
Animal	243496	Outcome	2CMP
Maj Cat.	Animal Control (heading only)	Officer	D40
Min Cat.	Dogs - Offences (heading only)	Opened	09-Sep-23 09:00:00 AM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	11-Sep-23 09:07:00 AM
Cat 4	Dogs - Ranging - Other		

Item 6

Attachment 5

Animal Complaint Record 450782/2025

COMPLAINANT

Complaint Received	06/01/2025	Officer	D49
Name	[REDACTED]	Home Phone 1	
Address	C/- Hamilton City Council Private Bag 3010 Waikato Mail Centre	Home Phone 2	
		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	249657	Animal Name	Isol	Tattoo	900141001 430150
Animal Location	[REDACTED]	Color		Sex	M
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	434881

REQUEST DETAILS

Offence Date		Free to Leave dog sighted in [REDACTED], also sighted roaming
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 - Roaming - 52A Free To Leave	

INVESTIGATION DETAILS

Officer	D49
Start Date	06/01/2025 04:41
Finish Date	13/01/2025 07:55
Outcome	Animals - Seized
Task	Investigation

06/01/2025 4:41pm. R.28 R.N. 52555. Gold, male Lab cross. Sighted a large sized gold coloured dog roaming on [REDACTED] whilst at an after hours CRM with D17. This dog is believed to be owned by [REDACTED], a disqualified dog owner. Dog is free to leave the property gates open. Have door knocked, no one has come out. Lead put on the dog and put in the ute. Seizure notice filled out and left in the letterbox of [REDACTED]. Dog brought back to base and impounded. Scanned. No M/C. [REDACTED] 8:16am. D/O [REDACTED] was called and informed the dog was seized by us but that she could not come and pick him up due to her disqualification. She claims the dog is her daughters and she was just looking after him. I have told her she cannot be in possession of a dog at all. She claims we entered her house and we have told her this is not the case as the dog was already off the property and out roaming. [REDACTED] - 07/01/2025) ***NOTE*** SPCA had phoned Team Leader D37 and advised that this dog was out roaming around 3:50pm on 06/01/2025. [REDACTED] - 07/01/2025) 11/01/2025 3:30pm. Dog has been collected from kennels and is being housed to [REDACTED] Dog linked. NFA. [REDACTED] on - 13/01/2025) 16/01/2025 11:09am. Phoned [REDACTED]. Have informed her she is receiving an infringement for breaching her disqualification. Have told [REDACTED] that the fine is \$750. She was argumentative and I have had to end the phone call politely. Due to the fact that [REDACTED] has told us that we entered her house to take the dog was proof that the dog was inside her house and therefore in her possession. Infringement issued - 1581C Sect 28(5) - Failure to comply with effects of disqualification - disqualified dog owner in possession of a dog. [REDACTED] - 16/01/2025)

Previous Complaints for Dog

CRM No.	450782/2025	Task	2INV
Animal	249657	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D49
Min Cat.	Dogs - Offences (heading only)	Opened	06-Jan-25 04:41:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	13-Jan-25 07:55:00 AM
Cat 4	Dogs - Ranging - Roaming - 52A Free To Leave		
CRM No.	452584/2025	Task	2INV
Animal	249657	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D49
Min Cat.	Dogs - Offences (heading only)	Opened	14-Jan-25 01:20:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	16-Jan-25 02:22:00 PM

Cat 7
Dogs - Hanging -
Disqualified
Complicance

Attachment 6

Item 6

Animal Complaint Record 452584/2025

Item 6

COMPLAINANT

Complaint Received	14/01/2025	Officer	D49
Name	[REDACTED]	Home Phone 1	
Address	[REDACTED]	Home Phone 2	
		Mob Phone	[REDACTED]

PROPERTY

Property Address	[REDACTED]	[REDACTED]	Safety Alert		
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ANIMAL DETAILS

Animal Number	249657	Animal Name	Isol	Tattoo	900141001 430150
Animal Location	[REDACTED]	Color		Sex	M
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	434881

REQUEST DETAILS

Offence Date		DISQUALIFIED COMPLIANCE: Please follow up at [REDACTED]
Major Category	Animal Control (heading only)	[REDACTED] There has been a report of a dog living at the property.
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Ranging Offences Detected By Officer (heading only)	
Category 4	Dogs - Ranging - Disqualified Complicance	

INVESTIGATION DETAILS

Officer	D49
Start Date	14/01/2025 01:20
Finish Date	16/01/2025 02:22
Outcome	Animals - Seized
Task	Investigation

Attachment 7

15/01/2025 1:20pm. R.29 R.R. 55000. Igol AECO
front counter have received a call from D/O [REDACTED]
[REDACTED] has stated that she is not in possession of the dog Igol and that the dog is currently with [REDACTED] l. 2: 0pm. ACOs D37, D41 and D49 have gone to [REDACTED]. Door knocked. No answer. At one point the front door has opened very slightly but then closed, giving us the indication [REDACTED] was inside. Further attempts made to get [REDACTED] to come out to speak to us. No dogs sighted or heard at the property yet. D41 and myself have decided to go talk to [REDACTED] D37 has stayed behind at [REDACTED]. Have spoken with [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] has then come out of her house yelling abuse at ACOs telling us the dog is not here, the dog is with [REDACTED]. [REDACTED] has tried to get us to follow her up the road to go to [REDACTED]. We have not. Neighbours at [REDACTED] has been abusive towards us also. Police assistance was called. [REDACTED] has also called police stating we are harassing her. [REDACTED] has then been picked up in a black vehicle, unknown driver, and has said she is going to [REDACTED] and will get the dog from there and then we will see that the dog is not at [REDACTED]. Police have arrived. [REDACTED] has not come back. ACC have gone to the back of the property, dog has been sighted in the lounge of [REDACTED] through a window, dog has also barked. We have told police that under Sect 28 DCA we can enter the house without search warrant to retrieve a dog from a disqualified owner. All door to the property locked. We did not want to force entry so [REDACTED] was called by police who have explained to her that we would be entering the house to get the dog and we needed her to come back and unlock the door. [REDACTED] has stated she would not come back. Police have left to go try and talk to her face to face. Police have come back with a house key. Access to the house via the front door. Dog Igol in the lounge. Scared but has come to hand, I have put a lead on him and brought him out to the ute. Lifted in to the ute. Seizure notice filled out and left taped to the front door. Police have gone to speak to the neighbours at [REDACTED]. Neighbours have the apologised to ACOs for their behaviour earlier stating they were told something completely different. Property of [REDACTED] then locked up, police have taken Key back to [REDACTED] Have left property, brought dog back to base and impounded. Scanned, M/C found. [REDACTED] on - 15/01/2025) ***NOTE***
date of attending property was 14/01/2025, have incorrectly entered date at the start of notes. [REDACTED] - 15/01/2025) 16/01/2025 11:09am. Phoned [REDACTED]. Have informed her she is receiving two infringements for breaching her disqualification (CRM 450782 is the other job that she will be receiving an infringement for). Have told [REDACTED] that the fines are \$750 each. She was argumentative and I have had to end the phone call politely. Infringement issued - 15809 - Sect 28(5) - Failure to comply with effects of disqualification - disqualified dog owner in possession of a dog. (Nadyna Johnson - 16/01/2025)
NOTE Notes stating dog "Igol" is actually "Isol", name was incorrectly entered in to the database, this has since been amended. [REDACTED])

Previous Complaints for Dog

CRM NO.	450782/2025	Task	2INV
Animal	249657	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D49
Min Cat.	Dogs - Offences (heading only)	Opened	06-Jan-25 04:41:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	13-Jan-25 07:55:00 AM
Cat 4	Dogs - Ranging - Roaming - 52A Free To Leave		

CRM No.	452584/2025	Task	2INV
Animal	249657	Outcome	SEIZ
Maj Cat.	Animal Control (heading only)	Officer	D49
Min Cat.	Dogs - Offences (heading only)	Opened	14-Jan-25 01:20:00 PM
Cat 3	Dogs - Ranging Offences Detected By Officer (heading only)	Closed	16-Jan-25 02:22:00 PM
Cat 4	Dogs - Ranging - Disqualified Complicance		

Item 6

Attachment 7

Disqualification from dog ownership

Disqualification triggers

- Conviction under any of the following Acts
 - Dog Control Act 1996
 - Animal Welfare Act 1999
 - Conservation Act 1987
 - National Parks Act 1980 or
 - The person commits 3 or more separate infringement offences in a 24 month period (note: infringement related disqualification may only occur after the infringements have been paid or if unpaid laid in court)

Infringement Process

Dog owner issued an infringement as the result of an offence under the Dog Control Act 1996

- Infringement is to be paid within 28 days of the date of issue, the date of issue used is approximately 1 week after postage date e.g. infringement being posted on 15th of the month will have an issue date of 22nd of the month, this is to take into account postal delivery times.
 - An infringement is only issued at the end of an investigation and how soon after the event it is issued will depend on the event complexity.
 - Animal Education and Control have 6 months from the date of the offence to issue an infringement and lay it in Court.

Reminder letter sent

(INF issued – reminder 6-8 weeks)

- Approximately **6-8 weeks** after the infringement is issued a reminder letter is posted to anyone whose infringement remains unpaid.
 - A further 28 days is allowed for payment of the infringement, plus some additional time to consider postal delivery times.

Laid in Court

(Reminder – Laid in Court 6-8 weeks)

- A further **6-8 weeks** after the reminder letter has been sent any unpaid infringements are laid in Court.
 - From the conclusion of an investigation, an infringement being issued and then being laid in court can take **4-5 months**.
 - This process is followed for any subsequent infringements a dog owner may incur.

(Completion of infringement process 4-5 months)

Disqualification documentation created and delivered (if dog owner committed has 3 or more infringement offences)

- Once an infringement process has been completed Animal Education and Control admin staff create the documentation and arrange its service by one of the Animal Education and Control Officers.

Council Report

Item 7

Committee: Dog Control Hearings Panel **Date:** 17 April 2025
Author: Charlotte Mitchell **Authoriser:** Michelle Hawthorne
Position: Graduate Governance Support **Position:** Governance and Assurance Manager
Report Name: Objection to Menacing Classification of Dog - Ward

Report Status	Open
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Purpose - *Take*

1. To seek a determination from the Dog Control Hearings Panel on the classification of Hugo and Alife as menacing dogs.

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Dog Control Hearings Panel:
 - a) receives the report; and
 - b) confirms it has considered the mandatory matters specified under the Dog Control Act 1996, and other matters relevant to the objection; and
 - c) notes that the Dog Control Hearings Panel in determining any objection can only either uphold or rescind the classification under the Dog Control Act 1996; and
 - d) the hearing is Public Excluded or adjourned for a decision to be made; and
 - e) either upholds or rescinds the menacing classification.

Executive Summary - *Whakaraapopototanga matua*

3. On 16 December 2024 Council received a complaint regarding Alfie and Hugo “the Dogs” (refer to **Attachment 1**).
4. The Dog Control Act 1996 sets out the circumstances in which Council may classify a dog as menacing.
5. Staff recommend that the classification of the Dogs as menacing is upheld.
6. Staff consider the decision in this report has low significance and that the recommendations comply with the Council’s legal requirements.

Background - *Koorero whaimaarama*

7. On 16 December 2024 Council received a complaint regarding the Dogs.
8. The complaint involved the Dogs being involved in a cat attack. Refer to **Attachment 1** for further details.

9. On 17 January 2025 the Dogs were classified by staff as menacing. Refer to **Attachment 2 and 3** for the Notice of Classification.
10. On January 23 2025, an objection to the classification of the Dogs as menacing was received from the registered dog owners. Refer to **Attachment 3** for a copy of the objection.
11. As a result, a hearing has been convened to hear the objection. The Hearing Panel should note:
 - i. the Owners have advised that they wish to be heard in person; and
12. The normal order of the procedure of a hearing is as follows:
 - i. opening of the meeting by the Chair;
 - ii. the Objector presents their objection and supporting evidence;
 - iii. Any witnesses in support of the objection speak to their evidence;
 - iv. the Complainant and any witnesses in opposition of the objection speak to their evidence;
 - v. Staff summarise the Committee report and makes any comments regarding information provided at the hearing;
 - vi. the Objector has the opportunity to respond to any new matters or points not already covered during the hearing;
 - vii. the hearing is closed or adjourned for a decision to be made.
13. For the avoidance of doubt:
 - i. The Chair of the hearing may change the order of the hearing at their discretion.
 - ii. There is **no** opportunity for cross examination at the hearing by any party.
 - iii. Members of the Hearings Panel may ask questions for clarification of the parties during the hearing.

Discussion - *Matapaki*

14. Section 33B provides that in making its determination the Committee **must** have regard to:
 - i. the evidence which formed the basis for the classification;
 - ii. any steps taken by the owner to prevent any threat to the safety of persons or animals;
 - iii. the matters relied on in support of the objection; and
 - iv. any other relevant matters.

Evidence which formed the basis for the classification

15. In deciding to classify the Dogs, staff have relied on the following evidence:
 - i. On 16 December 2024, the complainant who resides in Glenview, made a complaint to Council that a dog had gone into a neighbouring property of an off-leash dog park and attacked and killed one of the Complainant's cats.
 - ii. Animal Education and Control staff went to Glenview shortly after the complaint had been made and spoke with the complainant and the Dog Owner. Notes of the actions taken by the Animal Education and Control staff are recorded in **Attachment 1**.
 - iii. A statement was taken from the Dogs' Owner as well as the Owner of the Cat who was killed. Refer to **Attachment 5 & 6**.
 - iv. In the statement from the Dogs' Owner, they described being present at the off-leash dog park when she saw her dogs run off a chase a light-coloured cat or small dog. She recalled seeing them disappear behind a boundary fence where there is a gap in the fence, her dogs followed the animal through the fence. The Dogs' Owner has said that as soon as she was aware she called out to them and whistled for them to come back.
 - v. In the statement from the Cat Owner, they describe seeing two dogs attacking their cat at the back of their property. The Cat Owner tried to stop the attack, this took a lot of intervening to stop the attack.

- vi. A report from the Newstead Veterinary Services is provided which shows the extent of the injuries that the cat received. Refer to **Attachment 7**.
- vii. Images from where the attack took place and the injuries the cat sustained are attached to the report under **Attachment 8** it is advised that these are viewed with discretion as some images contain images of the deceased cat.
- viii. The Dog Owner has advised that there was a small section of the Dog Park that had damage to its fence. Even with the damage to this fence Dog Owners still have a responsibility under the Dog Control Act to be in control of their dog at all time. Clause 4.3 of [Hamilton City Council Dog Control Bylaw](#) 2015 also stipulates that every dog owner must maintain continuous control over their dog and remain within the dog exercise area while the dog is off its lead.

Matters relied on or advanced in support of the objection

- 16. The Owner objects to the classification on the following grounds:
 - i. the Dogs are both friendly and gentle natured dogs
 - ii. the Dogs have not been involved in any fights with other dogs.
 - iii. There was a hole in the fence which allowed for the Dogs who were in an off-leash area to get out.
 - iv. There were other dogs at the park who could have possibly given the cat injuries.
- 17. Refer to **Attachment 4** for the copy of the objection and **Attachment 9** for pictures showing the gap in the fence.

Steps taken by the owner to prevent any threat to the safety of persons or animals

- 18. Staff are **not** aware of any steps taken by the Owner to prevent any threat to the safety of persons or animals; the Owner may have further information on this matter at the hearing.

Other relevant matters

- 19. The Dog Control Act 1996 requires consideration of any other matters that the Hearings Panel considers relevant.
- 20. Council's Dog Control Policy provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw. The Hearing Panel should consider whether it's decision is consistent with the purposes in the Dog Control Policy, specifically:
 - i. the need to minimise danger, distress, and nuisance to the community generally;
 - ii. the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
 - iii. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
 - iv. the exercise and recreational needs of dogs and their owners.
- 21. Ownership history and recorded dog behaviour can be a relevant consideration if it provides evidence of prior good or poor dog or ownership behaviour. Council has no other records of complaints apart from the incident relating to the Cat attack.

Options

- 22. Under the [Dog Control Act 1996](#), territorial authorities have two options when considering an outcome of an objection to a dog being classified as menacing:
 - i. to uphold the classification; or
 - ii. to rescind the classification.

23. There are no other options open to the Dog Control Hearings Panel under the [Dog Control Act 1996](#).
24. The staff recommendation is that the Hearings Panel uphold the classification for the following reasons:
- i. The Dogs were involved in a cat attack which resulted in the death of the cat – Evidence for this can be found in **Attachment 1, 5 & 6**
 - ii. When a dog is classified as menacing it must be desexed. Desexing can assist in reducing a dog's drive to roam and prevents unwanted aggressive behaviours being transferred through breeding.

Financial Considerations - *Whaiwhakaaro Puutea*

25. This is a regular operating activity funded through the Long Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

Menacing Dog Classification

26. [Section 33A](#) of the [Dog Control Act 1996](#) provides that a territorial authority may classify dog as menacing that has not been classified as a dangerous dog under section 31; but a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—
- i. any observed or reported behaviour of the dog; or
 - ii. any characteristics typically associated with the dog's breed or type.

Effect of a menacing dog classification

27. If a dog is classified as a menacing dog under [section 33A](#) the owner of the dog:
- i. must not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
 - ii. must, if required by the territorial authority (refer below to Council's Dog Control Policy) within 1 month after receipt of notice of the classification, produce to the territorial authority a certificate issued by a veterinarian certifying—
 - I. that the dog is or has been neutered; or
 - II. that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
 - iii. must, if a non-neutering certificate is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate that the dog has now been neutered.
28. A menacing classification extends to the whole of New Zealand and remains in place for the life of the dog.
29. There is no provision under the Dog Control Act 1996 to appeal this decision to the district Court.

Council's Dog Control Policy – Neutering of dogs classified as menacing:

30. Council's Dog [Control Policy](#) provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw.
31. The [Dog Control Policy](#) requires mandatory neutering of dogs classified as menacing in accordance with the provisions of the [Dog Control Act 1996](#). Mandatory neutering also includes dogs classified as menacing by other territorial authorities where that dog is in the jurisdiction of Hamilton City Council.

Right to make an objection

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

Climate Change Impact Statement

35. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

36. 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').
37. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
38. Staff consider that the keeping of animals can enhance the quality of life and wellbeing for individuals and families; however, the Council also has a responsibility to protect the community from unreasonable animal nuisances – families, whanau, iwi, hapuu, and communities should be safe from dangerous animals.

Risks - *Tuuraru*

39. Public safety risk: If a dog owner that should have been classified is not, their behaviour may mean that animals in their possession may continue to pose a potential threat to the public or other animals. This could result in attacks or incidents that cause harm.
40. Reputation and perception: Failure to properly classify a dog owner may affect the public perception of Council's approach to enforcement.

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

41. 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.
42. Given the low level of significance determined, the engagement level is low. No engagement is required.

Item 7

Attachments - *Ngaa taapirihanga*

Attachment 1 - Complaints - CRM

Attachment 2 - Notice of Classification - Hugo

Attachment 3 - Notice of Classification - Alfie

Attachment 4 - Copy of Objection

Attachment 5 - Statement from Cat Owner

Attachment 6 - Statement from Dog Owner

Attachment 7 - Vet Report for Deceased Cat

Attachment 8 - Images of Deceased Cat

Attachment 9 - Images of Gap in Fence

Attachment 10 - Image of Resthills Park

Animal Complaint Record 447967/2024

Item 7

Attachment 1

COMPLAINANT

Complaint Received		16/12/2024	Officer	D49
Complainant Name		[REDACTED]	Home Phone 1	
Complainant Address		[REDACTED] Homestead Place Glenview Hamilton 3206	Home Phone 2	
			Mob Phone	[REDACTED]

PROPERTY

Property Address	John Webb Glenview 3206	RD: JOHN WEBB DRIVE	Safety Alert	NO
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ANIMAL DETAILS

Animal Number	249663	Animal Name	Hugo	Tattoo	934000091347140
Animal Location	219 Ellis ST Frankton 3204	Color	BRO /WHI	Sex	M
Owner Address	16 Duncan Road RD 2 Ohaupo 3882	Owner Name	[REDACTED]	NAR No.	1241629
Animal Number	249664	Animal Name	Alfie	Tattoo	95301000471808
Animal Location	219 Ellis ST Frankton 3204	Color	BLK /WHI	Sex	M
Owner Address	16 Duncan Road RD 2 Ohaupo 3882	Owner Name	[REDACTED]	NAR No.	1241629

REQUEST DETAILS

Offence Date		[REDACTED] cat was just sitting outside her own property at John Webb Drive when a woman and her two (off-leash) pointer dogs were going past on their way to Resthills. One of the dogs grabbed the cat and dragged it all the way to Resthills park and continued to maul it. [REDACTED] husband saw all this happen and managed to chase after the woman, while [REDACTED] took her cat to the vet. Her husband managed to get some details of the woman, her name [REDACTED] and her phone number is 027 227 1628. Unfortunately the cat has passed away.
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	D49	16/12/2024 2:56pm. Tried to call Cat Owner, no answer. Tried to call number from the report for D/O, no answer. have gone to John Webb Drive to patrol area. Have been flagged down by house occupants at [REDACTED] John Webb Drive who have stated it was them who made the report and that it was their cat who was attacked. Have said that the woman is gone now who was walking the dogs. Stated that both dogs were off leash. I was speaking with female [REDACTED] who stated it was her husband [REDACTED] who sighted the two dogs attacking their cat in the bush area behind their fence. [REDACTED] has said she is unsure which direction the dogs have come from, she only heard the commotion and it was her husband who went over their fence to help their cat. Called [REDACTED] who described the dogs one GSP type dog and one slightly bigger dog. Stanley's son got a better look at the dogs and has described them as one black with faded white spots and one brown dog. Have told [REDACTED] that I would like to obtain a statement from him for the attack he witnessed. He has said he saw both dogs attacking his cat. Cat
Start Date	16/12/2024 02:46	
Finish Date	15/01/2025 01:24	
Outcome	Animals - S53 Fail Keep Dog Control Inf	
Task	Investigation	

Maureen was taken to the vet by comp [REDACTED] I have told [REDACTED] to send through vet report to AECO inbox, have given her my card. Photos taken of the cat, attached to CRM. D/O of offending dogs has phoned me back. Have spoken on the phone with her about the incident. She has said that her two dogs were in the off leash portion of the park and the cat was in the park. Said she did not witness the dogs attack the cat. Have been very transparent with her about potential classifications and potential infringements for what has happened but I needed to get all of my evidence together before getting the final outcome. D/O has given me Details [REDACTED] and she lives in Ngahinapouri. Was not too keen on giving me her address but gave me her dog details, Alfie a black and white GSP and Hugo a brown GSP x Lab. She has said both her dogs are currently registered. I have offered to take a statement from [REDACTED]. Statement organised for 12:30pm on 19/12. NDD Details found for [REDACTED] and x2 dogs. Attached to CRM. [REDACTED] 16/12/2024) 17/12/2024 8:08am. Tried to phone [REDACTED] to organise time to obtain a statement. No answer. Text message left requesting call back. [REDACTED] 17/12/2024, 17/12/2024 12:30pm. [REDACTED] has called me back. Statement organised for 20/12 at 3pm. [REDACTED] 18/12/2024) 19/12/2024 12:30pm. D/O [REDACTED] has come in to base and provided her statement. Attached to CRM. [REDACTED] - 19/12/2024) 20/12/2024 2:57pm. Cat owner [REDACTED] has come in to provide his statement. Signed and attached to CRM. [REDACTED] - 24/12/2024) 14/01/2025 12:36pm. I have phoned D/O [REDACTED] and let her know that I have the final outcome for the investigation. I have told her that I would be classifying both Alfie and Hugo as menacing and she would be receiving an infringement under Sect 53 of the DCA per dog. D/O was not happy about her dog being classified as she felt it was unfair as the cat was in a dog park. She said she was busy picking up her dogs faeces and that is why the dogs got away on her. She also said it was council's fault due to the hole in the fencing as she stated if the hole wasn't there her dogs would not have got through. I have explained to her that her dogs have to remain under her direct control at all times and because they have got away on her and attacked the cat they were not under control. Have told her that I had obtained the statement from the witness who saw the attack take place and they have stated that they saw both of the dogs attack the cat. D/O wants the email address to appeal her menacing classification. I have said I will email her the relevant contact details for this. Menacing classification paperwork attached to CRM and passed on to Team Leader for approval. [REDACTED] - 14/01/2025) 15/01/2025 12:44pm. Infringements issued to [REDACTED] of 16 Duncan Road Ohaupo - 15806 - Sect 53(1) - Failure to keep dog under control - Dog attacked cat resulting in Cat Death. 15807 - Sect 53(1) - Failure to keep dog under control - Dog attacked cat resulting in cat death. [REDACTED] - 15/01/2025) 12:55pm. Phoned comp and advised her of final outcome. She was happy with outcome. [REDACTED] - 15/01/2025)

Previous Complaints for Dog

CRM No.	447967/2024	Task	2INV
Animal	249663	Outcome	S53
Maj Cat.	Animal Control (heading only)	Officer	D49

Min Cat.	Dogs - Offences (heading only)	Opened	16-Dec-24 02:46:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	15-Jan-25 01:24:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		

CRM No.	447967/2024	Task	2INV
Animal	249664	Outcome	S53
Maj Cat.	Animal Control (heading only)	Officer	D49
Min Cat.	Dogs - Offences (heading only)	Opened	16-Dec-24 02:46:00 PM
Cat 3	Dogs - Attack (heading only)	Closed	15-Jan-25 01:24:00 PM
Cat 4	Dogs - Attack - Dog v Animal - Urgent		

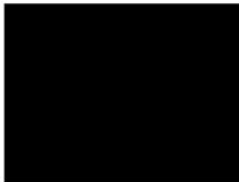
CRM No.	453526/2025	Task	2INV
Animal	249663	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	17-Jan-25 02:52:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	21-Jan-25 02:41:00 PM
Cat 4	Dogs - Officer - Serve Dog Classification		

CRM No.	453526/2025	Task	2INV
Animal	249664	Outcome	MENC
Maj Cat.	Animal Control (heading only)	Officer	AHU
Min Cat.	Dogs - Offences (heading only)	Opened	17-Jan-25 02:52:00 PM
Cat 3	Dogs - Offences - Officer (heading only)	Closed	21-Jan-25 02:41:00 PM
Cat 4	Dogs - Officer - Serve Dog Classification		

Item 7

Attachment 1

17th January 2025



Dear 

Classification of Dog as Menacing Dog Section 33A Dog Control Act 1996

Section 33A of the Dog Control Act 1996 ("DCA") enables Hamilton City Council ("HCC"), to classify a dog that it considers poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- a. any observed or reported behaviour of the dog; or
- b. any characteristics typically associated with the dog's breed or type.

As a result of the observed or reported behaviour HCC has classified the dog as a Menacing Dog under s33A of the Dog Control Act 1996. The Notice of Classification of Dog as Menacing Dog ("the Notice") is enclosed.

HCC requires you to have the dog de-sexed, and to provide a copy of the de-sexing certificate to HCC within one month from the date shown on the Notice.

You may be able to take advantage of discounts available through HCC for de-sexing fees with a contracted veterinarian. Microchipping is also available at the Animal Education and Control Centre. If you would like further information about these services, please contact the Animal Education and Control team on 07 838 6632.

Please ensure that you comply with the requirements of the classification within the timeframes outlined in the enclosed Notice to avoid any further enforcement action. If you do not agree with the Classification you may object in writing within 14 days of receiving the Classification, by emailing dog.registration@hcc.govt.nz

You must have valid ground for an objection and produce evidence that your dog is not of a breed or type listed above.

If you have any questions regarding the Notice of Classification, please contact HCC's Animal Education & Control Centre, phone 07 838 6632.

Regards,

Susan Stanford
Animal Education and Control Manager
 Animal Education and Control
 217 Ellis Street, Hamilton
 Phone: 07 838 6632
 Email: dog.registration@hcc.govt.nz

Notice of Classification of Dog as Menacing Dog

Section 33A, Dog Control Act 1996

To: *
(name of owner)

Ward

Address:

Dog Details:

Male, Neutered German Short Haired Pointer x
Labrador Retriever, Brown and White in colour,
Named HUGO, Aged 2 years and 6 months
approximately, Microchip 934 000 090 347 140

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

This is because of the aggressive behavior displayed by the dog on Monday, 16th December 2024, in Hamilton.

A summary of the effect of the classification and your right to object is provided below.



Animal Education and Control Manager

17th January 2025
Date

* For the purposes of the Dog Control Act 1996, you are the owner of a dog if:-

- you own the dog; or
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

S 33E(1) Effect of classification as a menacing dog

Sections 33E, 33F, 36A, Dog Control Act 1996

You —

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must produce to HCC within 1 month after receipt of this notice, a certificate issued by a veterinary surgeon certifying —

V2
16.3.2011
AC-F54

Item 7

Attachment 2

- (i) that the dog is or has been neutered; or
- (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) must, if a certificate under paragraph (b)(ii) is produced to HCC, produce to HCC, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

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

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

You are also required, for the purposes of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to HCC in accordance with the reasonable instructions of HCC for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement within 2 months after the dog is classified as menacing.

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

Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996. This is available to view online at www.legislation.govt.nz.

Right of Objection to Classification Under Section 33C

Section 33D, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with HCC a written objection within 14 days of receipt of this notice setting out the grounds on which you object. **This objection must be emailed to dog.registration@hcc.govt.nz**

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

17 January 2025



Dear 

Classification of Dog as Menacing Dog Section 33A Dog Control Act 1996

Section 33A of the Dog Control Act 1996 ("DCA") enables Hamilton City Council ("HCC"), to classify a dog that it considers poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- a. any observed or reported behaviour of the dog; or
- b. any characteristics typically associated with the dog's breed or type.

As a result of the observed or reported behaviour HCC has classified the dog as a Menacing Dog under s33A of the Dog Control Act 1996. The Notice of Classification of Dog as Menacing Dog ("the Notice") is enclosed.

HCC requires you to have the dog de-sexed, and to provide a copy of the de-sexing certificate to HCC within one month from the date shown on the Notice.

You may be able to take advantage of discounts available through HCC for de-sexing fees with a contracted veterinarian. Microchipping is also available at the Animal Education and Control Centre. If you would like further information about these services, please contact the Animal Education and Control team on 07 838 6632.

Please ensure that you comply with the requirements of the classification within the timeframes outlined in the enclosed Notice to avoid any further enforcement action. If you do not agree with the Classification you may object in writing within 14 days of receiving the Classification, by emailing dog.registration@hcc.govt.nz

You must have valid ground for an objection and produce evidence that your dog is not of a breed or type listed above.

If you have any questions regarding the Notice of Classification, please contact HCC's Animal Education & Control Centre, phone 07 838 6632.

Regards,



Susan Stanford
Animal Education and Control Manager
Animal Education and Control
217 Ellis Street, Hamilton
Phone: 07 838 6632
Email: dog.registration@hcc.govt.nz

Notice of Classification of Dog as Menacing Dog

Section 33A, Dog Control Act 1996



Private Bag 3010
Hamilton 3240
New Zealand

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

To: *
(name of owner)

Ward

Address:

Dog Details:

Male, Unneutered German Short Haired Pointer,
Black and White in colour, Named ALFIE, Aged 1
year and 2 months approximately, Microchip 953
010 006 471 808

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

This is because of the aggressive behavior displayed by the dog on Monday, 16th December 2024, in Hamilton.

A summary of the effect of the classification and your right to object is provided below.

Animal Education and Control Manager

17th January 2025
Date

* For the purposes of the Dog Control Act 1996, you are the owner of a dog if:-

- you own the dog; or
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

S 33E(1) Effect of classification as a menacing dog

Sections 33E, 33F, 36A, Dog Control Act 1996

You —

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) must produce to HCC within 1 month after receipt of this notice, a certificate issued by a veterinary surgeon certifying —

V2
16.3.2011
AC-F54

- (i) that the dog is or has been neutered; or
- (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) must, if a certificate under paragraph (b)(ii) is produced to HCC, produce to HCC, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

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

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

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Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996. This is available to view online at www.legislation.govt.nz.

Right of Objection to Classification Under Section 33C

Section 33D, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with HCC a written objection within 14 days of receipt of this notice setting out the grounds on which you object. **This objection must be emailed to dog.registration@hcc.govt.nz**

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

Ward
Sent: Friday, 31 January 2025 10:38 am
To: Hamilton City Council Dog Registration <Dog.Registration@hcc.govt.nz>
Subject: Re: Menacing Classification Paperwork

Good morning, I've received a response regarding the request for information to support my appeal, they've notified me that it may take up to 20 days to provide the information. I will be able to submit my appeal once I have received the necessary information.



Many thanks
 Felicity Ward

On Fri, 24 Jan 2025 at 15:23, Hamilton City Council Dog Registration <Dog.Registration@hcc.govt.nz> wrote:

Good Afternoon

We acknowledge with thanks receipt of your email. It has been forwarded to the Animal Education and Control Manager and our Official Information team. Someone will be in contact with you in due course.

Kind regards

Senior Applications Officer | City Safety & Resilience Unit



Hamilton City Council | 260 Anglesea St | Hamilton 3240 | www.hamilton.govt.nz

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From: Ward
Sent: Thursday, January 23, 2025 7:14 PM
To: Hamilton City Council Dog Registration <Dog.Registration@hcc.govt.nz>
Subject: Fwd: Menacing Classification Paperwork

Hello,

I wish to appeal the decision to re-classify my dogs as per the notices I received below. I wish to request the following information regarding the investigation under the official information act to support my case. Until I have this information I cannot submit my appeal.

Information I require from Hamilton City Dog Control unit:

- your investigation report regarding Hugo and Alfie
- witness statements of incident
- any other evidence confirming a two dog attack including video footage
- proof of cat ownership/registration of complainant
- authenticated vet verified statement stating cause of death of cat
- pictures of deceased cat in question
- evidence/proof showing that there were bite marks caused by more than one dog
- any other relevant information about this case

----- Forwarded message -----
From: **Hamilton City Council Dog Registration** <Dog.Registration@hcc.govt.nz>
Date: Mon, 20 Jan 2025 at 10:06
Subject: Menacing Classification Paperwork
info@waipadc.govt.nz <info@waipadc.govt.nz>

Good morning Felicity

Please find attached the Menacing Classification Paperwork for ALFIE and HUGO.

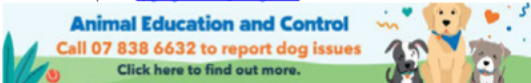
You will receive the hardcopies of the paperwork in due course.

If you wish to object, please refer to the classification cover letter.

info@waipadc.govt.nz – Please forward this to your Animal Control team.

Kind Regards

Applications Officer | City Safety and Resilience Unit
Ph: 07 838 6699 | Email: dog.registration@hcc.govt.nz



Hamilton City Council | 260 Anglesea St | Hamilton 3240 | www.hamilton.govt.nz

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20/12/2024

2:57pm

Location: 217 Ellis Street Frankton Hamilton

My name is [REDACTED] and I live at [REDACTED] John Webb Drive. My date of birth is [REDACTED] My phone number is [REDACTED]

My partners name is [REDACTED]

We have lived at [REDACTED] John Webb Drive for a year or two. We have now three Ragdoll cats who have lived with us the whole time at [REDACTED] John Webb Drive. Our cat who we have just lost was named Maebell. She was approximately 2 years old. She was white and grey in colour.

On Monday the 16th December 2024 around 1pm, myself and [REDACTED] heard some dogs barking around the back of our property in the bush area off of our boundary fence. I have gone in to our back yard to look over our fence to see what was going on. I saw our cat Maebell in the drain area in the bush with two dogs both looking at her, seeing what she would do. I would call the two dogs German Short Haired Pointer crosses. One was brown, the other one was black with maybe a bit of white on it. I saw Maebelle look at one of the dogs and as she has done that, the other one has gone in and bitten her on her side. Maebell went to attack the dog that bit her, as she has done this, the other dog has come in to bite her. This dog has made contact on her lower body. Ive jumped over my back fence and I have kicked the first dog that bit her, I cant remember what colour this one was though. I kicked this dog in the ribs, it went flying. It stopped attacking Maebell once it was kicked, but the other dog was still attacking. I have grabbed this dog on the back of the neck, I may have even kneed this dog as I was standing in muddy drain. This dog did not let go of Maebell straight away, it kept trying to attack. It was chaos, I was yelling at the dogs. It took a lot of intervening to get these dogs to stop attacking the cat. As soon as Maebell stopped clawing at this dog, and the dog realised I was there holding on to it, it has stopped attacking. I made sure Maebell was out of the way and I have then let this dog go. Both of the dogs have then run off through the bushes. After the attacking had stopped I could hear a womans voice calling to the dogs, and talking to [REDACTED] I presumed they were her dogs.

Maebell could barely move, she had mud all over her too. She got up and walked to the fence, tried to jump the fence and then just got stuck there. I saw blood coming from her mouth. I could hear she was having issues breathing. I helped Maebell on to the top of the fence and then [REDACTED] or my kids have grabbed her from the other side. [REDACTED] has told me she is going to take Maebell to the vets straight away. Ive jumped back over my fence on to my own property. [REDACTED] has already driven off with Maebell. She has then called me saying "I should go and tell the dog owner that her dogs have killed my cat".

Myself and my son [REDACTED] who is 10 years old have run in to Rest Hills park by the sports clubrooms and the dog owner was near that with the two dogs that I saw attacking Maebell in the bushes. I have caught up with her, I said "your dogs have done a bit of damage to my cat and shes on the way to the vets right now". The woman responded with "yeah, dogs chase cats, I am at a dog park with my dogs off leash, you should contain your cat, I have said sorry what more do you want". She fucked me off so I had to walk away, I have called [REDACTED] and she has told me to get the womans number. So

SA

I went back and asked if we could exchange details to be able to sort this out, I have said to her "because its going to the vets so If I get billed Im not paying for it, you are". She has responded with "well my dog was attacked by another dog in the past and I never got the vet bills paid by the other person". And I said "well its not my problem youre going to have to sort this out with my partner". We exchanged numbers, I got her to call me to make sure she had given me the right number and left it at that. Her dogs were not on leads when I caught up to her.

Signed:

A handwritten signature in black ink, appearing to be the letters 'SA' in a stylized, cursive font.

20/12/2024

INCIDENT RELATING TO ALFIE AND HUGO ON MONDAY 16th DECEMBER**BACKGROUND:****Hugo:**

GSP/Lab cross, almost 2.5 years old, brown in colour with white on his chest. He is desexed, registered (Waipa Council), microchipped and full vaccinated.

Alfie:

Full GSP, 1 year old, black and white coloured. He is not desexed yet as too young we have plans to desex when he is 18months of age which is the recommended age for his breed. He is registered (Waipa Council), microchipped and fully vaccinated.

History:

Both dogs are family pets, I have young children (4 and 6yrs of age) and it was an important factor in our choosing of breed and personality. They are both friendly and gentle natured dogs, they love a good cuddle and adore both my children. They are indoor dogs and sleep inside. Are good with children and other dogs. Hugo used to live with a cat with previous owners and our neighbours on both sides have cats that we've had no issues with. One of our neighbours has a dog who both Alfie and Hugo often have play dates with. We live on a lifestyle block in semi-rural area of Ngahinapouri in the Waipa district. Our property is fully fenced and we have invested in e-collars for an additional electric boundary fence. Both dogs are trained and can sit, come, lie down, stay, wait, offer paw, heel, on command. They have additional whistle recall and we sometimes use remote e-collars in areas we are not familiar with (bush walks etc). We do not hunt, and neither dog has been used for hunting in the past.

We always walk dogs on-leash in areas that require it. Due to active breed we seek out off-leash dog parks where they can run about and socialize with other dogs. Our frequent Hamilton parks are Resthills Park and Days Park and often meet with other regular dog walkers. We also exercise them in around the rural area we live in or at the dog beach in Raglan. They have not been in fights with other dogs however Hugo was attacked a year ago by a German Shepard when I was walking him on-leash past the owners property (the dog jumped his own fence to attack Hugo). Both dogs are very social with other dogs and have been in boarding kennels and doggy daycare without any issues.

INCIDENT:

The incident in question occurred on Monday 16th December at Resthills Park in Glenview, Hamilton, between 1pm-2.30pm (I can't be sure of exact time but I usually do a school pick up at 3pm and have to be leave the park by 2.30pm latest). Resthills Park has a dedicated off-leash dog park where I regularly exercise my dogs. There is wide open spaces for them to run about and socialize with other dogs. I often meet with other regular dog walkers who are familiar with my dogs. I'm aware the park is often used for sports such as



rugby and softball therefore I chose times I know the park will not be in use for sports and are less likely to be busy so avoid weekends. I usually park my car in the carpark off John Webb Drive and walk my dogs onleash up to the main park which is through the gates (I do this mainly for safety of my dogs as there is often a lot of broken glass in carpark/path/driveway). On this particularly occasion I did not have e-collars on my dogs, but had their normal everyday leads.

Once through the gates I let my dogs off the leash to run about. If there are other dogs present I usually keep them on leash until I am comfortable that the other dogs do not pose a threat to my dogs. At this particular time there was another dog owner that was leaving the park, I recall seeing a brown mixed breed dog. Once through the gates I let both Alfie and Hugo offleash, the ran off up to the right of the children's playground, however were no more than 50m away. Hugo proceeded to do a poo in the middle of the field and I immediately walked over to pick it up (I always try to be a responsible dog owner and pick up my dogs poos). It was while I was picking up the poo that I saw my dogs run off and appear to chase a light coloured cat or small dog. They disappeared at the boundary fence of the park that backs onto residential property on John Webb Drive. There is a gap or hole in the fence that leads into the bush behind the fence which my dogs appeared to have found and followed the animals through (note I have known about this gap in the fence but it has not been an issue before). As soon I was aware they had gone through the fence I called out to them and whistled, I ran back around to the carpark side of the fence and they appeared instantly under less than minute and came to my side and I immediately put them on their leashes. I would like to note that there were no signs of blood, fur or other indications of an attack on another animal such as defense wounds on either of my dogs. (I know defense wounds can often be visible particularly involving cats). I saw a woman come out of the property next to the bush by the park where my dogs had been. I called out to say that my dogs had chased a cat or dog in the bush next to their house and she said it might have been her cat and called out to a man on the property. I did not see the man at this time and the woman was approximately 20-30m away from me. They were calling out to each other to determine if it was their cat. The woman then called out to me to say it was ok. I never saw the cat or animal at this time.

I then proceeded walk with my dogs back up into the main park and once again let them off leash to run about but kept them close to me within 10ms. I was walking through the middle of the park on the drive that goes past the club houses when a man (possibly in his 30's) with a shoulder length mullet called out to me yelling "Oi your dogs fucking mauled my cat". It was quite threatening and I was conscious there was no-one else in the park at this time and I was on my own. I asked who he was, I believe he may have been the partner to the woman earlier. I mentioned that she had told me the cat was fine and he again shouted quite aggressively that "it's fucking not, your dogs fucking ripped it apart" and that I should control my dogs. I said that had my dogs under control and that if it was their cat that it was in an off-leash dog park which in my opinion was suicidal. He walked off swearing. I was quite shaken and continued to walk with my dogs. Within a few minutes the man came running back after me and he had a boy with him (maybe 10-12yrs of age). He demanded my number as wanted me to pay for the vet bill. I was hesitant as something felt off about



his demands and I was confused about whether there was actually an injured cat or not due to initially being told it was fine – note that I had not seen the cat in question or the state of injuries. I felt like I was potentially being scammed. I don't like giving out my personal details but had my work phone on me so gave him that number. I asked him to send me a vet report on injuries, proof of cat ownership, and proof of dog attack. I also said that there would need to be an official report that could be verified my insurance company if payout was demanded.

By the time I had got home I already had a text from him demanding my details for vet payment. The text was quite aggressive in tone. I work from home and was already behind in my work due what had taken place and I needed to also pick up my son from school so did not text back as wanted to discuss what had happened with my husband. I then had a call from the Hamilton City Council Dog Control officer ([REDACTED]). I discussed what had happened and wanted to know the process of the investigation and potential outcomes. I was happy to be co-operative and arranged a time to come and meet her at her office and give a formal statement on Thursday 19th December. I had another two texts that evening from another number again demanding payment and using emotional blackmail to say that her daughter had been traumatized by the event (note that I had not seen a young girl present with the woman or the man). I felt like I was being harassed and replied asking them to direct all correspondence to the officer while the incident was being investigated. Due to stress of the situation and continued harassment I blocked their numbers.

I am happy to co-operate and resolve this in a peaceful manner but want to follow due process without fear of harassment or aggression. If my dogs are guilty of attacking the cat in question, this is completely out of their normal behaviour. I firmly believe they are in no way a danger to society. I will however ensure that this does not happen in future and am prepared to do additional training if required and ensure e-collars are worn every outing.

ADDITIONAL COMMENTS:

I would like to add that the man could have easily identified my dogs in the park and used their descriptions to describe them in the supposed attack.

I have still not seen evidence of attack of the cat in question. I have not received a vet report, vet invoice, death certificate, proof of ownership, or even images of the cat or it's injuries.

As previously mentioned, there was another dog leaving the park as I arrived, it is possible that the cat in question could have received injuries from another dog.

I am willing for my dogs to undertake a temperament assessment due to seriousness of claim and potential long-term consequences.

SIGNED: [REDACTED]

DATE: 17/12/2024





Newstead Vets
161 Morrinsville Road
Newstead, 3284
Ph 07 856 4522
Email enquiries@newsteadvets.co.nz

CLINICAL SUMMARY	
Animal No.	130446
Clinical No.	539115
Record Date	16-12-2024
Attending Vet(s)	
Printed At	16-12-2024
Printed By	

Client Details

Name		Phone	
Address			

Animal Details

Name	Maebell	Age	Not Set
Species	Feline	Sex	Unknown Sex
Breed	Ragdoll	Microchip	
Colour			

Monday the 16th of December 2024

04:42PM

Consultation

Attacked by 2 dogs outside house.

Arrived in respiratory distress. Methadone given IM and given flowby o2
Pale MM and tachypnoeic.
Died quickly, before able to place IVC

02:20PM

Presenting Problem(s)

Attacked by 2 dogs.

Item 7

Attachment 7





Item 7

Attachment 9



Resthills Park and John Webb Drive where the Cat attack took place

Council Report

Item 8

Committee: Dog Control Hearings Panel **Date:** 17 April 2025
Author: Charlotte Mitchell **Authoriser:** Michelle Hawthorne
Position: Graduate Governance Support **Position:** Governance and Assurance Manager
Report Name: Objection to Disqualification from Dog Ownership - Fourie

Report Status	Open
----------------------	------

Purpose - Take

1. To seek a determination from the Dog Control Hearings Panel on the classification of Ms Fourie as a disqualified Dog Owner.

Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Dog Control Hearings Panel:

- a) receives the report;
- b) confirms it has considered the mandatory matters specified under the [Dog Control Act 1996](#), and other matters relevant to the objection;
- c) notes under the [Dog Control Act 1996](#) that the Dog Control Hearings Panel in determining any objection can only either:
 - i. uphold the classification;
 - ii. bring forward the date of termination of the classification; or
 - iii. immediately terminate the disqualification;
- d) **EITHER**
 - i. classifies the Dog Owner as disqualified until 24 April 2029 (being the date that is five years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the dog owner to appeal to the District Court under [section 27](#) of the [Dog Control Act 1996](#).

OR
 - ii. amends the date of termination of the classification to [a the date that is no more than five years from the date of the third or final infringement offence in respect of which the person is disqualified) and notes the right of the Dog Owner to appeal to the District Court under [section 27](#) of the [Dog Control Act 1996](#).

OR
 - iii. immediately terminates the classification.

Executive Summary - *Whakaraapopototanga matua*

2. On 25 April 2024, Ms Fourie (the Dog Owner) was classified by staff as disqualified from dog ownership **Attachment 1** is the Notice of Classification.

3. The trigger under the [Dog Control Act 1996](#) for the classification was three or more infringements within a continuous 24 month period. Details of the infringements are further on in this report.
4. On the 31 January 2025 staff received notice of an objection to the disqualified status, refer to **Attachment 2**. The Dog Control Act 1996 permit objections to be lodged as long as they are not within 12 months of a previous objection to the disqualification.
5. The Dog Control Act 1996 sets out the circumstances in which Council may classify a Dog Owner as disqualified.
6. Under section 25 of the [Dog Control Act 1996](#) a territorial authority must disqualify a person from being an owner of a dog if the person commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.
7. The Dog Control Act 1996 permit objections to be lodged as long as they are not within 12 months of a previous objection to the disqualification.
8. The staff recommendation is that the Hearings Panel classify the Dog Owner as disqualified until 24 April 2029, five years from the date of the last infringement offence in respect of which the person is disqualified and notes the right of the dog Owner to appeal to the District Court under section 27 of the Dog Control Act 1996.
9. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements

Background - *Koorero whaimaarama*

10. On 24 April 2024 the Dog Owner was classified by staff as disqualified from dog ownership, **Attachment 1** is the Notice of Classification.
11. The trigger under the [Dog Control Act 1996](#) for the classification was the Dog Owner receiving three or more infringements withing a 24 month period.
12. The normal order of the procedure of a hearing is as follows:
 - i. Opening of the meeting by the chairperson
 - ii. the Objector presents their objection and supporting evidence.
 - iii. Any witnesses in support of the objection speak to their evidence.
 - iv. The Complainant and any witnesses in opposition of the objection speak to their evidence.
 - v. Council staff summarise the council report and makes any comments regarding information provided at the hearing
 - vi. The Objector has the opportunity to respond to any new matters or points not already covered during the hearing.
 - vii. The hearing is closed or adjourned for a decision to be made.
13. For the avoidance of doubt:
 - i. The Chair of the hearing may change the order of the hearing at their discretion.
 - ii. There is no opportunity for cross examination at the hearing by any party.
 - iii. Members of the Hearings Panel may ask questions for clarification of the parties during the hearing.

Discussion - *Matapaki*

14. [Section 26](#) provides that in making its determination Council **must** have regard to:
 - i. the circumstances and nature of the offence or offences in respect of which the Dog Owner was classified;
 - ii. the competency of the person objecting in terms of responsible dog ownership;

- iii. any steps taken by the Owner to prevent further offences (including, but not limited to, the disposal of any dog or dogs or the fencing of the property on which the dog is kept);
- iv. the matters advanced in support of the objection; and
- v. any other relevant matters.

Circumstances and nature of the offence(s) in respect of which the person was originally disqualified

15. In deciding to classify the Dog Owner, staff originally relied on the following evidence which is included in **Attachment 3 &4**:

- i. Infringement offence #1: The offence on 27 January 2023 was for failure to comply with Hamilton City Council bylaw in that the Owner's dog was out roaming. An infringement was issued for the dog Midnight **INF#13757**
- ii. Infringement offence #2: The offence on 18 February 2023 was for failure to comply with Hamilton City Council bylaw in that the Owner's dog was out roaming. An infringement was issued for dog Midnight **INF#13760**
- iii. Infringement offence #3: The offence on 1 March 2023 was for failure to comply with Hamilton City Council bylaw in that the Owner's dog was out roaming. An infringement was issued for dog Midnight **INF#13747**
- iv. Infringement offence #4: The offence on 25 April 2024 was for failure to comply with Hamilton City Council bylaw in that the Owner's dog was out roaming. An infringement was issued for dog Sophie **INF#15414**

Following the Dog Owners classification there were 2 further infringements issued which is also included in **Attachment 4**

- i. Infringement offence #4 and #5: The offence on 12 February 2025 was for failure to comply with Hamilton City Council bylaw in that the Owner's dog was out roaming. An infringement was issued for dog Midnight **INF#15789** & dog Sophie **INF#15790**

Matters advanced in support of the objection

16. The Dog Owner objections to the classification on the following grounds:

- i. Having family members living at the property causing issues with them leaving.
- ii. The Dogs are a mental support figure and help with the Dog Owners anxiety and stress
- iii. The Dog Owner has worked on the fencing around her property to stop future roaming incidents.

The Dog Owner may have more information to provide for this at the hearing. A copy of their objection can be found under **Attachment 2**.

The competency of the person objecting in terms of responsible dog ownership

17. Ownership history and recorded dog behaviour can be a relevant consideration if it provides evidence of prior good or poor dog ownership behaviour. The complaints and infringements issued are outlined in this report, indicating a period of several months where the Dog Owner has been aware of the behaviour of their dog, and not remedied this behaviour. Copies of the CRM's relating to these complaints can be found in **Attachment 3** and copies of the infringements for **Attachment 4**.

Date & CRM#	Complaint details	Investigation	Outcome
13/12/2022 299206 See	Dogs - Roaming	Officer attended address where dog was scanned and identified as deceased. Advise given to register	Dog was registered 21/12/2022

Date & CRM#	Complaint details	Investigation	Outcome
Attachment 3		Dog.	
Dog – Oscar – Now Deceased			
21/01/2021 215087 <i>See Attachment 4</i>	Dogs – Roaming	Dogs found roaming while AECO officers were patrolling Frankton	Dog was impounded and contact was made with Dog Owner
Sophie & Midnight			
Date & CRM#	Complaint details	Investigation	Outcome
26/01/2023 306653 & 306726 <i>See Attachment 5</i>	Dogs – Roaming	Complaints of dogs that match the description of Sophie and Midnight out roaming. Officer advised the complainant to take photos to prove roaming. Photos were then sent in on the 16 th of February showing Black Poodle matching description of Midnight out roaming.	Contacted Dog Owner and informed that they will be receiving an Infringement under Section 20 (5) of the Dog Control Act – Failure to Confine. (Infringement 12944)
27/01/2023 306912	Dogs – Roaming	Officers were patrolling the area and sighted 2 black dogs. The dog belonging to Fourie has barked and run away back into their property	Infringement Issued 13757 – Section 20 (5) for failure to contain
02/02/2023 CRM 307817	Dogs – Roaming and Free to Leave	Complaint of Dogs free to leave and chasing cat around the area. Officer attended the property but when arrived all 5 dogs were contained. Statement taken from witness to the Dogs chasing the cat	Infringement Issued (13747) – Section 52 (a) Failure to control and confine
03/02/2023 CRM 308234	Lost Dog	Dog Owner reported dog (Midnight) missing. Dog was staying with a friend and got out	Dog was found.
13/02/2023 CRM 309652	Complaint from Member of Public	Complaint of Dog being chained up and barking constantly. The complainant was also concerned about the Dog being out in the rain. Officer has called Dog Owner to let her know of the complaint.	Owner returned home; Complainant was told to create a barking log if the barking continues.
17/02/2023 CRM 310912	Dogs – Historic Roaming	Customer Service received photo of dog roaming. Officer called complainant about the photo and dog, the officer also contacted Dog Owner and let them know an infringement would be issued	Infringement 13760 Issued under Section 20 (5) – Failure to Confine

17/05/2023 CRM 32711	Dogs – Free to Leave	Compliant of Dogs free to leave. Officer visited address and found 3 dogs at address 2 dogs were free to leave. Including 1 of Fourie's dog "Sophie"	Advice given on containment and reminder to update address
05/06/2023 CRM 330616	Dogs - Roaming	Compliant sent in of dogs being free to leave and roaming. Officer visited address and spoke with Dog Owner who says they are aware of Dogs being out.	Advice given
18/12/2023 CRM 371092	Dogs – Roaming and Attack	Complainant was driving when she notices 2 dogs on road, where she stopped to pick them up. One of the dogs was biting the complainant and as well as both of the dogs roaming and chasing people. Dog that had bitten complainant was not owned by Fourie.	Advice given – other dog not belonging to Fourie classified as menacing.
14/04/2024 CRM 394614	Dogs – Roaming and Charging	Compliant of young boy being chased by 2 white dogs. One belonging to Fourie	Infringement 15414 issued to Sophie under S52A of Dog Control Act
12/08/2024 CRM 419079	Lost Dog	Dog Owner reported Dog (Midnight) as missing.	Dog Found
29/01/2025	Disqualification Served	Disqualification paperwork served to Fourie	
07/02/2025 CRM 457760	Dogs - Roaming	Officer attended address 08/02/2024, No one was home. Phoned Owner to discuss the roaming complaint.	Report closed as further complaint received.
12/02/2025 CRM 458840	Dog – Roaming	Three dogs found our roaming around neighbourhood. Dogs are roaming into other people's property, Animal Control officers have witnessed this and tried to impound dogs.	Infringement 15789 & 15790 issued from Midnight and Sophie – Section 52A Failure to keep Dog controlled or confined – Dog has been able to freely leave the property
17/02/2025 CRM 460116	Dogs- Roaming	Compliant of three dogs found roaming again. Officer visited location and did not sight any dogs. Phoned Dog Owner and explained that there have been consistent roaming incidents	Advice Given

Steps taken by the Dog Owner to prevent any further offences

18. Staff are not aware of any steps taken by the Dog Owner to prevent any further offences. The Dog Owner may have further information on this matter at the hearing.

Other relevant matters

19. The [Dog Control Act 1996](#) requires consideration of any other matters that the Hearings Panel considers relevant.
20. Council's Dog Control Policy provides direction on how Council will fulfil its legislative responsibilities pursuant to the [Dog Control Act 1996](#) and the Dog Control Bylaw. The Hearing Panel should consider whether its decision is consistent with the purposes in the Dog Control Policy, specifically:
 - i. the need to minimise danger, distress, and nuisance to the community generally;
 - ii. the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
 - iii. the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;
 - iv. the exercise and recreational needs of dogs and their owners.

Options

21. Under the [Dog Control Act 1996](#), the Hearing Panel has limited options when considering an outcome of an objection to a decision to classify a Dog Owner as disqualified. The Hearing Panel may:
 - i. uphold the classification;
 - ii. bring forward the date of termination of the classification; or
 - iii. immediately terminate the disqualification.
22. There are no other options open to the Hearings Panel under the Dog Control Act 1996.
23. The staff recommendation is that the Hearings Panel upholds the classification of the Dog Owner as disqualified until 25 April 2029 being five years from the date the Dog Owner was convicted of an offence (not being an infringement offence) against this Act and notes the right of the dog Owner to appeal to the District Court under section 27 of the [Dog Control Act 1996](#).
24. Staff make this recommendation for the following reasons:
 - i. The Dog Owner has continued to disregard the requirements under the Dog Control Act 1996 to confine their dogs.
 - ii. After the disqualification was served to the Dog Owner there were still infringement issued for roaming dogs, providing evidence that the Dog Owner does not have the capacity or the willingness to prevent incidents like this occurring again.
25. The professional opinion of Animal Education and Control staff is the Dog Owner is not a responsible owner, who has not complied with the requirements for disqualified owners to date and therefore should continue to be disqualified from ownership.

Financial Considerations - *Whaiwhakaaro Puutea*

26. This is a regular operating activity funded through the Long-Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

Disqualified Classification

27. [Section 25](#) of the [Dog Control Act 1996](#) provides that a territorial authority must classify a Dog Owner as disqualified if:
 - i. the person commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months; or

- ii. the person is convicted of an offence (not being an infringement offence) against the Dog Control Act 1996; or
 - iii. the person is convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 56I of the National Parks Act 1980.
- 28. This requirement does not apply if the territorial authority is satisfied that the circumstances of the offence or offences are such that:
 - i. disqualification is not warranted; or
 - ii. the territorial authority staff will instead classify the person as a probationary owner under section 21.

Effect of classification as a disqualified owner

- 29. A disqualification under the [Dog Control Act 1996](#) continues in force for a period specified by the territorial authority not exceeding five years from the date of the third infringement offence(s) in respect of which the person is disqualified.
- 30. The disqualified owner must:
 - i. within 14 days dispose of every dog owned by the person; and
 - ii. not be in possession of a dog at any time (there are some limited exceptions to this).
- 31. The disqualification extends over all of New Zealand.

Right to make an objection

- 32. [Section 26](#) provides a dog owner with the right to object to Council, to the classification as disqualified.
- 33. An objection under [Section 26](#) may be lodged at any time but no objection can be lodged within 12 months of the hearing of any previous objection to the disqualification.
- 34. The territorial authority must, as soon as practicable, give written notice to the owner of:
 - i. its determination of the objection;
 - ii. the reasons for its determination; and
 - iii. the right of appeal to the District Court under section 27.

Appeal to the District Court

- 35. Any person who has lodged an objection under [section 26](#) and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is given to that person, appeal to the District Court against that decision.
- 36. The District Court, in hearing the appeal, shall consider the matters specified in [section 26\(3\)](#) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

- 37. 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').
- 38. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
- 39. Staff consider that the keeping of animals can enhance the quality of life and wellbeing for individuals and families; however, the Council also has a responsibility to protect the community from unreasonable animal nuisances – families, whanau, iwi, hapuu, and communities should be safe from dangerous animals.

Risks - *Tuuraru*

40. Public safety risk: If a dog owner that should have been classified is not, their behaviour may mean that animals in their possession may continue to pose a potential threat to the public or other animals. This could result in attacks or incidents that cause harm.
41. Reputation and perception: Failure to properly classify a dog owner may affect the public perception of Council's approach to enforcement.

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

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

Attachments - *Ngaa taapirihanga*

Attachment 1 - Notice of Disqualification

Attachment 2 - Objection to Disqualification

Attachment 3 - Infringement History

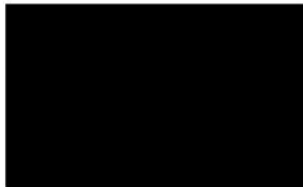
Attachment 4 - CRM's History

29 January 2025



Private Bag 3010
Hamilton 3240
New Zealand

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



Dear [Redacted]

Classification as a Disqualified Dog Owner under Section 25(1) of the Dog Control Act 1996.

Section 25 of the Dog Control Act 1996 ("DCA") enables Hamilton City Council ("HCC") to classify a person as a Disqualified owner if any person is convicted of any offence against this Act.

You have been classified as a Disqualified Dog Owner as a result of your conviction under the following Section of the Dog Control Act 1996

- **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.**

The Notice of Classification is enclosed.

The classification will apply from **Thursday, 25th April 2024** until **Tuesday, 24th April 2029**.

If you do not agree with the Classification, you may object in writing within 14 days of receiving the Classification. You must email your objection through to dog.registration@hcc.govt.nz. You must have valid grounds for an objection and produce evidence.

If you have any questions regarding this, please call Animal Education and Control on 07 838 6632.

Regards

Susan Stanford
Animal Education and Control Manager

Animal Education and Control Centre
217 Ellis Street, Hamilton
Phone 07 838 6632
Email: dog.registration@hcc.govt.nz

COPY

AC-F64a
V 8
16.3.11

NOTICE OF DISQUALIFICATION FROM DOG OWNERSHIP**Section 25, Dog Control Act 1996**

TO: (Name of owner)

ADDRESS

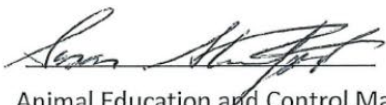
This is to notify you that you have been disqualified under section 25 of the Dog Control Act 1996 from owning any dog.

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.

The disqualification will apply from Thursday, 25th April 2024 until Tuesday, 24th April 2029

A summary of the effect of the disqualification and your right to object is attached.



Animal Education and Control Manager

29/1/2025
Date

COPY

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
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. **This objection must be emailed to dog.registration@hcc.govt.nz**
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.

COPYAC/F07
Version 4
24.1.05

01/03/2023



Dear [REDACTED]

Please find enclosed Infringement notice: 13747 (relating to Midnight)

The offence that has been committed is Failure to keep dog controlled or confined.

We have tried contacting you without success.

As a consequence, an infringement notice has been issued under Section 52A Dog Control Act 1996

We take this opportunity of drawing your attention to the "Summary of Rights" contained on the reverse side of the infringement notice.

Any correspondence relating to the notice must be in writing and can be posted to the Animal Care and Control Unit, Hamilton City Council, Private Bag 3010, Hamilton.

Any further breaches of the Dog Control Act 1996 may result in your dog being impounded, an infringement notice being issued, or prosecution.

Due to an offence being committed by your dog, you will no longer be eligible for the category one registration fee for two years.

Please take note that any dog owner that commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months must be disqualified for a period not exceeding 5 years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

If you have any enquiries regarding this matter, please telephone (07) 838 6632

Regards

A handwritten signature in black ink, appearing to be 'D45'.

Animal Education and Control Officer D45

18/02/2023



Dear [REDACTED]

Please find enclosed Infringement notice: 13760 (relating to Midnight)

The offence that has been committed is Failure to comply with any bylaw authorised by the section.

We have tried contacting you without success.

As a consequence, an infringement notice has been issued under Section 20(5) Dog Control Act 1996

We take this opportunity of drawing your attention to the "Summary of Rights" contained on the reverse side of the infringement notice.

Any correspondence relating to the notice must be in writing and can be posted to the Animal Care and Control Unit, Hamilton City Council, Private Bag 3010, Hamilton.

Any further breaches of the Dog Control Act 1996 may result in your dog being impounded, an infringement notice being issued, or prosecution.

Due to an offence being committed by your dog, you will no longer be eligible for the category one registration fee for two years.

Please take note that any dog owner that commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months must be disqualified for a period not exceeding 5 years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

If you have any enquiries regarding this matter, please telephone (07) 838 6632

Regards

Animal Education and Control Officer D44

12 March 2025



Dear [Redacted]

Please find enclosed Infringement notice: 15414

The offence that has been committed is Failure to keep dog controlled or confined.

We have tried contacting you without success.

As a consequence, an infringement notice has been issued under Section 52A Dog Control Act 1996

We take this opportunity of drawing your attention to the “Summary of Rights” contained on the reverse side of the infringement notice. Any correspondence relating to the notice must be in writing and can be posted to the Animal Education and Control Unit, Hamilton City Council, Private Bag 3010, Hamilton or via email: animal.web@hcc.govt.nz

Any further breaches of the Dog Control Act 1996 may result in your dog being impounded, an infringement notice being issued, or prosecution.

Due to an offence being committed by your dog, you will no longer be eligible for the category one registration fee for two years.

Please take note that any dog owner that commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months must be disqualified for a period not exceeding 5 years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

PAYMENT OPTIONS - You can pay your infringement in person or through Internet Banking.

IN PERSON

Animal Education and Control Unit 217 Ellis Street, Frankton Open 12:30pm – 4:30pm 7 days a week	HCC Municipal Building 260 Anglesea Street, Hamilton Open 7:45am – 5:00pm Monday to Friday	HCC Service Desk at Te Kete Aronui (Rototuna Library) 30 North City Rd, Rototuna Open 9:30am – 5:30pm Monday to Friday
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INTERNET BANKING – Please ensure the correct details are entered as listed below. The reference is the notice number at the top of the infringement notice.

Name of Account Hamilton City Council	Bank/Branch 02-0316	Account No 0030142	Suffix 00
Particulars Dog	Code INF	Reference Inf #	

If you have any enquiries regarding this matter, please telephone (07) 838 6632 or email animal.web@hcc.govt.nz and quote the infringement notice number.

Regards

OFFICER D47
ANIMAL EDUCATION AND CONTROL

27/01/2023



Dear [REDACTED],

Please find enclosed Infringement notice: 13757 (relating to Midnight)

The offence that has been committed is Failure to comply with any bylaw authorised by the section.

We have spoken too you in relation to this.

As a consequence, an infringement notice has been issued under Section 20(5) Dog Control Act 1996

We take this opportunity of drawing your attention to the "Summary of Rights" contained on the reverse side of the infringement notice.

Any correspondence relating to the notice must be in writing and can be posted to the Animal Care and Control Unit, Hamilton City Council, Private Bag 3010, Hamilton.

Any further breaches of the Dog Control Act 1996 may result in your dog being impounded, an infringement notice being issued, or prosecution.

Due to an offence being committed by your dog, you will no longer be eligible for the category one registration fee for two years.

Please take note that any dog owner that commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months must be disqualified for a period not exceeding 5 years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

If you have any enquiries regarding this matter, please telephone (07) 838 6632

Regards

Animal Education and Control Officer D44

12 March 2025



Dear [REDACTED]

Please find enclosed Infringement notice: 15790 – re Sophie

The offence that has been committed is Failure to keep dog controlled or confined.

We have spoken too you in relation to this.

As a consequence, an infringement notice has been issued under Section 52A Dog Control Act 1996

We take this opportunity of drawing your attention to the "Summary of Rights" contained on the reverse side of the infringement notice. Any correspondence relating to the notice must be in writing and can be posted to the Animal Education and Control Unit, Hamilton City Council, Private Bag 3010, Hamilton or via email: dog.registration@hcc.govt.nz

Any further breaches of the Dog Control Act 1996 may result in your dog being impounded, an infringement notice being issued, or prosecution.

Due to an offence being committed by your dog, you will no longer be eligible for the category one registration fee for two years.

Please take note that any dog owner that commits 3 or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months must be disqualified for a period not exceeding 5 years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

PAYMENT OPTIONS - You can pay your infringement in person or through Internet Banking.

IN PERSON

Animal Education and Control Unit 217 Ellis Street, Frankton Open 12:30pm – 4:30pm 7 days a week	HCC Municipal Building 260 Anglesea Street, Hamilton Open 7:45am – 5:00pm Monday to Friday
------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------

INTERNET BANKING – Please ensure the correct details are entered as listed below. The reference is the notice number at the top of the infringement notice.

Name of Account Hamilton City Council	Bank/Branch 02-0316	Account No 0030142	Suffix 00
Particulars Dog	Code INF	Reference Inf #	

If you have any enquiries regarding this matter, please telephone (07) 838 6632 or email dog.registration@hcc.govt.nz and quote the infringement notice number.

Regards

OFFICER D45
ANIMAL EDUCATION AND CONTROL

Animal Complaint Record 215087/2021

COMPLAINANT		Officer	D40
Complaint Received	21/01/2021	Home Phone 1	
Name		Home Phone 2	
Address	C/- Hamilton City Council Private Bag 3010 Waikato Mail Centre	Mob Phone	

PROPERTY

Property Address		Safety Alert	
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ANIMAL DETAILS

Animal Number	223350	Animal Name	Oscar	Tattoo	98200910: 849686
Animal Location		Color	BLK /WHI	Sex	M
Owner Address		Owner Name		NAR No.	1169594

REQUEST DETAILS

Offence Date		Dog sighted roaming on Killarney road while patrolling Franton.
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 - Roaming - Public Place	

INVESTIGATION DETAILS

Officer	D40	Microchip found, last registered 19/20 out of district. Impounded p10, links done, KR 48146. left voicemail, impound letter sent.
Start Date	21/01/2021 10:09	
Finish Date	21/01/2021 10:17	
Outcome	Animals - Impounded	
Task	Investigation	

Previous Complaints for Dog

CRM No.	92184/2013	Task	2INV
Animal	223350	Outcome	2PAS
Maj Cat.	Animal Control (heading only)	Officer	D31
Min Cat.	General Tasks (heading only)	Opened	07-Oct-13 04:00:00 PM
Cat 3	Dogs - Multiple Dog Permit	Closed	26-Feb-14 03:37:00 PM

OMPLAINANT		Officer	D41
omplaint received	13/12/2022	Home Phone 1	N/A
lame	Anonymous Anonymous Anonymous	Home Phone 2	
ddress	No Details Provided C/- Hamilton City Council Private Bag 3010	Mob Phone	

PROPERTY

roperty Address		Safety Alert	
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ANIMAL DETAILS

animal Number	244923	Animal Name	Sophie	Tattoo	978142000022588
animal Location		Color		Sex	F
lwner Address		Owner Name		NAR No.	1169594
animal Number	244959	Animal Name	Midnight	Tattoo	978142000022124
animal Location		Color		Sex	M
lwner Address		Owner Name		NAR No.	1169594
animal Number	245105	Animal Name		Tattoo	978142000030684
animal Location		Color		Sex	F
lwner Address		Animal Name		NAR No.	1102376
animal Number	245115	Color		Tattoo	978142000023063
animal Location		Owner Name		Sex	F
lwner Address		Animal Name	Bella	NAR No.	1202072
animal Number	245126	Color		Tattoo	953010000527745
animal Location		Owner Name		Sex	F
lwner Address				NAR No.	1169594

REQUEST DETAILS

ffence Date		Reference Code: AR221266843 Category: Dog & animal issues Report Type: Roaming dog Description: House dogs running around. They bark but not hurt anyone. Do turn down rubbish sometimes. Concerned about the dogs as reversing cars may over run them accidentally or they may frighten people who are not comfortable with animals. They also run into the compounds of the neighboring house where they are not welcomed. Address: Hillcrest, Hamilton 3211 Name: Ssr Phone: 0210792995 Email: Longitude: 175.322276763618 Latitude: -37.792927660737554 Number of Attachments: 0 https://sphere.antenna.co.nz/hash?url=/respond/AR221266843&tc=hamilton >Respond in Antenna
lajor Category	Animal Control (heading only)	
linor Category	Dogs - Offences (heading only)	
ategory 3	Dogs - Roaming (heading only)	
ategory 4	Dogs - Roaming - Public Place	

INVESTIGATION DETAILS

Officer	D41	14/12/2022 9.35am	Went to [REDACTED]
Start Date	13/12/2022 10:05	[REDACTED] spoke with a young man who said his name was [REDACTED]	
Finish Date	21/12/2022 12:42	[REDACTED] r NAR 1119563	I explained why
Outcome	* Advice Given	we where there and asked how many dogs there are at the property	
Task	Investigation	he said 5 we asked to scan the dogs so we could identify wh at dog	
		where at the property. He agreed to bring them out and to scan	
		each one .	He bought each dog ou
		all dogs where scanned.	2 of the dogs where the
		resident dogs AN 244923 and AN 244959	One dog has a chip b
		is not registered or chiped and belongs to [REDACTED]	
		[REDACTED] the third dog is a	
		dead dog (its not dead) named Bella had been reported and dead	
		by the previous owner	The last dog is a new dog
		Chip number 978142000030684 chip found on co mpanion animals.	
		I have given him a week to get that dog	
		registered	I spoke to [REDACTED] about Bella she ha
		agreed to get the registration and getting the record reactivated	
		[REDACTED]	
		21/12/2022 12.45pm	All dogs now
		registered	Advice given on containment
		NFA [REDACTED]	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
Animal	244923	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 10:05:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	21-Dec-22 12:42:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM

Animal Complaint Record 306653/2023

COMPLAINANT		Officer	D37
Complaint Received	26/01/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert	NO	
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594

REQUEST DETAILS

Offence Date		2 x roaming dogs, they come from . 1 x dog is a black poodle medium size, red collar, and the other is a white westie type dog. Customer has previously reported under 292595/2022. Same dogs out again wandering street a few minutes ago. Black poodle barking madly. Have been out a few times since last complaint but owners chased after them. Dogs may have gone home again now as now quiet again.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Roaming (heading only)	
Category 4	Dogs - Roaming - 52A Free To Leave	

INVESTIGATION DETAILS

Officer	D37	27/1 9.50am Phone call to comp and advised that we had attended the dogs for another job (CRM#306726) I have talked with comp about taking photos of the dogs when they are out and continuing to call it through to us, she has agreed to do this and will also let her neighbours know to do the same. Comp tells me that this is an ongoing problem and she is concerned about the behaviour of the small black poodle dog. She doesn't like letting her cats out because these dogs roam so often and she is not sure if they will chase her cats.
Start Date	26/01/2023 09:39	
Finish Date	27/01/2023 10:01	
Outcome	* Advice Given	
Task	Investigation	

Previous Complaints for Dog

CRM No. 299206/2022 Task ANTE

Animal Complaint Record 310912/2023

COMPLAINANT		Officer	D44
Complaint Received	17/02/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert	
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594

REQUEST DETAILS

Offence Date		HISTORIC ROAMING: Email received from Customer Service regarding the Black Poodle from [REDACTED] [REDACTED] roaming and barking on the street at 8:29pm yesterday - Thursday, 16th Feb. Photo of dog attached to email.
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	D44	17/02/2023 15:10pm Spoke to the complainant about the photo and the dog from [REDACTED]. She said the dog had a cat bailed up on a different occasion also. I attempted to phone the dog owner, sent a txt message to inform her she will be receiving an infringement for the dog being off the property again and that I have a photo sent through of the dog Midnight out on the street. [REDACTED] 17/02/2023) Infringement 13760 Section 20(5) for failure to confine. [REDACTED]
Start Date	17/02/2023 02:09	
Finish Date	27/02/2023 12:49	
Outcome	Animals - Sect 20(5) Breach Bylaw Infr.	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM

Animal Complaint Record 306912/2023

COMPLAINANT		Officer	D44
Complaint Received	27/01/2023	Home Phone 1	
Name		Home Phone 2	N/A
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594
Animal Number	245115	Animal Name		Tattoo	978142001023063
Animal Location		Color	BLK /WHI	Sex	F
Owner Address		Owner Name		NAR No.	1202072

REQUEST DETAILS

Offence Date		(2) Roamer at [REDACTED] on property [REDACTED] has taken photo's video - they tried to have a go at [REDACTED]. 2 Black dogs (1) has red collar
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	D44	27/01/2023 09:40am Patrolling the street and sighted 2 dogs black in colour one Poodle looking and or Shepherd. The Shepherd has come to hand. The Poodle has kept its distance and barked and barked and eventually ran into the ho use. The Shepherd [REDACTED] was put into the ute and Impounded. K 08 KR 50376 Links done Dog owner phoned and Impound letter sent. Phoned Dog owner of the Poodle "Midnight" Let her know she will be receiving an Infringement. Infringement 13757 Section 20(5) for failure to contain. [REDACTED]
Start Date	27/01/2023 09:06	
Finish Date	27/01/2023 01:28	
Outcome	Animals - Sect 20(5) Breach Bylaw Infr.	
Task	Investigation	

Previous Complaints for Dog

CRM No. 299206/2022 Task ANTE



Animal Complaint Record 307817/2023

COMPLAINANT		Officer	
Complaint Received	02/02/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert	YES	The dogs are known to be aggressive towards people.
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594
Animal Number	245115	Animal Name		Tattoo	978142001023063
Animal Location		Color	BLK /WHI	Sex	F
Owner Address		Owner Name		NAR No.	1202072

REQUEST DETAILS

Offence Date		FREE TO LEAVE : 3-4 x dogs who live at . Last night of them came on to the callers property and attacked her cat. 1 x Small white poodle cross, 1 x small black and shaggy dog, 1 x cattle looking dog. The 2 dogs that attacked the cat were the cattle dog and the small black hairy dog. The small black hairy dog has bailed someone up on the street this week, and the small white poodle on rushes out when people walk along the street. These dogs are free to roam and leave their property.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Failure To Keep Control of Dog	
Category 4		

INVESTIGATION DETAILS

Officer	SGRI
Start Date	01/03/2023 04:06
Finish Date	01/03/2023 04:06
Outcome	* Completed
Task	Investigation

02/02/2023 9:16am Phoned Comp while enroute. She has confirmed that her son witnessed the two black dogs (black shaggy cattle looking dog and small black hairy dog) both attack their cat. I have advised I am en route and will contact her at a later stage to organise obtaining a statement from her son.

02/02/2023 10:30am D44 and I have attended property with intentions of seizing the dogs responsible for attack however once at property all 5 dogs at the property were contained (a rarity). Please see photos attached. The two black dogs responsible were chained to trees and the other dogs were confined to yard. I have decided to leave the dogs there and talk with the dog owners.

02/02/2023 3:00pm I have spoken to [REDACTED] owner of Midnight, and [REDACTED] about incident. [REDACTED] has advised that her neighbour returned the dogs to her and had said that they chased her cat, not attacked it. I have advised both owners that I opted against seizing the dogs because they had finally contained them in a proper manner and to continue doing so. I have said that I will advise of an outcome once I have obtained a statement of what has happened from the witnesses and investigated further.

- 03/02/2023) 03/02/2023 4:10pm Emailed a Statement Form to [REDACTED] requesting her son to supply a detailed statement of what he witnessed. [REDACTED] - 03/02/2023)

09/02/2023 2:10pm Have attached statement from [REDACTED], who witnessed the 'attack'. He does not specify that contact was actually made, it sounds like the dogs were chasing the cat but have not bitten it. [REDACTED]

- 09/02/2023) 10/02/2023 4:00pm Phoned [REDACTED] who has confirmed no contact was made, the dogs have chased the cat up the driveway.

I have then phoned [REDACTED] and advised him he will be receiving an infringement. He questioned my proof and I've then advised the dogs ([REDACTED] and Midnight) hadn't made contact but because they were still out roaming, not controlled or contained he would be receiving an infringement. He believes I can't infringe him on this as the initial complaint I discussed with him was because his dog allegedly attacked a cat which has now been confirmed that it did not happen with no contact being made. I have tried to explain that I am/can infringe him on the fact that his dog was not contained or controlled but he is disputing this based on no video evidence.

I have then tried phoning [REDACTED] to advise the same, no answer so I have left a voice message advising of infringement and explaining that I hadn't seized the dogs as they had been contained effectively when I arrived at the property and to continue with the containment. [REDACTED]

01/03/2023 3:45pm Amended Statement received from [REDACTED] confirming correct time and date of incident as being 01/02/2023 6:00pm. Infringements have now been issued as discussed with D/Os.

AVA: Infringement 13746 - S.52A - Failure to control and confine - Dog has been roaming and witnessed chasing neighbour's cat.

MIDNIGHT: Infringement 13747 - S.52A - Failure to control and confine - Dog has been roaming and witnessed chasing neighbour's cat. [REDACTED]

01/03/2023) Category changed to Failure to control as per D45s request. [REDACTED] - 01/03/2023)

Previous Complaints for Dog

COMPLAINANT		Officer	SGRI
Complaint Received	03/02/2023	Home Phone 1	[REDACTED]
Name	[REDACTED]	Home Phone 2	
Address	[REDACTED]	Mob Phone	[REDACTED]

PROPERTY

Property Address	[REDACTED]	[REDACTED]	Safety Alert		
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001
Animal Location	[REDACTED]	Color			022124
Owner Address	[REDACTED]	Owner Name	[REDACTED]	Sex	M
				NAR No.	1169594

REQUEST DETAILS

Offence Date		Caller is reporting her dog missing. Black Caboodle. Male. Almost a year old. Caller said her dog was staying with a friend of hers and he got out. Named Midnight. Registered to the Council. Been missing for the last hour.
Major Category	Animal Control (heading only)	
Minor Category	General Tasks (heading only)	
Category 3	Dogs - Lost Dog	
Category 4		

INVESTIGATION DETAILS

Officer	SGRI	Added to lost dog book. Dog linked. ([REDACTED])
Start Date	03/02/2023 06:13	
Finish Date	08/02/2023 04:15	
Outcome	* Complete & Close CRM	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

Animal Complaint Record 309652/2023

COMPLAINANT		Officer	D44
Complaint Received	13/02/2023	Home Phone 1	[REDACTED]
Name	[REDACTED]	Home Phone 2	
Address	[REDACTED]	Mob Phone	[REDACTED]

PROPERTY

Property Address	[REDACTED]	[REDACTED]	Safety Alert		
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001 022124
Animal Location	[REDACTED]	Color		Sex	M
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	1169594

REQUEST DETAILS

Offence Date		[REDACTED] - Facebook Message: Hi there. I am here to make complaint. I have a neighbour who has a dog that is chained up outside. It has been like this all morning. Because I can't send a video via your complaints page in your website. This is the only way I can do it. What are the next steps from here. Kind Regards. [REDACTED] [REDACTED] [REDACTED] [REDACTED]			
Major Category	Animal Control (heading only)				
Minor Category	Dogs - Offences (heading only)				
Category 3	Dogs - Barking				
Category 4					

INVESTIGATION DETAILS

Officer	D44	13/02/2023 13:10pm Phoned the dog owner to let her know we have received a complaint of the dogs barking and concern they are in the rain. [REDACTED] said s he is about to start her lunch break and will go check on them. I attempted to phone the complainant but no answer, txt msg sent letting him know the dog owner was going home to check on the dogs. [REDACTED]			
Start Date	13/02/2023 12:19				
Finish Date	18/02/2023 04:00				
Outcome	* Advice Given				
Task	Investigation	14/02/2023 09:00am Phoned complainant no answer txt message sent again, have not heard back from last txt. Asked if this barking was ongoing and if he was wanting to complete a barking log. [REDACTED] 18/02/2023 16:00pm Have not had a reply from the complainant regarding barking log. N.F.A [REDACTED] [REDACTED]			

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT

COMPLAINANT		Officer	D44
Complaint Received	17/02/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	97814200
Animal Location		Color			022124
Owner Address		Owner Name		Sex	M
				NAR No.	1169594

REQUEST DETAILS

Incidence Date		HISTORIC ROAMING: Email received from Customer Service regarding the Black Poodle from [REDACTED] roaming and barking on the street at 8:29pm yesterday - Thursday, 16th Feb. Photo of dog attached to email.
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	D44	17/02/2023 15:10pm Spoke to the complainant about the photo and the dog from [REDACTED]. She said the dog had a cat bailed up on a different occasion also. I attempted to phone the dog owner, sent a txt message to inform her she will be receiving an infringement for the dog being off the property again and that I have a photo sent through of the dog Midnight out on the street. [REDACTED] Infringement 13760 Section 20(5) for failure to confine. [REDACTED]
Start Date	17/02/2023 02:09	
Finish Date	27/02/2023 12:49	
Outcome	Animals - Sect 20(5) Breach Bylaw Infr.	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM

Animal Complaint Record 327111/2023

COMPLAINANT		Officer	D47
Complaint Received	17/05/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert	NO
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	245860	Animal Name		Tattoo	978142001022494
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1202072

REQUEST DETAILS

Offence Date		3 roaming dogs at . The dogs live at .
Major Category	Animal Control (heading only)	door is open at house. Green tags on all of the dogs. 2 small white and one medium size brown dog.
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Roaming (heading only)	
Category 4	Dogs - Roaming - 52A Free To Leave	

INVESTIGATION DETAILS

Officer	D47	17-05-2023	0306 pm
Start Date	17/05/2023 02:42	Called informant to confirm if the dogs were on a property or roaming. Seemed to be on a property but the details provided didn't help much. Called D/O and explained the situation and he said he was heading home, I said I'll meet him there and have a quick chat.	
Finish Date	19/05/2023 07:21	0320 pm	
Outcome	* Advice Given	Arrived at address with D45 and talked to complainant, she had photos of the dogs but the photos were of the dogs inside the property. House door was left open on the property which is how the dogs got out. D/O arrived and we talked about containment, he moved to a new house because he had containment issues at the last address. His mother's dogs' address hadn't been updated to the new address so advised him to get her to update it online or come in to the office. D/O keeps dogs inside during the day while he's getting the back yard set up for them. 3 dogs at address but only 2, Sophie AN244923 and fre e to leave. "Midnight" AN 244959 was tied up.	
Task	Investigation	NFA ()	

Animal Complaint Record 330616/2023

COMPLAINANT		Officer	D44
Complaint Received	05/06/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594

REQUEST DETAILS

Offence Date		To whom it may concern, I would like to report an owner with three dogs at , . The owner has three dogs and the dogs are not gated. Numerous times we have seen the dogs chase the kids and people nearby and yesterday my father got bitten on the ankle, luckily no harm was made. It is not safe for people living around the area, because they dogs also go into other people's properties. Feel free to contact me if you need more information. Sincerely
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Attack (heading only)	
Category 4	Dogs - Attack - Dog v Person - Historic	

INVESTIGATION DETAILS

Officer	D44	05/06/2023 12:10pm Patrolled the street no dogs out roaming, Visited number and spoke to the dog owner there, she was aware the dogs had been out and roaming. Dog owner was in the shed in the middle of building gates and remedying the fences where the dogs are able to get out. She showed me several areas where it has been completed and the areas still to be finished. I have advised the dog owner to update the records to show that she is at a new address now. N.F.A
Start Date	05/06/2023 11:44	
Finish Date	07/06/2023 01:20	
Outcome	* Advice Given	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT

Animal Complaint Record 371092/2023

COMPLAINANT		Officer	D40
Complaint Received	18/12/2023	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	245860	Animal Name		Tattoo	978142001022494
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1202072

REQUEST DETAILS

Offence Date		[REDACTED] was driving in car and noticed 2 dogs on the road, near [REDACTED] she stopped to pick them up but as she got out of the car one of them ran up and bit her on the ankle, left a puncture wound, but doesn't need medical attention. She said they then started chasing other people walking around and trying to bite them but the [REDACTED] managed to chase them away. Happened at about 18:10pm - no sign of the owners, dogs were Maltese and white, went into the property [REDACTED]
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Attack (heading only)	
Category 4	Dogs - Attack - Dog v Person - Historic	

INVESTIGATION DETAILS

Officer	AHU
Start Date	19/12/2023 04:41
Finish Date	19/12/2023 04:42
Outcome	* Completed
Task	Investigation

18/12/23 8:30pm tried to phone dog owner [REDACTED] but no answer. P honed owner of the 3rd dog at the property "Midnight", he said the dogs were all home and he wasn't aware of them getting out. Advised of the complaint and told him I would be investigating as the complainant has mentioned one of the dogs has bitten her. Told him to pass on my number to the other dog owner if she wants to talk in the meantime. [REDACTED]

20/12/23 3pm Phoned comp and arranged to take a statement tomorrow at 11am at the AECU. [REDACTED] 20/12/2023) 21/12/23 11am Statement received from comp. Photos received [REDACTED] 21/12/2023)

*It was [REDACTED] owner I spoke to, not midnight's -As there are two dogs similar description at the property, I have spoken to D45 who has dealt with the dogs previously and has photos of them, and the male dog [REDACTED] matches the description the complainant has given.

[REDACTED] to be classified as menacing as he has bitten the complainant causing minor injuries [REDACTED] - 27/02/2024) Recategorised this to an attack as the dog made contact. [REDACTED]

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
Animal	244923	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 10:05:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	21-Dec-22 12:42:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	306653/2023	Task	2INV
Animal	244923	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D37
Min Cat.	Dogs - Offences (heading only)	Opened	26-Jan-23 09:39:00 AM
Cat 3	Dogs - Roaming (heading only)	Closed	27-Jan-23 10:01:00 AM
Cat 4	Dogs - Roaming - 52A Free To Leave		

Animal Complaint Record 394614/2024

COMPLAINANT		Officer	D47
Complaint Received	14/04/2024	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address			Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	245860	Animal Name		Tattoo	978142001022494
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1202072

REQUEST DETAILS

Offence Date		reported hearing a young boy running up the street, and yelling at dog who was chasing him, thinks he ran into the dairy, there was 2 white dogs from , but only one was chasing the boy, owners came out and called the dogs back in. She said these dogs are regularly out on the street. Happened about 10 mins ago
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Rushing (heading only)	
Category 4	Dogs - Rushing Person - Urgent	

INVESTIGATION DETAILS

Officer	D47
Start Date	14/04/2024 02:06
Finish Date	18/04/2024 03:35
Outcome	Animals - Seized
Task	Investigation

14/4/24

0210 pm

Called comp, asked if dogs were still out, someone from the address had bought them inside. Asked if she witnessed the dogs make contact, she said one of them was right on the boys heels but didn't see any contact. Asked if she knew the boy or had any contact details, none provided. Organised statement for 0100 pm 15/4/24 at Ellis St. Comp was concerned about confidentiality of her details.

14/4/24

0300 pm

Attended address at [REDACTED], explained the reported incident to the dog owners of the 2 white dogs at the address and seized the dogs for being free to leave and involved in a rushing. [REDACTED] owner has told me his side of the story saying that his sister was over and she was the one that has gone and collected the dogs while they were off the property. Sophie's owner stated she is not sure what has happened as she has just returned to the address. Seizure notices and photos of the dogs attached to CRM. Impounded K29 KR 51925 AN 244923 "Sophie" Impounded K30 [REDACTED] " " Scanned for chips for ID confirmation.

15/4/24

1238 pm

Witness:

arrived at 217 Ellis St early with pre-written statement which was acceptable but wanted me to sign a privacy agreement. After discussing with D37 and D36 I was advised not to sign the pre-written statement and the witnesses redacted it and did not wish to provide one for privacy reasons. (Taryn Pritchard - 15/04/2024)

15/4/24

0100 pm

Called D/

of seized dogs and advised they can collect them from AECU at 217 Ellis St after fees have been paid.

18/4/24

0332 pm

Called and advised Comp of outcome being infringements to dog owners. Called and advised Owner of [REDACTED] of infringement. Called and left voicemail to owner of Sophie regarding infringement. [REDACTED] Infringement 15414 Issued under S52A DCA to AN 244923 "Sophie" NFA [REDACTED]

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
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Animal Complaint Record 419079/2024

COMPLAINANT		Officer	DTHO
Complaint Received	12/08/2024	Home Phone 1	
Name	[REDACTED]	Home Phone 2	
Address	[REDACTED]	Mob Phone	[REDACTED]

PROPERTY

Property Address	[REDACTED]	[REDACTED]	Safety Alert	
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ANIMAL DETAILS

Animal Number	244959	Animal Name	Midnight	Tattoo	978142001 022124
Animal Location	[REDACTED]	Color		Sex	M
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	1169594

REQUEST DETAILS

Offence Date		Caller is reporting that her dog is missing. Registered and microchipped. Male. Curly haired. Male. Black. Cavoodle. Has a grey/blue collar on with midnight and the caller's mobile number. Named Midnight. Last seen earlier today.
Major Category	Animal Control (heading only)	
Minor Category	General Tasks (heading only)	
Category 3	Dogs - Lost Dog	
Category 4		

INVESTIGATION DETAILS

Officer	DTHO	Added to lost dog book [REDACTED]
Start Date	12/08/2024 01:46	
Finish Date	12/08/2024 02:38	
Outcome	* Complete & Close CRM	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

Animal Complaint Record 455901/2025

COMPLAINANT		Officer	D36
Complaint Received	29/01/2025	Home Phone 1	
Name	AECU Animal Education and Control Unit	Home Phone 2	
Address	C/- Hamilton City Council Private Bag 3010 Waikato Mail Centre	Mob Phone	

PROPERTY

Property Address	[REDACTED]	Lot 1 DP S6328	Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001 022588
Animal Location	[REDACTED]	Color		Sex	F
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	1169594
Animal Number	244959	Animal Name	Midnight	Tattoo	978142001 022124
Animal Location	[REDACTED]	Color		Sex	M
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	1169594

REQUEST DETAILS

Offence Date		SERVE: Disqualification paperwork to be served to [REDACTED] of [REDACTED] Hamilton. Statement of Service to be returned to Apps team.
Major Category	Animal Control (heading only)	
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Offences - Officer (heading only)	
Category 4	Dogs - Officer - Serve Owner Classification	

INVESTIGATION DETAILS

Officer	SGRI	29/01/2025 @ 4.05pm - Emailed Dog Owner the notification and disqualification. See attached. ([REDACTED] - 29/01/2025) 29/01/2025 @ 3.46pm Collected by Courier from AECU. Delivered 30/01/2025 @ 10:52am by Courier. https://www.nzpost.co.nz/tools/tracking?track id=HA335342216NZ [REDACTED] - 03/02/2025) Objection received. See attached email. [REDACTED] - 03/02/2025)
Start Date	03/02/2025 04:25	
Finish Date	03/02/2025 04:25	
Outcome	* Completed	
Task	Investigation	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	

Animal Complaint Record 457824/2025

COMPLAINANT		Officer	D45
Complaint Received	07/02/2025	Home Phone 1	[REDACTED]
Name	[REDACTED]	Home Phone 2	
Address	[REDACTED]	Mob Phone	[REDACTED]

PROPERTY

Property Address	[REDACTED]	[REDACTED]	Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location	[REDACTED]	Color		Sex	F
Owner Address	[REDACTED]	Owner Name	[REDACTED]	NAR No.	1169594

REQUEST DETAILS

Offence Date		[REDACTED] received a note saying her dog was out again, but she looked
Major Category	Animal Control (heading only)	
Minor Category	General Tasks (heading only)	
Category 3	Dogs - Advice Given	
Category 4		

INVESTIGATION DETAILS

Officer	D45	Please see linked CRMs. Dogs were all free to leave and roaming and I have completed property check with [REDACTED] while onsite. NFA [REDACTED]
Start Date	07/02/2025 04:16	
Finish Date	17/02/2025 01:32	
Outcome	* Advice Given	
Task	Data Recorded	

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

Animal Complaint Record 458840/2025

COMPLAINANT		Officer	D45
Complaint Received	12/02/2025	Home Phone 1	N/A
Name	Anonymous Anonymous Anonymous	Home Phone 2	
Address	No Details Provided C/- Hamilton City Council Private Bag 3010	Mob Phone	

PROPERTY

Property Address			Safety Alert	NO	
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594
Animal Number	249824	Animal Name		Tattoo	900141001428009
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1207138

REQUEST DETAILS

Offence Date		Three dogs roaming on heading towards
Major Category	Animal Control (heading only)	One large tan dog, one medium black dog and one small white dog
Minor Category	Dogs - Offences (heading only)	They all come from
Category 3	Dogs - Roaming (heading only)	
Category 4	Dogs - Roaming - Public Place	

INVESTIGATION DETAILS

Officer	D45	12-02-2025 8:30am AECOs D17, D49, D51 and I have patrolled area and attended address. x3 dogs known to currently reside at
Start Date	12/02/2025 08:21	have all been free to leave the property, photos attached. Dog known as Midnight has been seen jumping from a 'sofa' up onto the windowsill and into the backyard via a gap between the gate and the window itself, has then entered the house via the back door that was open. Sophie has also entered the backyard although unsure how she got there. We have attempted to capture the new tan and white Staffy cross male dog however he has evaded capture and has taken off into the street. Sophie has also ended up back in the street but Midnight has remained inside the house. I have closed the back door and blocked the cat flap with a laundry hamper. D17 & D49 have activated a patrol of the area for the tan dog
Finish Date	17/02/2025 02:31	
Outcome	Animals - Sect 52A Fail Keep Dog Ctl Inf	
Task	Investigation	

g, D17 and I have stayed at the address and have attempted to capture Sophie unsuccessfully. Tan dog has not been found/seen. D17 & D49 have returned to address where we have caught Sophie on a neighbouring property. I have placed her in my vehicle and left a seizure notice at the property. We have all then started patrolling for tan dog. A couple of reports have been received of a dog roaming, matching description in various areas of Hillcrest, the last report being Howell Ave. All AE COs have been unable to find dog. As we have called of searching, I have managed to contact [REDACTED] and informed her of situation. She will make her way home. I have told [REDACTED] that I would meet her there, reunite Sophie with her but that I would be issuing infringements for all 3 dogs being out.

We have met [REDACTED], reunited Sophie and completed a property visit and have shown [REDACTED] all the ways and points of exit/escape for the dogs and have told her what we had witnessed (the dogs jumping onto the windowsill, Sophie climbing the pallets and tree stump, through the neighbours trees etc. Midnight and Sophie have invisible boundary shock collars on however they do not appear to be working. Once the dogs escape the back yard, these collars should be activating and we have clearly seen all 3 dogs at the front of the property and out on the street. We have discussed containment but it appears [REDACTED] only option is to obtain/setup a kennel and run, completely enclosed cage type of housing. We have informed [REDACTED] of the last sightings of [REDACTED] and she will go and try and find him. We have then left.

Upon leaving D17 has informed me he has just picked up a contained roamer on Malcolm Street and confirms it is [REDACTED]. [REDACTED] have phoned [REDACTED] and informed her [REDACTED] had been found, safe and that we will be impounding him due to the situation regarding ownership of the dog. D17 has impounded [REDACTED] in K:10, KR:53141. Please see additional notes below regarding this.

After a [REDACTED] We have then left [REDACTED] Details regarding dog known as [REDACTED] has come into possession of [REDACTED] as a result of agreeing to house sit the dog for a person she does not know, through a local Facebook post she has seen and agreed to. The dog [REDACTED], has been with her at [REDACTED] since 17th January 2025, expecting for him to be returned home on the 28th January. [REDACTED] has received messages from the dog owner claiming to be stuck in Thailand and requesting her to organise vaccinations etc in preparation to 'post' the dog to Thailand. [REDACTED] has taken the dog to the vet to be scanned for a microchip, they have found some details for dog owner on their records and have tried contacting dog owner on behalf of [REDACTED] unsuccessfully. They have also informed [REDACTED] that she must have known the dog owner for 3 years to be able to export the dog. [REDACTED] has sent an email with the information she has for the dog owner with a Facebook page which appears to be an 'influencer' type page with a lot of followers. [REDACTED] admits that this is feeling like a scam and she is now stuck with a dog whom she would like to take ownership of.

D17 has run microchip through Companion Animals and found some owner details for [REDACTED] with x2 phone numbers, both inactive, an email address of [REDACTED] with [REDACTED] impound letter sent here. After some confusion surrounding the microchip number (9001410004280090), leading D17 to [REDACTED] it has been confirmed that [REDACTED] is a homeless person with no address details known. D37 has emailed [REDACTED] regarding [REDACTED] and where [REDACTED] supposed to be residing. An email has been received overnight, attached, stating that the person writing the email (not signed with a name), legally allows [REDACTED] to be looking after [REDACTED] and that she is supervisor/parent of [REDACTED] m. D17 has then run [REDACTED] details in NDD which come back with the

13/02/2025) 13-02-2025 1:45pm I have phoned [REDACTED] and have informed her that she can come and collect [REDACTED] and register him under her name. If and when [REDACTED] comes back for the dog, a change of ownership can be completed. [REDACTED])

17-02-2025 2:30pm Infringement 15789 issued for Midnight - S52A - Failure to keep dog controlled or confined - Dog has been able to freely leave the property.

Infringement 15790 issued for Sophie - S52A - Failure to keep dog controlled or confined - Dog has been able to freely leave the property. [REDACTED]

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
Animal	244923	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 10:05:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	21-Dec-22 12:42:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
Animal	244959	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 10:05:00 PM

Animal Complaint Record 460116/2025

COMPLAINANT		Officer	D49
Complaint Received	17/02/2025	Home Phone 1	
Name		Home Phone 2	
Address		Mob Phone	

PROPERTY

Property Address		Lot 1 DP S6328	Safety Alert		
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ANIMAL DETAILS

Animal Number	244923	Animal Name	Sophie	Tattoo	978142001022588
Animal Location		Color		Sex	F
Owner Address		Owner Name		NAR No.	1169594
Animal Number	244959	Animal Name	Midnight	Tattoo	978142001022124
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1169594
Animal Number	249824	Animal Name		Tattoo	900141001428009
Animal Location		Color		Sex	M
Owner Address		Owner Name		NAR No.	1207138

REQUEST DETAILS

Offence Date		ID: AR2502167632; Description: 3x dogs from [REDACTED] were out roaming again. @ 6.35pm 17/02/2025. No owner with dogs. 1x tan pitbull x 1x black poodle x 1x white Maltese/ Shih tzu. All 3 were running down Kakanui avenue towards Edinburgh road. Turned on to Edinburgh road heading towards Helena/Brocas Ave.; Category: Dog & animal issues ; Report Type: Roaming dog; [REDACTED]
Major Category	Animal Control (heading only)	Attachments: 0; https://sphere.antenno.co.nz/hash?url=/respond/AR2502167632&tc=hamilton Respond in Antenno
Minor Category	Dogs - Offences (heading only)	
Category 3	Dogs - Roaming (heading only)	
Category 4	Dogs - Roaming - 52A Free To Leave	

INVESTIGATION DETAILS

Officer	D49
Start Date	18/02/2025 08:45
Finish Date	18/02/2025 02:15
Outcome	* Advice Given
Task	Investigation

ID: AN2502107052,

Description: 3x dogs from [REDACTED] were out roaming again. @ 6.35pm 17:02/2025. No owner with dogs.

1x tan pitbull x

1x black poodle x

1x white Maltese/ Shih tzu

All 3 were running down Kakanui avenue towards Edinburgh road.

Turned on to Edinburgh road heading towards Helena/Brocas Ave.;

Category: Dog & animal issues ;

Report Type: Roaming dog;

[REDACTED] ; 18/02/2025 9:29am. Patrolled area, no dogs sighted. Have gone to [REDACTED] Knocked on window and called out, no one seems to be home. No dogs seen or heard at this time. Have called D/O [REDACTED] and discussed the report with her. She believes her student may have let the dogs through the gate as D/O was out at the time but the dogs were home later in the night. I have asked if dogs will be home currently as I did not see or hear any dogs today. She has said her daughter is home sick so the dogs are inside with her. Have told D/O the containment needs to be sorted or there are risk of infringements in the future. Advice given only. [REDACTED]

Previous Complaints for Dog

CRM No.	299206/2022	Task	ANTE
Animal	244923	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 09:17:24 PM
Cat 3	Dogs - Roaming (heading only)	Closed	13-Dec-22 10:05:42 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	2INV
Animal	244923	Outcome	ADVC
Maj Cat.	Animal Control (heading only)	Officer	D41
Min Cat.	Dogs - Offences (heading only)	Opened	13-Dec-22 10:05:00 PM
Cat 3	Dogs - Roaming (heading only)	Closed	21-Dec-22 12:42:00 PM
Cat 4	Dogs - Roaming - Public Place		

CRM No.	299206/2022	Task	ANTE
Animal	244959	Outcome	RCAT
Maj Cat.	Animal Control (heading only)	Officer	

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 14 November 2024) 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 maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)
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